



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, APRIL 20, 2021 – 7:00 PM**

<https://us02web.zoom.us/j/87560595029?pwd=SnpEUDRTZlZqT1pOa0gyWEFVOVV0QT09>

Meeting ID: 875 6059 5029

Passcode: 352809

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AGENDA

- 1. Call meeting to order**
- 2. Roll call**
- 3. Review and possible action relating to the minutes of the April 8, 2021 regular City Council meeting**
- 4. Public Hearings - None.**
- 5. 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.*
- 6. Petitions, Requests, and Communications:**
 - a. Review and possible action relating to proclamation recognizing Fair Housing Month in the City of Fort Atkinson.
 - b. Review and possible action relating to proclamation recognizing April 30, 2021 as Arbor Day in the City of Fort Atkinson.

7. Resolutions and Ordinances:

- a. Review and first reading relating to an Ordinance to create Section 10-14 of the City of Fort Atkinson Municipal Code (prohibiting large-scale commercial animal breeding)
- b. Review and first reading relating to an Ordinance to amend section 6-86 of the City of Fort Atkinson Municipal Code (retail Class A liquor license quota) First reading.
- c. Review and first reading relating to an Ordinance to amend Section 6-33 of the City of Fort Atkinson Municipal Code (authority to issue operator's licenses).
- d. Review and first 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.

8. Reports of Officers, Boards, and Committees:

- a. Review and possible action relating to appointment of Mark Bardenwerper to Historic Preservation Commission to fill unexpired term through 2023.
- b. Review and possible action relating to appointment of Brandon Thornton to Historic Preservation Commission for five year term through 2026.
- c. Minutes of Ordinance Committee meeting held April 8, 2021.
- d. Minutes of Plan Commission meeting held April 13, 2021.
- e. Minutes of Historic Preservation Commission meeting held April 12, 2021.
- f. Building, plumbing, and electrical permit report for March, 2021.

9. Unfinished Business:

10. Claims, Appropriations and Contract Payments:

- a. Review and possible action relating to verified claims presented by the Director of Finance.

11. The 2020-2021 City Council will adjourn – Sine Die

12. The City Clerk will administer the **Oath of Office to newly elected Council members.**

13. The City Manager will **call to order** the first meeting of the 2021-2022 City Council.

14. Roll call.

15. Election of the President of the City Council

16. President takes chair and leads the **Election of the President Pro Tem**

17. Review and possible confirmation of the City Manager's appointment of **Mason Becker** as the City Council member on the **Plan Commission**

18. Review and possible action to Designate an **Official City Newspaper**

19. New Business:

- a. Review and possible action relating to presentation and renewal of test plot land rental at Hoard Road for Fort Atkinson FFA.
- b. Review and possible action relating to authorization and signature of 2020 Recycling Program Annual Report.
- c. Review and possible action relating to the Banker Road Neighborhood Plan Scope of Services from Vandewalle & Associates.
- d. Discussion and possible action relating to Board of Review scheduled for Wednesday May 5, 2021 10:00 am to 12:00 pm
- e. Review and possible action relating to purchase of tandem axle, hook style, roll-on/off truck with dump box and plow equipment for Department of Public Works.

20. Miscellaneous:

- a. Review and possible action relating to Special Event request to hold Fort Atkinson Generals Baseball Fest at Jones Park on June 17 – 20, 2021.
- b. Review and possible action relating to Special Event request to hold Dairy Day at the MOOseum at Hoard Historical Museum on June 19, 2021.
- c. Review and possible action relating to Special Event request to hold Ice Cream Social at Hoard Historical Museum on July 3, 2021.
- d. Review and possible action relating to Special Event request to hold Fort Atkinson Summer Charity Concerts at Barrie Park on June 30 and July 14, 2021.

- e. Review and possible action relating to Special Event request to hold Memorial Day Parade at designated route on May 31, 2021.
- f. Review and possible action relating to operator licenses.
- g. City, Sewer, Water and Stormwater Utility Financial Statements as of March 31, 2021
- h. Consideration of a motion to convene in closed session pursuant to Wisconsin State Statute §19.85(1)(e) to deliberate and conduct other specified public business, when competitive or bargaining reason require a closed session [to discuss strategies relating to an Intergovernmental Agreement between the City and the Town of Koshkonong]. No action will be taken. The Council will reconvene in open session only to adjourn the meeting.

21. Adjournment

Date Posted: April 16, 2021

Visit us online! City news and information can be found at www.fortatkinsonwi.net, and be sure to follow us on Facebook @FortAtkinsonWI.



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

**CITY COUNCIL MEETING MINUTES
REMOTE VIA PHONE USING ZOOM
THURSDAY, APRIL 8, 2021 – 7:00 PM**

CALL MEETING TO ORDER

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

ROLL CALL

Present: Cm. Housley, Cm. Johnson, Cm. Kotz, Cm. Scherer and President Becker. Also present: City Manager, City Attorney, City Engineer, City Clerk/Treasurer and Fire Chief.

**REVIEW AND POSSIBLE ACTION RELATING TO THE MINUTES OF THE MARCH 16, 2021
REGULAR CITY COUNCIL MEETING**

Cm. Scherer moved, seconded by Cm. Johnson to approve minutes as presented. Motion carried.

PUBLIC HEARINGS – NONE.

PUBLIC COMMENT:

Ann Engelman, 428 Sherman Avenue E spoke on April being Poetry Month. She represented the Friends of Lorine Niedecker and honored her success as a long-time resident of the area.

PETITIONS, REQUESTS, AND COMMUNICATIONS – NONE.

RESOLUTIONS AND ORDINANCES:

a. Review and possible action relating to a Resolution declaring support for a strong state and local partnership: shared revenue funds critical services.

Manager LeMire introduced the Resolution and discussed how the municipality is funded through property taxes and shared revenue from the State. The League of WI Municipalities has been encouraging local governments to adopt resolutions indicating the importance of the shared revenue.

Cm. Kotz moved, seconded by Cm. Scherer to adopt Resolution declaring support for a strong state and local partnership and direct the City Clerk to send the executed resolution to our State Legislators, Governor Tony Evers, and to the League of Wisconsin Municipalities. Motion carried unanimously.

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:

a. City Manager's report.

Manager LeMire provided her report. No action was taken.

b. Minutes of License Committee meeting held March 16, 2021.

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

UNFINISHED BUSINESS – NONE.

NEW BUSINESS:

a. Review and possible action relating to change order for construction at Fire Department.

Chief Rausch reviewed the activity that lead up to the change orders. This included additional features for stormwater management, added features or rearrangement of equipment and unserviceable equipment discovered during construction.

Cm. Kotz moved, seconded by Cm. Johnson to approve the change order #6 for construction at the Fire Department not to exceed \$92,787.03. Motion carried unanimously.

b. Review and possible action relating to change in Koshkonong Township fire protection. Chief Rausch presented the request for fire and EMS service to the Blackhawk Bluff area that lies in the Town of Koshkonong. This areas contains approximately 100 full-time residents and 50 homes or improved properties.

- EMS service cost - \$1,192 per year (this additional revenue will be passed directly to Ryan Brothers.)
- Fire service cost - \$5,023 annually (this revenue should be applied to continual overages in paid-on-call firefighter wages).

Cm. Scherer moved, seconded by Cm. Kotz to authorize the City Attorney prepare a formal contract addendum. Once the Town of Koshkonong approves a new contract addendum, implementation may take up to 60 days for the two dispatch centers to be notified and update their records to begin service approximately June 1, 2021. Motion carried.

Cm. Scherer made an amendment to include condition on Ryan Brothers approving the contract addendum. Seconded by Cm. Kotz. Motion carried.

MISCELLANEOUS:

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

Cm. Kotz moved, seconded by Cm. Johnson to approve the Special Event for the Fort Atkinson Area Chamber of Commerce Fort Farmers Market on Saturday May 1, 2021 thru Saturday October 30, 2021 and street closures of S. Water Street East. Motion carried.

b. Review and possible action relating to Special Event request to hold Fort Youth Triathlon July 31 at multiple locations.

Cm. Kotz moved, seconded by Cm. Housley to approve the Special Event Youth Triathlon for the Parks & Recreation to be held on Saturday July 31, 2021 at Rock River Park, Aquatic Center and

Montclair Subdivision and approve closure of Sinnissippi Drive from 5:00 am to 11:00 am.
Motion carried.

c. Review and possible action relating to Special Event request to hold City of Fort Atkinson Park & Recreation World of Wheels September 18 at Ralph Park.

Cm. Housley moved, seconded by Cm. Johnson to approve the Special Event World of Wheels for the Parks & Recreation to be held on Saturday September 18, 2021 at Ralph Park. Motion carried.

d. Review and possible action relating to Renewal Alcohol Beverage License Application for Fort Atkinson Generals Baseball Team, Class "B" Fermented Malt Beverage.

Cm. Scherer moved, seconded by Cm. Housley to approve the six month Renewal Alcohol Beverage License Application for Fort Atkinson Generals Baseball Team, Class "B" Fermented Malt Beverage from April 9, 2021 to October 9, 2021. Motion carried.

e. Review and possible action relating to Renewal Alcohol Beverage License Application for Fort Atkinson Lions Club, Class "B" Fermented Malt Beverage.

Cm. Housley moved, seconded by Cm. Scherer to approve the six month Renewal Alcohol Beverage License Application for Fort Atkinson Lions Club, Class "B" Fermented Malt Beverage for May 1, 2021 to October 31, 2021. Motion carried.

f. Review and possible action relating to Original Alcohol Beverage License Application for Remington's, LLC d/b/a Jansen's for "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for use at 1245 Whitewater Ave.

Cm. Kotz moved, seconded by Cm. Johnson to approve the Original Alcohol Beverage License Application for Remington's, LLC d/b/a Jansen's for "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for use at 1245 Whitewater Ave. Motion carried.

g. Review and possible action relating to operator licenses.

Cm. Scherer moved, seconded by Cm. Johnson to approve operator licenses. Motion carried.

CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS:

a. Review and possible action relating to verified claims presented by the Director of Finance.

Cm. Scherer moved, seconded by Cm. Johnson to approve list of verified claims presented by the Director of Finance and to authorize payment. Motion carried unanimously.

ADJOURNMENT

Cm. Housley moved, seconded by Cm. Johnson to adjourn. Meeting adjourned at 7:53 pm.

Respectfully submitted,
Michelle Ebbert
City Clerk/Treasurer

Michelle Ebbert, City Clerk/Treasurer

APPROVED:

PRESIDENT OF THE COUNCIL



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

FROM: Rebecca Houseman LeMire, City Manager

RE: Proclamation recognizing Fair Housing Month in the City of Fort Atkinson

BACKGROUND

The month of April is celebrated as National Fair Housing Month. This year, the United States Department of Housing and Urban Development (HUD) is celebrating the 53rd anniversary of the Fair Housing Act. This landmark law was signed into law on April 11, 1968, by President Lyndon B. Johnson. The Fair Housing Act prohibits housing discrimination because of race, color, religion, national origin, sex, disability, and family status. The Act furthers the beliefs advocated by Dr. Martin Luther King, Jr., and the other heroes of the Civil Right Movement.

DISCUSSION

The attached Proclamation declares the City's support for fair housing initiatives and recognizes the benefits of a diverse and inclusive community. The Proclamation further declares April as Fair Housing Month in the City of Fort Atkinson.

FINANCIAL ANALYSIS

This proclamation is not expected to have a financial impact on the City.

RECOMMENDATION

Staff recommends that the City Council President sign the Proclamation and declare the month of April 2021 as Fair Housing Month in the City of Fort Atkinson.

ATTACHMENTS

Proclamation recognizing Fair Housing Month in the City of Fort Atkinson; 2021 Fair Housing Poster

**PROCLAMATION
RECOGNIZING FAIR HOUSING MONTH
IN THE CITY OF FORT ATKINSON**

WHEREAS; the Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United State; and

WHEREAS; the Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS; the City of Fort Atkinson is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS; our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS; more than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS; acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness.

NOW, THEREFORE, I, Mason Becker, as City Council President of the City of Fort Atkinson, do hereby declare the month of April 2021 as

FAIR HOUSING MONTH

In the City of Fort Atkinson as an inclusive community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of the City of Fort Atkinson.

Proclaimed and signed this 20th day of April in the year 2021.

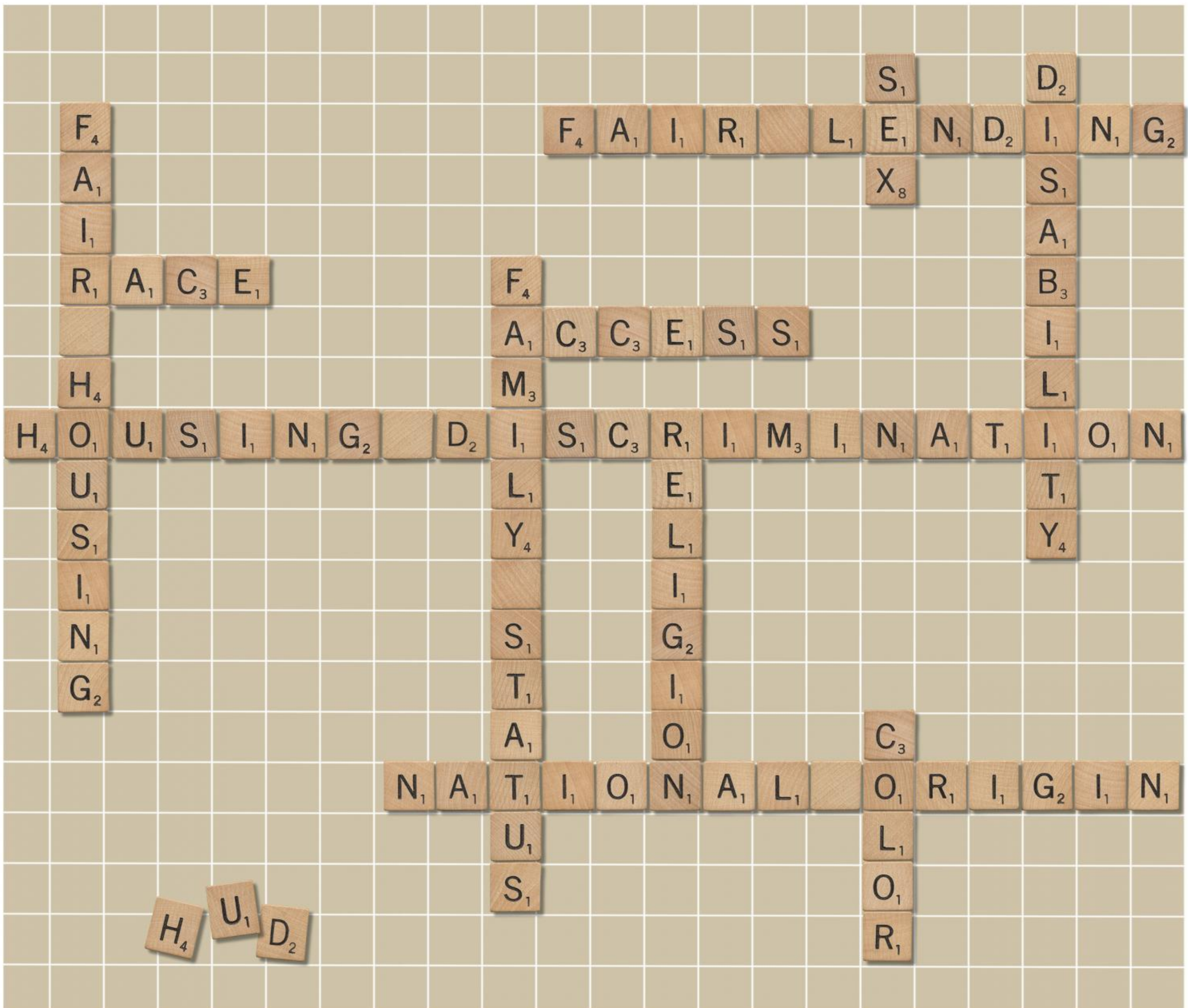
Mason Becker, City Council President

Attest:

Michelle Ebbert, City Clerk/Treasurer/Finance Director

Fair Housing:

MORE THAN JUST WORDS



FAIR HOUSING: More than just words on a gameboard, **IT IS THE LAW.**



**KNOW
YOUR
RIGHTS!**

If you feel you have experienced housing discrimination based on race, color, religion, national origin, sex, disability, and family status, contact HUD at **1-800-669-9777** (voice), **1-800-877-8339** (Federal Relay), online at **www.hud.gov/fairhousing**, or your local fair housing organization.



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

FROM: Tom Williamson, Superintendent of Public Works

RE: Review and possible action to Proclaim April 30, 2021 as Arbor Day in the City of Fort Atkinson

BACKGROUND

A condition for the City to be named as a Tree City USA is that each year we must proclaim and observe Arbor Day in the City of Fort Atkinson. The City of Fort Atkinson has been a Tree City USA for 28 years.

DISCUSSION

In 2021, the Arbor Day Foundation has designated National Arbor Day on Friday, April 30th. The Foundation encourages nation-wide celebrations of this event through volunteerism and community events. However, due to the COVID-19 pandemic, the Foundation is encouraging different types of celebrations, including hiking in forests, learning about trees, drawing one's favorite trees, and planting trees. More information on celebrations may be found at <https://celebratearborday.com>.

For the 29th year, the City has maintained its tree-planting program and continues to meet the requirements and expectations of the Tree City USA program.

FINANCIAL ANALYSIS

This item is not expected to impact the City financially.

RECOMMENDATION

Staff recommends that the City Council President read the Proclamation and declare April 30, 2021 as Arbor Day in the City of Fort Atkinson.

ATTACHMENTS

Official Proclamation of the City of Fort Atkinson in Recognition of Arbor Day

**OFFICIAL PROCLAMATION OF THE CITY OF FORT ATKINSON
IN RECOGNITION OF ARBOR DAY**

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

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

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

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

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

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

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

NOW, THEREFORE, I, Mason Becker, City Council President of the City of Fort Atkinson, do hereby proclaim **Friday, April 30, 2021 as ARBOR DAY** in the City of Fort Atkinson, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

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

Proclaimed this 20th day of April, 2021.

Mason Becker, City Council 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: April 20, 2021

TO: Fort Atkinson City Council

FROM: Rebecca Houseman LeMire, City Manager

RE: An Ordinance to create Section 10-14 of the City of Fort Atkinson Municipal Code relating to the prohibition of Large-Scale Commercial Animal Breeding

BACKGROUND

City Council President Mason Becker requested that the Ordinance Committee and City Council review an ordinance prohibiting large-scale commercial animal breeding operations and the sale of dogs, cats, and rabbits at pet stores within the City. The City of Whitewater recently enacted a similar ordinance with the support of many local community members and organizations.

DISCUSSION

The recitals in the draft ordinance further explain the need/desire for this ordinance, including:

- Most puppies and kittens sold in pet stores are from large-scale animal breeding operations, that seek to maximum profits over the health and well-being of animals
- Puppies and kittens bred in large-scale operations are often abused and neglected and are more likely to be sick and/or have behavioral issues
- Pet stores who sell live puppies, kittens, and rabbits often mislead customers and make false health and behavior guarantees
- Current state and federal regulations of commercial breeding is severely lacking
- Prohibiting the sale of dogs, cats, and rabbits in pet stores in Fort Atkinson may reduce the demand for such animals bred in substandard conditions
- Pet stores and pet supply stores in the City are following and supportive of this ordinance change
- This ordinance will not affect a consumer's ability to obtain a dog, cat, or rabbit from a shelter, rescue, or breeder

The ordinance prohibits large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits. The ordinance restricts pet stores from selling dogs, cats, or rabbits in the City. It provides a penalty for violation, which, if convicted, is up to \$1,000.00 per violation plus the cost of prosecution (Sec. 1-10.). Each day the violation exists and each animal sold shall constitute a separate violation.

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 draft ordinance presented to the Ordinance Committee.

The Ordinance Committee met on April 8, 2021 and reviewed the draft ordinance creating Section 10-14 of the City of Fort Atkinson Municipal Code relating to the prohibition of large-scale commercial animal breeding. The Committee recommended that the City Council review and adopt this ordinance.

Staff recommends the Council perform a first reading of this Ordinance at the meeting on April 20, 2021 and provide any feedback to staff.

ATTACHMENTS

An Ordinance to create Section 10-14 of the City of Fort Atkinson Municipal Code relating to the Prohibition of Large-Scale Commercial Animal Breeding; March 12, 2021 Humane Society of Jefferson County Email of Support; Whitewater Ordinance Coalition Letter

ORDINANCE NO. ____

**AN ORDINANCE
TO CREATE SECTION 10-14 OF THE
CITY OF FORT ATKINSON MUNICIPAL CODE
RELATING TO THE
PROHIBITION OF LARGE-SCALE COMMERCIAL ANIMAL BREEDING**

WHEREAS, most puppies and kittens sold in pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits (“puppy mills” and “kitten mills,” respectively). According to the Humane Society of the United States, an estimated 10,000 puppy mills produce more than 2 million puppies per year in the United States; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal veterinary care; lack of adequate food, water and shelter; lack of socialization, exercise and enrichment; lack of sanitation; and

WHEREAS, pet store puppies are often sick and have behavioral problems due to the substandard conditions they were likely born into often including that they were taken from their mothers at a very young age; they were transported in trucks filled with other young puppies and they were placed in a pet store cage with or near other puppies who are often sick; and

WHEREAS, pet stores often mislead consumers as to where the puppies and kittens in the stores came from and make false health and behavior guarantees. Many consumers end up paying hundreds or thousands of dollars in veterinary bills and suffer the heartbreak of having their new pet suffer, and in some cases pass away; and

WHEREAS, according to the U.S. Centers for Disease Control and Prevention, pet store puppies pose a health risk to consumers, as over one hundred Americans have contracted an antibiotic-resistant *Campylobacter* infection from contact with pet store puppies; and

WHEREAS, current federal and state regulations do not adequately address the animal welfare and consumer protection problems that the sale of puppy and kitten mill dogs and cats in pet stores pose. Federal oversight of the commercial breeding industry is severely lacking; and

WHEREAS, prohibiting pet stores from selling dogs and cats is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills and decrease the burden that pet store puppies and kittens that end up in animal shelters place on local agencies and taxpayers; and

WHEREAS, the majority of pet stores, both large chains and small and family-owned shops, are already in compliance with the proposed ordinance as they already do not sell dogs and cats but rather profit from selling products, offering services, and in some cases, collaborating with local animal shelters and rescues to host adoption events; and

WHEREAS, this ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice from an animal rescue, shelter, or breeder who sells directly to the public; and

WHEREAS, the City Council believes it is in the best interest of Fort Atkinson, Wisconsin to adopt reasonable regulations to reduce costs to the City and its residents, protect citizens who may purchase cats or dogs from a pet store, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in Fort Atkinson.

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

Section 1. Section 10-14 of the City of Fort Atkinson Municipal Code is hereby created to read as follows:

"Sec. 10-14. – Large-scale Commercial Animal Breeding Prohibited.

(a) The purpose of this section is to prohibit large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits.

(b) Definitions:

- (1) Animals shall be defined as live, cats, dogs, or rabbits.
- (2) Animal care facility: an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.
- (3) Animal rescue organization: any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. This term does not include an entity that is a breeder or broker or one that obtains animals from a breeder or broker for profit or compensation.
- (4) Breeder: a person that maintains a dog or cat for the purposes of breeding and selling their offspring.
- (5) Broker: a person that transfers a dog or cat from a breeder for resale by another person.
- (6) Cat: a member of the species of domestic cat, *Felis catus*.
- (7) Dog: a member of the species of domestic dog, *Canis familiaris*.

- (8) Pet Store: a retail establishment where companion animals are sold, exchanged, bartered or offered for sale to the general public. Such definition shall not include an animal care facility or animal rescue organization, as defined.
- (c) Restrictions on the Sale of Animals. No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats, dogs, or rabbits. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations or offer space for such entities to showcase adoptable dogs, cats, or rabbits provided the pet store shall not have any ownership interest in the animals offered for adoption and shall not receive a fee for providing space for the adoption of any of these animals. Dogs may not be kept overnight.
- (d) Penalty. A pet store that violates this section shall be subject to a civil penalty as outlined in Sec. 1-10 of this Code; and each dog, cat, or rabbit offered for sale in violation of this section shall constitute a separate violation.
- (e) Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable."

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.

Mason Becker, President

ATTEST:

Michelle Ebbert, City Clerk/Treasurer/Finance Director

--- Forwarded message ---

From: Jeff Okazaki Jeff@hsjc-wis.com
Date: March 12, 2021 10:15:09 AM
Subject: RE: Pet Store Ordinance
To: Mason Becker MBecker@fortatkinsonwi.net

Hi Councilman Becker,

Thanks so much for reaching out. The Humane Society of Jefferson County was deeply involved in the passage of the Whitewater pet sale ordinance as the first municipality in our state to adopt this language into its municipal code. We're very happy to hear that the Fort Atkinson City Council is taking up the same effort.

We are happy to support this ordinance in any way we can, as we strongly believe in protecting our community from the sale of "puppy mill" animals.

I'm including the information we provided to the Whitewater City Council including our comments at the council meeting and the coalition letter that was sent in response to the proposed ordinance.

I think one of the strongest cases we had in support of the ordinance in Whitewater was the cooperation between non-profits like ours and the only for-profit pet store in town, Me and My Pets. We have a similar situation in Fort Atkinson, with the other location of Me and My Pets being located here in town.

If you think it would be helpful, I'd be happy to attend any council meetings to provide more information and answer any questions.

Best regards,

-Jeff



Whitewater Common Council
City Administration Building
312 W Whitewater Street
Whitewater, WI 53190

Honorable Council Members,

The undersigned organizations and businesses in Whitewater strongly support a humane pet store ordinance that prohibits the sale of puppies and kittens in pet stores. A humane pet store ordinance will help generate awareness about the cruel puppy mill-to-pet store supply chain and encourage puppy buyers to obtain dogs and cats from reputable sources.

Even though this ordinance will not impact any existing businesses, it is needed to prevent businesses from engaging in the sale of puppies and kittens in the future. It is well documented and undisputed that pet store puppies are supplied by puppy mills, which are inhumane commercial breeding facilities that treat dogs as breeding machines and puppies as products. Puppy mill dogs are often confined to small cages, endure continuous breeding, receive little-to-no veterinary care, suffer poor husbandry, and are often deprived of human companionship, exercise, and socialization. Not only are the puppy mills themselves horrible, so is the transportation process. Pet store puppies are often sick because they are born into deplorable conditions, taken from their mothers very early on, placed on semi-trucks with other vulnerable and potentially sick puppies, and shipped to faraway pet stores.

Consumers often unknowingly support the cruel puppy mill industry by purchasing pet store puppies. Pet stores dupe consumers into thinking they are obtaining their dogs from reputable breeders by touting that they are USDA licensed. However, a USDA license merely means those breeders can legally confine dogs to cages only 6 inches larger than the dogs themselves for their entire lives. Furthermore, federal regulation of commercial breeders is minimal, and enforcement is severely lacking.

A humane pet store ordinance in Whitewater is needed to protect consumers as well as animals from the cruel puppy mill and pet store industry. We urge Whitewater to be the first municipality in the state to take a stand against this cruelty by passing a humane pet store ordinance.

Sincerely,

Eric Lange & Mary Horning, Co-owners, M.E. & My Pets, Whitewater, WI
Mandy and Darren Lewis, Owners, Albert's Dog Lounge, Whitewater, WI
Tammy Neumeister, Executive Director, Community Cat, Whitewater, WI
Jeff Okazaki, Executive Director, Humane Society of Jefferson County
Megan Nicholson, Wisconsin State Director, The Humane Society of the United States (HSUS)
Mindi Callison, Executive Director, Founder, Bailing Out Benji



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

MEMORANDUM

DATE: April 20, 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

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 16th 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 8th 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.

Staff recommends that the City Council approve the first reading of ordinance amending Section 6-86 of the City of Fort Atkinson Municipal Code relating to Intoxicating Liquor - License Quotas.

ATTACHMENTS

Code of Ordinances Sec. 6-86. License Quotas

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.

Mason Becker, 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: April 20, 2021

TO: Fort Atkinson City Council

FROM: Rebecca Houseman LeMire, City Manager

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

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.

Staff recommends the Council perform a first reading of this Ordinance at the meeting on April 20, 2021 and provide any feedback to staff.

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 30th 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.

Mason Becker, President

ATTEST:

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: April 20, 2021

TO: Fort Atkinson City Council

FROM: Brian Juarez, Zoning Administrator

RE: Review and possible action 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.

BACKGROUND

U-Haul has purchased the existing facility at 1309 High St which was previously the site of a K-Mart. The redevelopment of the property requires the current zoning of UMU, Urban Mixed Use, to be changed to PUD, Planned Unit Development. This change will accommodate the various uses proposed.

DISCUSSION

This request for amendment to current zoning is a component of the Planned Unit Development process as outlined in section 15.10.44 of the Zoning Code, and approval of this rezone will be conditioned on subsequent approvals of the General Development Plan and the Specific Implementation Plan. The City's Future Land Use Map from the 2019 Comprehensive Plan establishes this property as appropriate for Planned Mixed Use land uses, intended to be vibrant urban places functioning as community focal and gather spots. The Comprehensive Plan also identifies Advisory Development Concepts for this property, which encompass mixed use (commercial and residential) buildings, townhomes, and condominiums. The proposed redevelopment of this site as a U-Haul storage facility does not align with these Advisory Development Concepts.

RECOMMENDATION

The Planning Commission has reviewed this item and recommended approval to the City Council. Staff recommends the City Council approve the request contingent upon upcoming approvals of the General Development Plan and Specific Implementation Plan.

ATTACHMENTS

Attachments include site plan, draft Ordinance, page 102 of 2019 Comprehensive Plan, written justification, public hearing notice and mailing list, and zoning map amendment application.

ORDINANCE NO. ____

**AN ORDINANCE
TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF FORT ATKINSON**

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

Section 1. Section 15.02.03 of the City of Fort Atkinson Zoning Ordinance, adopting the Map of Standard Zoning Districts, is hereby amended to change the zoning classification of the following described property from UMU, Urban Mixed Use, to PUD, Planned Unit Development:

Lot 4 of Certified Survey Map 1849-6-43, Document number 806243 (parcel number 226-0614-3424-024); Lot 4 of Certified Survey Map 1849-6-43, Document number 806243 (parcel number 226-0614-3424-007); and Lot 1 of Certified Survey Map 1849-6-43, Document number 806243 (parcel number 226-0614-3424-022), consisting of approximately 9.491 total acres of land, also known as 1309 and 1317 N. High Street, City of Fort Atkinson, Jefferson County, Wisconsin.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect upon passage, posting, or publication as provided by law.

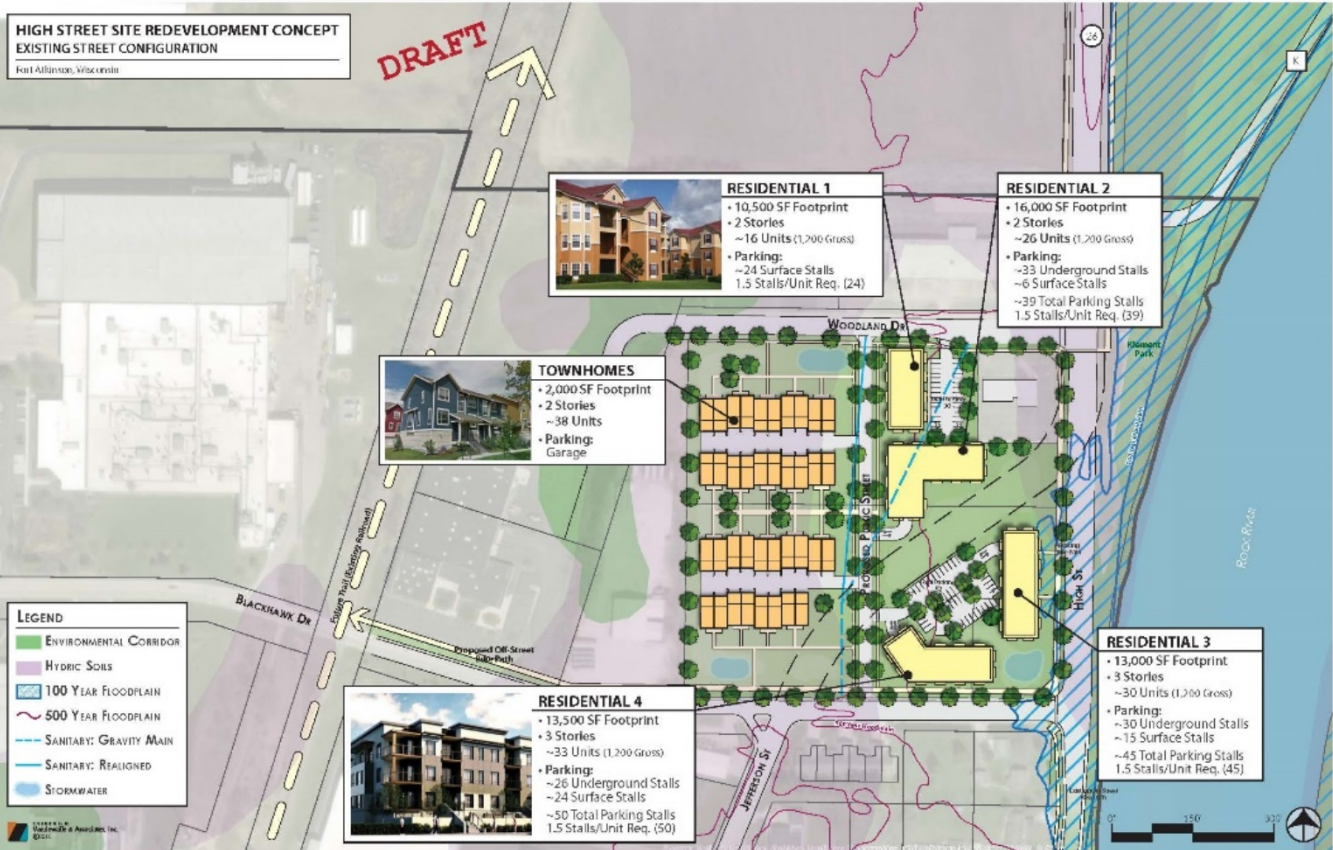
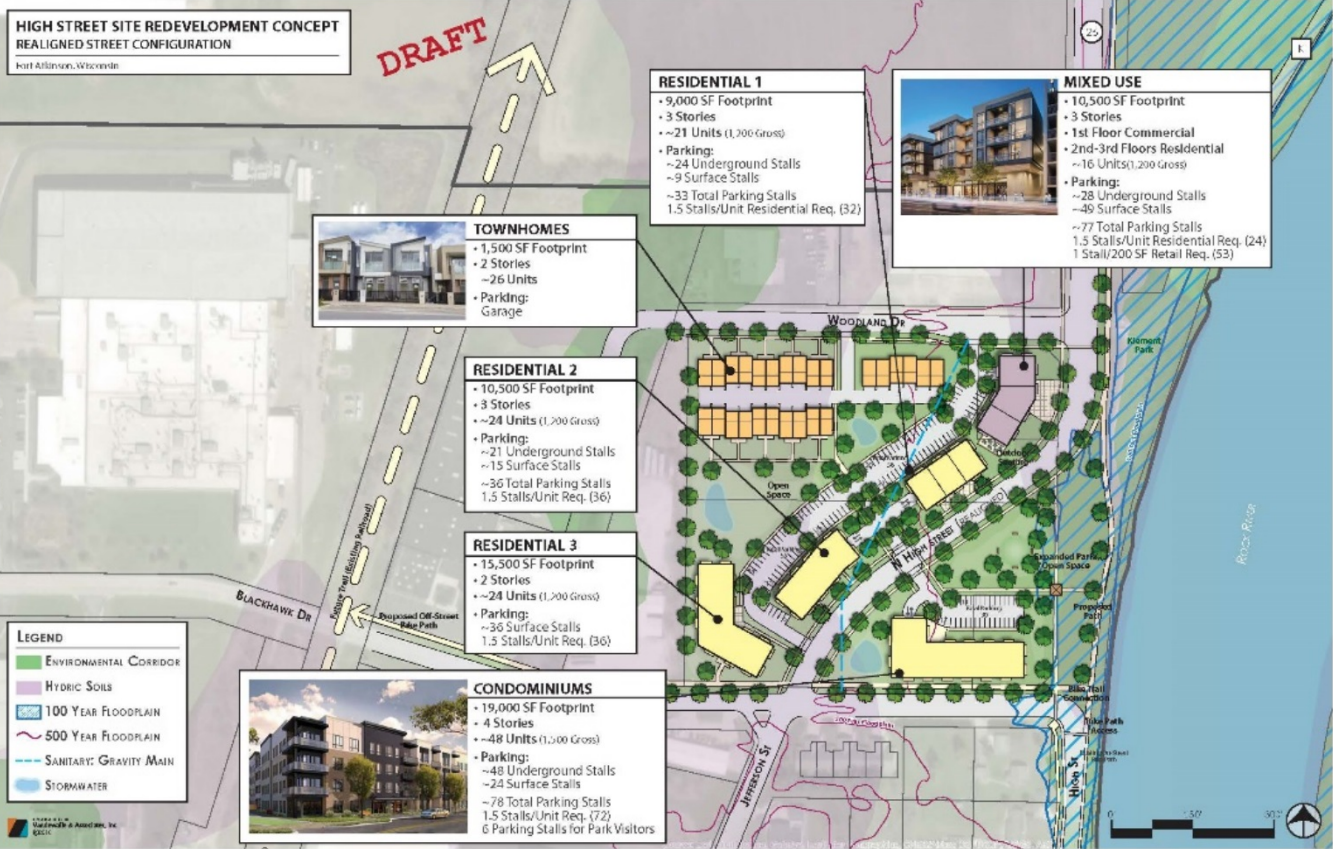
Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin,
this _____ day of _____, 2021.

Mason Becker, President

ATTEST:

Michelle Ebbert, City Clerk/Treasurer/Finance Director

Figure 6.8: Advisory Development Concepts for North High Street



1309 North High Street, Fort Atkinson, WI

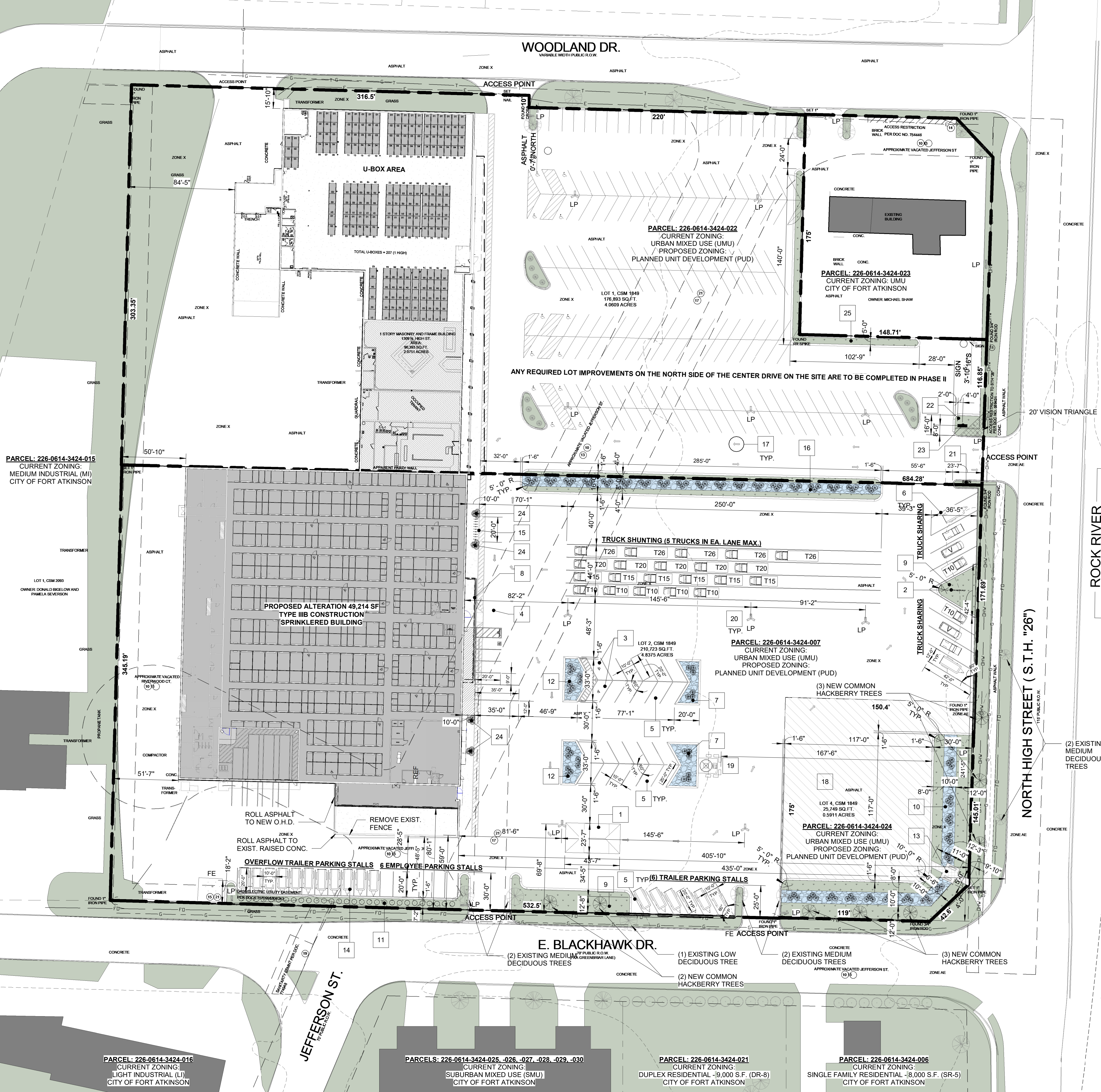
March 26, 2021

Alliance Construction in conjunction with U-Haul, believe the proposal for the planned development is consistent with the comprehensive plan. The future land use map in the comprehensive plan designates this site in the "Planned Mixed Use" land use category, which permits a combination of light industrial, retail, and automotive service uses, and as a "potential redevelopment" location.

PARCEL: 226-0614-3424-017
CURRENT ZONING:
LIGHT INDUSTRIAL (LI)
CITY OF FORT ATKINSON

PARCEL: 226-0614-3424-010
CURRENT ZONING:
URBAN MIXED USE (UMU)
CITY OF FORT ATKINSON

PARCEL: 226-0614-3424-011
CURRENT ZONING:
URBAN MIXED USE (UMU)
CITY OF FORT ATKINSON



BUILDING STATISTICS			
AREA	SQ. FT.	PERCENT	
LOAD / UNLOAD	2,598 SF	4%	
D&R BAY	1,686 SF	3%	
SHOWROOM	2,704 SF	5%	
LOCKER LEASEABLE	28,742 SF	50%	
OTHER SPACE (HALL & WALLS)	14,202 SF	25%	
NIC	7,367 SF	13%	
TOTAL BUILDING	57,299 SF	100%	

LOCKER UNIT SCHEDULE						
TYPE	QUAN.	WIDTH	DEPTH	SQ. FT.	PERCENT	
A-1	2	10'-0"	15'-0"	300 SF	1%	
A-8	13	10'-0"	15'-0"	1950 SF	7%	
B-1	3	10'-0"	10'-0"	300 SF	1%	
B-2	5	10'-0"	10'-0"	500 SF	2%	
B-3	23	10'-0"	10'-0"	2300 SF	8%	
B-9	130	10'-0"	10'-0"	13000 SF	45%	
C-1	5	5'-0"	5'-0"	125 SF	0%	
C-3	59	5'-0"	5'-0"	1475 SF	5%	
D-1	2	5'-0"	10'-0"	100 SF	0%	
D-2	2	5'-0"	10'-0"	100 SF	0%	
D-3	113	5'-0"	10'-0"	5650 SF	20%	
F-3	13	8'-0"	10'-0"	1040 SF	4%	
G-3	5	5'-0"	8'-0"	200 SF	1%	
H-8	15	10'-0"	8'-0"	1200 SF	4%	
J-8	8	10'-0"	5'-0"	400 SF	1%	
K-3	1	8'-0"	5'-0"	40 SF	0%	
N-3	2	8'-0"	8'-0"	128 SF	0%	
TOTAL LOCKER COUNT: 401				28808 SF	100%	

EQUIPMENT LEGEND			
10' TRUCK VAN QTY: 7	15' TRUCK VAN QTY: 5	20' TRUCK VAN QTY: 5	VAN QTY: 2
26' TRUCK VAN QTY: 5	TRAILER QTY: 19	PICKUP TRUCK QTY: 2	

SITE AREAS	
TOTAL NORTH & SOUTH SITE AREA	413,635 SF
PERVIOUS SURFACE TOTAL 36,214 SF (8.8%)	
EXISTING PERVIOUS AREA	17,241 SF
PROPOSED PERVIOUS AREA - GRASS	
PROPOSED PERVIOUS AREA - LANDSCAPE STONE	
PROPOSED PERVIOUS AREA	18,973 SF
IMPERVIOUS SURFACE TOTAL 377,421 SF (91.2%)	
TOTAL BUILDING AREA	90,393 SF
CONCRETE AREA	
PAVER AREA	
EXISTING ASPHALT AREA	
PROPOSED IMPERVIOUS AREA	287,028 SF

LEGAL DESCRIPTION
LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 1849 RECORDED ON MAY 8, 1985 IN VOLUME 6 OF CERTIFIED SURVEYS ON PAGES 43 AND 44, AS DOCUMENT NO. 806243, BEING PART OF GOVERNMENT LOT 6, IN SECTION 34, TOWN 6 NORTH, RANGE 14 EAST, CITY OF FORT ATKINSON, JEFFERSON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE W1/4 CORNER OF SECTION 34; THENCE S. 88 DEG. 32' E. 1292.49 FEET; THENCE N. 18 DEG. 28' E. 346.66 FEET TO THE SW CORNER OF SAID LOT 2; THENCE S. 88 DEG. 32' 43" E. 399.85 FEET TO THE WLY RIGHT OF WAY LINE OF JEFFERSON STREET, 70.00 FEET WIDE; THENCE N. 22 DEG. 58' 57" E. ALONG SAID JEFFERSON STREET LINE, 43.18 FEET; THENCE N. 22 DEG. 20' 27" E. ALONG SAME SAID LINE, 32.88 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S. 88 DEG. 32' 43" W. 173.99 FEET; THENCE N. 01 DEG. 27' 17" E. 648.54 FEET TO THE S. LINE OF WOODLAND DRIVE, 60.00 FEET WIDE; THENCE S. 88 DEG. 32' 43" E. 316.50 FEET; THENCE S. 01 DEG. 27' 17" W. 10.00 FEET; THENCE S. 88 DEG. 32' 43" E. ALONG THE S. LINE OF WOODLAND DRIVE, 70.00 FEET WIDE, 220.00 FEET; THENCE S. 01 DEG. 27' 17" W. 175 FEET; THENCE S. 88 DEG. 32' 43" E. 148.71 FEET TO THE W. LINE OF STATE TRUNK HIGHWAY 26, 115.00 FEET WIDE; THENCE S. 01 DEG. 54' 48" W. ALONG SAID LINE, 288.54 FEET; THENCE N. 88 DEG. 32' 43" W. 150.40 FEET; THENCE S. 01 DEG. 27' 17" W. 175.00 FEET TO THE NORTH LINE OF GREENBRIAR LANE, 70.00 FEET WIDE; THENCE N. 88 DEG. 32' 43" W. ALONG SAID LINE, 358.51 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.
AND
LOT 4 OF CERTIFIED SURVEY MAP NO. 1849, RECORDED ON MAY 8, 1985 IN VOLUME 6 OF CERTIFIED SURVEYS ON PAGES 43 AND 44, AS DOCUMENT NO. 806243, BEING PART OF GOVERNMENT LOT 6, IN SECTION 34, TOWNSHIP 6 NORTH, RANGE 14 EAST, CITY OF FORT ATKINSON, JEFFERSON COUNTY, WISCONSIN.

- ### SITE LEGEND
- RETURN CANOPY. SEE SHEET 106 FOR DETAILS
 - NEW PYLON SIGN. SEE DETAIL 2 / 108
 - 10'-0" X 20'-0" ADA PARKING STALL W/ 5'-0" AISLE SEE DETAILS 10 / 104, 11 / 104, 12 / 104 FOR PARKING STALL REQUIREMENTS AND SIGNAGE
 - 9'-0" X 20'-0" ADA VAN PARKING STALL W/ 8'-0" AISLE SEE DETAILS 10 / 104, 11 / 104, 12 / 104 FOR PARKING STALL REQUIREMENTS AND SIGNAGE & DETAIL 13 / 104 FOR CURB RAMP
 - 10'-0" X 20'-0" 60" PARKING STALL
 - 42'-0" X 12'-0" 60" PARKING STALL FOR TRUCK DISPLAY
 - CUT AND REMOVE EXISTING ASPHALT FOR NEW CURB ISLAND W/ DECOR. STONE AREA & A ROLL OVER CURB. SEE DETAIL 9 / 104 FOR CURB DETAIL. 2 MAIDEN GRASS, 2 DOUBLE PLAY GOLD SPIREA, & 2 GOLDEN NUGGET DWARF BARBERRY. SEE LANDSCAPE SCHEDULE FOR SHRUB INFO.
 - ADA CURB RAMP SEE DETAIL 13 / 104
 - CUT AND REMOVE EXISTING ASPHALT FOR NEW TOP SOIL, GRASS & A ROLL OVER CURB. SEE DETAIL 9 / 104, FOR CURB DETAIL. 2 NEW COMMON HACKBERRY TREES SEE LANDSCAPE SCHEDULE FOR TREE INFO.
 - CUT AND REMOVE EXISTING ASPHALT FOR NEW GRASS & STONE AREA W/ NEW SHRUBS & A ROLL OVER CURB. SEE DETAIL 9 / 104, FOR CURB DETAIL. 15 MAIDEN GRASS, 15 DOUBLE PLAY GOLD SPIREA, & 15 GOLDEN NUGGET DWARF BARBERRY. SEE LANDSCAPE SCHEDULE FOR SHRUB INFO.
 - CUT AND REMOVE EXISTING ASPHALT FOR NEW GRASS AREA W/ TREES & A ROLL OVER CURB. SEE DETAIL 9 / 104, FOR CURB DETAIL. 29 NEW ARBOVITAE TREES SEE LANDSCAPE SCHEDULE FOR TREE INFO.
 - CUT AND REMOVE EXISTING ASPHALT FOR NEW CURB ISLAND W/ DECOR. STONE AREA & A ROLL OVER CURB. SEE DETAIL 9 / 104 FOR CURB DETAIL. 3 MAIDEN GRASS, 3 DOUBLE PLAY GOLD SPIREA, & 3 GOLDEN NUGGET DWARF BARBERRY. SEE LANDSCAPE SCHEDULE FOR SHRUB INFO.
 - 5'-0" WIDE PAVER WALK CONNECTING EXISTING SIDEWALK TO THE SITE. (2) 4'-0" X 11'-0" WINGS OFF OF 5'-0" WIDE PAVER WALK FOR (2) NEW PARK BENCHES.
 - (17) NEW 10' X 20' PARKING STALLS. 6 STALLS TO BE DESIGNATED FOR EMPLOYEE PARKING. 11 STALLS TO BE FOR TRAILER OVERFLOW PARKING
 - BIKE PATH REST STOP W/ (10) BIKE STANDS, 1 BIKE TIRE AIR PUMP, & SIGNAGE DENOTING THE PUBLIC USE OF THE RESTROOMS & DRINKING FOUNTAINS. SEE 5 / 108
 - CUT AND REMOVE EXISTING ASPHALT FOR NEW GRASS & DECORATIVE STONE AREA W/ NEW SHRUBS. 19 MAIDEN GRASS, 19 DOUBLE PLAY GOLD SPIREA, & 19 GOLDEN NUGGET DWARF BARBERRY. SEE LANDSCAPE SCHEDULE FOR SHRUB INFO.
 - ARROWS PAINTED WHITE ON ASPHALT TO DIRECT CUSTOMERS THROUGH THE PARKING LOT. CUSTOMERS WILL ENTER SITE FROM THE DRIVEWAY FROM NORTH HIGH STREET. ARROWS WILL DIRECT THEM SOUTH, TOWARD THE RETURN CANOPY, THEN TO THE TRUCK SHUNTING, AND THEN OFF SITE USING THE DRIVEWAY TO NORTH HIGH STREET.
 - LANDSCAPE AREA IN LOT 4 (25,749 S.F.) TO BE COMPLETED IN PHASE I. ANY OTHER DEVELOPMENT ON LOT 4 TO BE COMPLETED IN PHASE II.
 - NEW PROPANE FILL STATION. TANK TO BE WHITE W/ 2'-0" TALL "PROPANE" LETTER SEE SHEET 108 FOR DETAILS.
 - EXISTING LIGHT POLES ARE TO REMAIN THE SAME. VERIFY ALL LIGHT POLE LOCATIONS ON SITE. AS A 24 HR. OPERATION, THE LOT LIGHTING CAN BE REDUCED, BUT DRIVE AREAS, CUSTOMER PARKING ARE, RETURN CANOPY, AND SHUNTING NEED TO REMAIN LIT AS CUSTOMERS CAN DROP OFF AND PICK UP 24 HOURS A DAY.
 - REMOVE EXISTING RESTAURANT SIGN
 - 200 SF OF GREEN AREA / CURB ISLAND ADDED TO EXISTING CURB ISLAND TO ACCOMMODATE NEW MULTI-TENANT SIGNAGE OUTSIDE OF THE 20'-0" VISION TRIANGLE
 - NEW MULTI-TENANT SIGN TO BE INSTALLED. SEE DETAIL 3 / 108
 - VERIFY EXISTING CONCRETE LANDSCAPE BED ON SITE. PLANT 1 MAIDEN GRASS, 1 DOUBLE PLAY GOLD SPIREA, & 1 GOLDEN NUGGET DWARF BARBERRY. SEE LANDSCAPE SCHEDULE FOR SHRUB INFO.
 - CUT AND REMOVE EXISTING ASPHALT FOR NEW 5'-0" WIDE CURB ISLAND
- NOTE:**
UPON PRELIMINARY DESIGN & PRIOR TO FINAL APPROVAL, STORMWATER & SITE DRAINAGE DETAILS TO BE FINALIZED.

LANDSCAPE NOTES

PAVED AREAS
REQUIRED:
640 LANDSCAPE PTS. ARE REQUIRED FOR PAVED AREAS
MIN. 30% = 192 PTS. ARE REQUIRED TO BE TALL TREES
MIN. 40% = 256 PTS. ARE REQUIRED TO BE SHRUBS

PROVIDED:
-12 NEW TALL EVERGREEN TREES (33 PTS. EA.) = 396 POINTS
-1 EXISTING LOW DECIDUOUS TREE (10 PTS. EA.) = 10 POINTS
-98 MEDIUM DECIDUOUS SHRUBS (3 PTS. EA.) = 294 PTS.
-49 PERENNIALS = 20,220 S.F. = 20 PTS.
-TOTAL PTS. = 720 PTS.

STREET FRONTAGE LENGTH
REQUIRED:
660 PTS. ARE REQUIRED FOR STREET FRONTAGE LENGTH
MIN. 50% = 330 PTS. ARE REQUIRED TO BE TALL TREES
MIN. 30% = 198 PTS. ARE REQUIRED TO BE MEDIUM TREES

PROVIDED:
-17 NEW TALL EVERGREEN TREES (33 PTS. EA.) = 561 PTS.
-8 NEW & 6 EXISTING MEDIUM DECIDUOUS TREES (15 PTS. EA.) = 210 PTS.
-TOTAL PTS. = 771 PTS.

LANDSCAPE SCHEDULE						
MK	QTY.	TYPE	SPECIES	TYPE	INSTALLATION SIZE	REMARKS
MG	49	PERENNIAL - MAIDEN GRASS	MISCANTHUS SINENSIS 'BANDWIDTH'	DECIDUOUS	30-36" H X 30-36" W	
DPGS	49	SHRUB - DOUBLE PLAY GOLD SPIREA	SPIREA JAPONICA 'YAN'	DECIDUOUS	16-24" H X 16-24" W	
GNDP	49	SHRUB - GOLDEN NUGGET DWARF BARBERRY	BERBERIS THUNBERGII 'GOLDEN NUGGET'	DECIDUOUS	12" H X 18" W	
CH	8	TREE - COMMON HACKBERRY	CELTIS OCCIDENTALIS	DECIDUOUS	1 1/2" Ø	
EGA	29	TREE - EMERALD GREEN ARBOVITAE	THUJA OCCIDENTALIS 'SMARAGD'	CONIFEROUS	4'-5" B&B	

PROJECT INFO:
19-138
PLAN NOT FOR CONSTRUCTION

CURRENT AS OF: 3/26/2021 7:36:34 AM
DRAWN BY: O.R.V.
SCALE: As indicated
SHEET NAME:

SITE PLAN

100

ARCHITECT OF RECORD:
LLOYD CARPENTER ARCHITECT, LLC

REVISIONS

1	--/--/--	---
2	--/--/--	---
3	--/--/--	---
4	--/--/--	---
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8	--/--/--	---
9	--/--/--	---
10	--/--/--	---
11	--/--/--	---
12	--/--/--	---

PLAN START DATE: 01/09/2020
APPROVED FOR BID: --/--/-- ---
APPROVED FOR REVIEW: --/--/-- ---
APPROVED FOR CONSTRUCTION: --/--/-- ---

U-HAUL OF FORT ATKINSON 750077
1309 N. HIGH ST.
FORT ATKINSON, WI 53538

alliance
CONSTRUCTION & DESIGN
www.alliancebuilds.com | 1050 Broadway St., WRIGHTSTOWN, WI 54180
office: 920-336-3400 | fax: 920-336-3401

**City of Fort Atkinson Procedural Checklist for Zoning Map Amendments
(Rezoning)**
Requirements per Section 15.10.31

This form is designed to be used by the Applicant as a guide to submitting a complete application to amend the Official Zoning Map and by the City to process the application.

Name, company, and client (if applicable): _____

Phone number: _____ Email: _____

Property address of requested zoning change: _____

Zoning change request from _____ to _____

I Application Packet Requirements

The Applicant shall submit one electronic copy of the application.

- ☐ A map of the subject property to scale, depicting the following:
 - ☐ All lands for which the zoning is proposed to be amended and all other lands within 100 feet of the boundaries of the subject property.
 - ☐ All parcel numbers for the subject property.
 - ☐ Current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.
 - ☐ All lot dimensions of the subject property.
 - ☐ A graphic scale and north arrow.
- ☐ Legal description of the property.
- ☐ Written justification for the proposed Official Zoning Map amendment, including evidence that the application is consistent with the Comprehensive Plan.
- ☐ Any further information needed by the Plan Commission to facilitate the making of a comprehensive report to the Plan Commission and City Council.

II Criteria Used to Evaluate the Proposed Zoning Map Amendment

The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:

1. Advances the purposes of this Chapter as outlined in Section 15.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency.
2. Is in harmony with the Comprehensive Plan.
3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.
4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:

- a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
- b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.
- c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
- d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

III Process Checklist

- | | |
|--|-------------|
| <input type="checkbox"/> Staff-Applicant meeting (if applicable) | Date: _____ |
| <input type="checkbox"/> Application fee of \$200.00 received by City Treasurer | Date: _____ |
| <input type="checkbox"/> Reimbursement of professional consultant costs agreement executed. | Date: _____ |
| <input type="checkbox"/> Receipt of complete application packet by Zoning Administrator | Date: _____ |
| <input type="checkbox"/> City Staff input | Date: _____ |
| <input type="checkbox"/> Class 2 legal notice sent to official newspaper by City Clerk | Date: _____ |
| <input type="checkbox"/> Class 2 legal notice published on _____ and _____ | Date: _____ |
| <input type="checkbox"/> Notification of neighboring property owners within 100 feet of the petition | Date: _____ |
| <input type="checkbox"/> Notification of clerks of municipalities within 1,000 feet of the petition | Date: _____ |
| <input type="checkbox"/> Notification of airports within 1 mile of the petition | Date: _____ |
| <input type="checkbox"/> Plan Commission Public Hearing, review and recommendation | Date: _____ |
| <input type="checkbox"/> City Council review and action | Date: _____ |

Mailing List for ZMA-2021-01

Parcel Number	Owner Name 1	Owner Name 2	Mailing Address	CITY	STATE	ZIP5
226-0614-3424-015	DONALD D BIGELOW	PAMELA A SEVERSON	W5353 CURTIS MILL RD	FORT ATKINSON	WI	53538
226-0614-3424-018	HOPPE NORTH AMERICA INC		205 E BLACKHAWK DR	FORT ATKINSON	WI	53538
226-0614-3424-016	KLUG REALTY PARTNERS LLC		N5345 COUNTY ROAD A	LAKE MILLS	WI	53551
226-0614-3424-027	E&M ECKHART TRUST		304 E BLACKHAWK DR	FORT ATKINSON	WI	53538
226-0614-3424-028	BRUCE A KLUTZ	MARILYN J KLUTZ	306 E BLACKHAWK DR	FORT ATKINSON	WI	53538
226-0614-3424-029	EDGAR G GREVE TRUST	MARILYN M GREVE TRUST	308 E BLACKHAWK DR	FORT ATKINSON	WI	53538
226-0614-3424-030	RICHARD W FIEGE		310 E BLACKHAWK DR	FORT ATKINSON	WI	53538
226-0614-3424-025	JUDITH A TORGERSON		300 E BLACKHAWK DR	FORT ATKINSON	WI	53538
226-0614-3424-026	RONALD J VANDERPOOL TRUS	JEAN A VANDERPOOL TRUST	302 E BLACKHAWK DR	FORT ATKINSON	WI	53538
226-0614-3424-024	AREC 34 LLC		PO BOX 29046	PHOENIX	AZ	85038
226-0614-3424-023	MICHAEL C SHAW		730 LADD LN	EDGERTON	WI	53534
226-0614-3424-021	SHELLIE SIEGEL		410 HETH ST	FORT ATKINSON	WI	53538
226-0614-3424-010	KNAACK PROPERTIES LLC		301 WOODLAND DR	FORT ATKINSON	WI	53538
226-0614-3424-011	CLOUTE PROPERTIES OF FORT	ATKINSON LLC	1007 MADISON AVE	FORT ATKINSON	WI	53538
226-0614-3424-006	MICHEAL W MANLEY	TINA M MANLEY	1141 N HIGH ST	FORT ATKINSON	WI	53538
226-0614-3424-014	CITY OF FORT ATKINSON		101 N MAIN ST	FORT ATKINSON	WI	53538



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

March 29, 2021

NOTICE TO THE PUBLIC

The City of Fort Atkinson Plan Commission will hold a public hearing on **Tuesday, April 13, 2021, at 4:00 p.m.**, or as soon thereafter as the matter can be heard, to review and make a recommendation to the City Council on a request for a Zoning Map Amendment for the property located at **1309 N. High Street** in the City of Fort Atkinson. The public hearing and Plan Commission meeting will take place via Zoom:

<https://us02web.zoom.us/j/82214860406?pwd=TEVyUVdQM05VNFVzb0E2TUNTU0VnZlZz09>

Meeting ID: 822 1486 0406

Passcode: 53538

Dial by your location

+1 312 626 6799

This Zoning Map Amendment has been requested by Alliance Construction & Design on behalf of U-Haul. The applicant is requesting a change in zoning from **UMU, Urban Mixed Use, to PUD, Planned Unit Development**, for parcel numbers 226-0614-3424-007, 226-0614-3424-022, and 226-0614-3424-024, to accommodate the redevelopment of the former K-Mart property as a **U-Haul Moving and Storage facility**. This Zoning Map Amendment is part of the Planned Unit Development process outlined in Section 15.10.44 of the City of Fort Atkinson Zoning Code.

The Plan Commission and the City Council are seeking input from the public. For more information or to view a site plan, please contact City Engineer Andy Selle at aselle@fortatkinsonwi.net or (920) 563-7760. You may attend the public hearing via Zoom or submit a letter or email expressing your thoughts to City Engineer Selle. The City Council may review and take action on this Zoning Map Amendment at the regular meeting on April 20, 2021, at 7:00 p.m. via Zoom.

Andy Selle, P.E.
City Engineer/Dir. of Public Works

AS/lc



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

FROM: Rebecca Houseman LeMire, City Manager

RE: Review and possible action relating to appointment of Mark Bardenwerper and Brandon Thornton to fulfil one unexpired and one full term on Historic Preservation Commission

BACKGROUND

The Historic Preservation Commission is comprised of five members and has received two applications to fulfil one unexpired term and one vacant seat.

DISCUSSION

Both applicants for this position – Mark Bardenwerper and Brandon Thornton – have been determined to be suitable for membership on the Historic Preservation Commission. Mr. Bardenwerper is a local history enthusiast with previous history of Historical Society participation in a neighboring municipality, and Mr. Thornton brings two years of experience within the Hoard Historical Museum and exposure to other historical committees.

FINANCIAL ANALYSIS

There is no financial impact associated with this item.

RECOMMENDATION

Staff recommends that Mark Bardenwerper and Brandon Thornton are appointed to the Historic Preservation Commission to fill an unexpired term and a vacant position, respectively.

ATTACHMENTS

Applications are included.

CITIZEN SERVICE INFORMATION FORM

Mark L. Bardenwerper, Sr.
121 W. Blackhawk Dr. Fort Atkinson, WI 53538
920-723-3223
citrogsa@charter.net

Jan. 20, 2021

How long have you lived in the City of Fort Atkinson? My family moved here when I was 3. I went to local schools, graduating in 1969. I have spent the vast majority of my adult life in Fort Atkinson.

Which Boards, Commissions and/or Committees interest you? Historic Preservation Commission

Please give a brief overview of your background, experience, interest or concerns in the above areas: History has long been one of my interests, including local history. In 1996, I attained a degree in technology education from UW Platteville, where I did my first work in graphic arts.

My dad owned the house on Whitewater Avenue that was the main house for the Coe, Converse & Edwards Nursery. We restored it over the years. I did a history on it when we sold it for his estate.

When I was living in Whitewater, I was caretaker of the Bassett House for 7 years and did a lot of restoration work on it. While living in Whitewater, I was a member of the Historical Society and participated in the 100th anniversary of the Homecoming in 2007 as an enactor at the Bassett House and for a cemetery tour, where I played a local shoemaker. I wrote a piece for him about when Wm. Seward came to Madison before the Civil War, campaigning for Lincoln.

My wife, Marianne and I are members of the Fort Atkinson Historical Society.

I edited an autobiography of her great grandfather into a book. <https://www.amazon.com/Single-Handed-James-Drain-Sr/dp/1470032767>

Marianne is also a member of AAUW. A few years ago, I made a biographical video for them on their 60th Anniversary <https://www.youtube.com/watch?v=9gRr1OIA-Ww>

Recently, I started a Facebook page dedicated to promote interest and the improvement of McCoy Park, specifically, to restore the Vequesney Doughboy memorial statue.

<https://www.facebook.com/groups/1229348153867792>

References:

1. Robert Martin, retired Fort Atkinson City Manager
1122 Janette St.
Fort Atkinson WI 53538
920-563-4383
2. Merrilee Lee, Director, Hoard Museum
401 Whitewater Ave.
Fort Atkinson, WI 53538
920-563-7769

Signed, Mark L. Bardenwerper, Sr

CITIZEN SERVICE INFORMATION FORM

Name (Print): Thornton Brandon James Date: 02/01/2021
Last First Middle

Home Address: 312 N. High St. Fort Atkinson, WI 53538

Business Name: Hoard Historical Museum

Business Address: 401 Whitewater Ave. Fort Atkinson, WI 53538

Telephone (Home): 920-256-1821 (Work): Same as home

Email Address: bjamesthornton@gmail.com

How long have you lived in the City of Fort Atkinson? 3 years in May

Which Boards, Commissions and/or Committees interest you? Historic Preservation Committee

Please give a brief overview of your background, experience, interest or concerns in the above areas:

- 2 years as Operations Assistant, Hoard Historical Museum
- 1 year employed (while a student) at University Archives at UW-Whitewater
- Co-chaired Historical Documentation Subcommittee
- Member University Sesquicentennial Committee

References:

1. Merrilee Lee Phone: 920-563-7769
Museum Director, Hoard Historical Museum

2. Dana Bertelsen Phone: 920-563-7769
Asst. Director, Hoard Historical Museum

Brandon James Thornton
Signature

Return this form to:
City Manager's Office
101 North Main Street
Fort Atkinson WI 53538
lidzikowski@fortatkinsonwi.net



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

**ORDINANCE COMMITTEE MEETING
REMOTE VIA PHONE USING ZOOM
THURSDAY, APRIL 8, 2021 – 6:00 PM**

CALL MEETING TO ORDER

President Becker called the meeting to order at 6:00 pm.

ROLL CALL

Present: Cm. Housley, Cm. Scherer and President Becker. Also present: City Manager, City Attorney, City Clerk/Treasurer and Public Works Superintendent.

**REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL 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 presented the recommendation of an ordinance from President Becker. The City of Whitewater supported and enacted a similar ordinance with the support of many local community members and organizations. The draft was reviewed.

Cm. Scherer moved, seconded by Cm. Housley to recommend the City Council review and adopt Ordinance creating Section 10-14 prohibiting large-scale commercial animal breeding. Motion carried.

**REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL RELATING TO AN
ORDINANCE TO AMEND SECTION 6-86 OF THE CITY OF FORT ATKINSON MUNICIPAL CODE
(RETAIL CLASS A LIQUOR LICENSE QUOTA)**

Clerk/Treasurer Ebbert reviewed the draft ordinance following recommendation from the License Committee for the liquor license quota. The License Committee recommended matching the "Class A" Intoxicating Liquor License quota to the existing Class "A" Fermented Malt Beverage quota: 1 license per 750 residents. This would allow for 6 additional "Class A" Intoxicating Liquor licenses. Class A licenses allow the sale of liquor with consumption off-site from where purchased, ex. Grocery stores, gas stations.

Cm. Housley moved, seconded by Cm. Scherer to recommend the City Council review and adopt Ordinance amending Section 6-86 retail "Class A" Intoxicating Liquor license quota. Motion carried.

**REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL 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 discussed 2019 Wis. Act 166, that allows municipal governing bodies, by ordinance, authorize the Clerk to issue operator's license. Submitted applications are provided to the Police Department for backgrounds checks with recommendation from Chief Bump.

Cm. Scherer moved, seconded by Cm. Housley to recommend the City Council review and adopt Ordinance amending Section 6-33 authority to issue operator's licenses. Motion carried.

SET NEXT MEETING DATE

Tuesday, May 4, 2021 at 6:00 pm.

ADJOURNMENT

Cm. Housley moved, seconded by Cm. Scherer to adjourn. Meeting adjourned at 6:32 pm.

Respectfully submitted,

Michelle Ebbert
City Clerk/Treasurer



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

**PLAN COMMISSION MEETING MINUTES
REMOTE VIA PHONE USING ZOOM
TUESDAY, APRIL 13, 2021 – 4:00 PM**

CALL MEETING TO ORDER

Manager LeMire called the meeting to order at 4:00 pm.

ROLL CALL

Present: Commissioners Leschier, Kessenich, Schultz, Highfield, Johnson, Manager LeMire and Engineer Selle. Also present: City Attorney, City Clerk/Treasurer, Building Inspector and Public Works Superintendent.

REVIEW AND POSSIBLE ACTION RELATING TO THE MINUTES OF THE MARCH 9, 2021 REGULAR PLAN COMMISSION MEETING

Highfield moved, seconded by Kessenich to approve the minutes as presented. Motion carried.

PUBLIC HEARING RELATED TO THE APPLICATION 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 U-HAUL STORAGE REDEVELOPMENT PROJECT.

Manager LeMire opened the public hearing.

Engineer Selle confirmed the publication of the notice and mailing to neighboring property owners.

After three calls without comment, the public hearing was closed.

REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL RELATING TO THE AFOREMENTIONED ZONING MAP AMENDMENT.

Engineer Selle introduced the request by property owners. U Haul has purchased the old K-Mart facility. The redevelopment of the property requires the current zoning to be changed to accommodate the various uses proposed. The parcels are delineated below. The request is part of the PUD process, outlined in 15.10.44 of the Zoning Code. Approval of the rezoning will be conditioned on subsequent approvals of the General Development Plan and the Specific Implementation Plan.

The City's Future Land Use Map (Map 7) from the 2019 Comprehensive Land Use Plan shows this property as appropriate for Planned Mixed Use land uses. This future land use category includes a mix of commercial and residential uses on public sewer, public water, and other urban services and infrastructure. Planned Mixed Use areas are intended to be vibrant urban places that should function as community focal and gathering spots. Under the former zoning ordinance, the recommended zoning for this future land use category was PDD, Planned

Development District. The equivalent zoning district in the current Zoning Ordinance (2020) is PUD, Planned Unit Development District. The requested Zoning Map Amendment does not conflict with the City's Comprehensive Plan.

However, the Plan also identifies Advisory Development Concepts for this property, which includes mixed use (commercial and residential) buildings, townhomes, and condominiums; and the realignment of High Street. The proposed redevelopment of this site as a U-Haul storage facility is not consistent with these advisory development concepts.

City of Fort Atkinson Zoning Ordinance 15.10.31 (4)(b) has established the following criteria to evaluate Zoning Map Amendment requests and determine if such requests are in harmony with the City's Comprehensive Plan and Ordinances. The analysis by the Zoning Administrator is underlined below the criteria set forth in the ordinance.

The Zoning Code 15.10.31 (4)(b) includes the following specific criteria for evaluation of the request:

1. Advances the purposes of this Chapter as outlined in Section 15.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency.

The request fulfills the purposes outlined in 15.01.01

2. Is in harmony with the Comprehensive Plan. If the proposed amendment is not in harmony, a Comprehensive Plan Amendment is required prior to rezoning.

The request is in concert with the Comprehensive Plan (see above)

3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.

The request is consistent with the existing commercial corridor, intensity, and expected impacts.

4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:

- a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.

N/A

- b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.

N/A

- c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.

N/A

- d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

N/A

Lescohier moved, seconded by Highfield to recommend to City Council approval of the request to rezone property located at 1309 High Street from UMU, Urban Mixed Use to PUD Planned Unit Development to accommodate the U-Haul Storage redevelopment project, conditioned upon the upcoming approvals of the General Development Plan and Specific Implementation Plan. Motion carried.

ADJOURNMENT

Johnson moved, seconded by Highfield to adjourn. Meeting adjourned at 4:30 pm.

Respectfully submitted

Michelle Ebbert

City Clerk/Treasurer



Minutes

FORT ATKINSON HISTORIC PRESERVATION COMMISSION MEETING April 12, 2021 ~ 6:30 P.M.

ZOOM MEETING

Zoom info:

<https://us02web.zoom.us/j/85933984156?pwd=QVF3Z0MzMUlyWVdGcHJXR0M2b1dDdz09>

Meeting ID: 859 3398 4156

Passcode: 786392

1. Call meeting to order 632 Julia called to order and Roz 2nd
2. Roll call Julia Ince, Kirsten Winski, Roz Highfield, Mark Bardenwerper (waiting for approval as new member at next Council Meeting) and Rebecca LeMire was guest as our new City Manager - Greg Albert also joined as guest for upcoming renovation on his home
3. Approval of minutes of February 8 and March 8, 2021 meeting - Feb 8th minutes were not able to be approved, Kirsten (fill-in secretary) was unable to locate the electronic file for them to be reviewed. Julia and Kirsten will recreate for approval next meeting. March 8th minutes were approved by Julia and 2nd Roz.
4. Treasurer's report - same since december \$1297 and Watertower same also \$8635.03
5. Report on correspondences with commission - Rudy from city "are banners ready, poles are here" we paid for poles out of our budget and Carrie Chishom from Chamber is having her graphic designer do the banners for our approval. Julia will contact Carrie to see if they are completed. We are using similar design to Merchants Avenue for the upcoming Main St banners, city can hang whenever we are ready. Also, Brad from Evergreen Cemetery asked Kirsten if we as the Commission would be interested in helping with the interior of the Caretakers Cottage at the Cemetery, as we helped with the exterior - KW declined as our focus is not interiors but KW did say she would bring up to board if anyone is interested in helping personally. Mark suggested they reach out to downtown businesses, such as Feather Your Nest, for resources and ideas. Also, Dana from Hoard reached out to Julia to see if there was someone new that was going to help as the volunteer coordinator for the watertower tours - we believe that is a large undertaking for the board and bigger than we can take on, however when tours are able to be done again (still on hold by City from Covid, since March 2020) we will help out more. Also, Greg Albert is the new owner of 323 Merchants Ave and he has come to us

with request for painting and restoring exterior of his home. Also, Merrilee reached out to Julia regarding May being Historic Preservation Month. Also, Pam Christianson wants class reunion watertower tour July 16 evening and July 17th during day - on hold until city allows tours again. We will discuss at that time.

4. Ongoing and Unfinished Business

- a. New and Expiring Term Commission Members- awaiting approval of two new members from the City Council - anticipated that the members will be presented on April 20th, per Rebecca LeMire, Kirsten's term is up presently but she has decided to do another 5 years since she had taken over for a retiring member. Julia's term is up 2022, she is anticipating leaving at that time because she is retiring from her job at UW-Whitewater. Suggestions for future commission spots are: President, Secretary, Treasurer (all as lined out by charter) but to add Watertower (oversees volunteers for tours) and Website/Promotion of Board. Kirsten suggested she would stay in role of secretary and would like to offer Website up for consideration.
- b. Water Tower Report - see above, also Kirsten offered to check the interior of the watertower this Friday along with her co-worker, so as not to go into the tower alone. We are uncertain if anyone has checked the tower since Tammy and Rich Doellstadt moved to CA in January. It is anticipated there will be the typical spring cleanup of shedding mortar and condensation, but also to check for damage. Kirsten will take photos of any damage and report to city. She will go on a regular basis to check the tower and to open up occasionally to air out. The Board agreed. We will await direction from the city for when we can resume tours. Pam Christainson is interested in a class reunion tour Fri 7.16 and Sat 7.17, we will let her know at a later time if we can accommodate.
- c. Website and Facebook Updates - nothing to report, Julia has small suggestion that she will reach out to Kirsten directly
- d. Media Promotion - it was suggested that we change this portion of the agenda to "Commission Promotion" going forward - Suggested that Board (Julia might, if time allows) reach out to Chris Spangler for future promotions on www.fortatkinsononline.com She has website and radio show (youtube)

5. New Business

- a. Request to review renovation work to 323 Merchants Street - voted on Julia motioned, Kirsten seconded, commission offered further support as the project moves forward. Julia received the application from Greg (Anna) Albert and she will forward to the city.
- b. Voting on commission positions - tabled until next meeting, as the two new members are not official yet.

- c. Future Community Activities - recapped activities that were in the works prior to Covid, nothing will proceed at this time due to pandemic
- d. Evergreen Cemetery Cottage - nothing further at this time, but Julia thought this summer she might offer to her assistance.

6. Miscellaneous

- a. Next Meeting – Monday May 10, 2021, 6:30pm

7. Adjournment - Roz adjourned and Julia 2nd.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.



Permit Report

03/01/2021 - 03/31/2021

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

Group: Add/Alter Commercial

21449	340 S Main St.	Terra Staffing	Add/Alter Commercial	New door	2,000	\$31.50
						\$31.50

Group Total: 1

Group: Attached garage

21487	214 East Milwaukee Ave.	Rick & Tanya Dwyer	Attached garage	20' x 37' Addition on attached garage	54,780	\$141.00
						\$141.00

Group Total: 1

Group: Commercial/ Industrial

21468	N3405 Hwy K	Adam Paulick	Commercial/ Industrial	Airplane Hangar	100,000	\$1,046.00
						\$1,046.00

Group Total: 1

Group: Deck

21493	201 Radloff St.	Rolland Klement	Deck	Deck in rear yard	8,000	\$68.40
						\$68.40

Group Total: 1

Group: detached garage

21491	820 Banker Rd.	Ted Urdahl	detached garage	Raze existing detached garage and build new detached garage.	25,000	\$209.60
						\$209.60

Group Total: 1

Group: Electrical

21443	411 McKee Ct.	Kimberly Kirby	Electrical	19 openings	0	\$44.25
21444	410 Grove St.	Chevon Cook	Electrical	New A/C	0	\$40.00

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
21450	1905 Central Coast Ln.	LTree Properties LLC	Electrical	25 openings	0	\$48.75
21451	620 Adams St.	Darcy Hartwig	Electrical	3 openings and 2 direct wires	0	\$42.25
21467	309 Grove St.	Justin & Rachel Snethen	Electrical	6 openings	0	\$34.50
21469	201 Highland Ave.	Doug Hornickel	Electrical	5 openings and 1 220V	0	\$38.75
21470	106 Clarence St.	Bruce Musgrove	Electrical	100 Amp Service	0	\$55.00
21474	1680 Janesville Ave	Kwik Trip, Inc	Electrical	HVAC & Lighting	0	\$88.00
21483	408 S High St	Jeffrey Leggions	Electrical	Lighting/Remodel	0	\$39.75
21485	101 S WATER ST W	FORT ATKINSON POLICE DEPARTMENT	Electrical	2 AIR CONDITIONERS	0	
21496	1614-1618 Premier Pl.	Joseph Esther	Electrical	New two family condo Electric	0	\$175.00
21498	816 N High St.	Traci Roberts	Electrical	15 openings	0	\$41.25
21502	811-813 Whitewater Ave.	Redenius Investments	Electrical	70 openings, 10 direct wired, 4 exhaust	0	\$122.50
21503	300 Roosevelt St.	Zach Weber	Electrical	100 amp service & 8 openings	0	\$61.00
21506	429 McComb St.	Jennifer Kenyon	Electrical	Radon exhaust	0	\$35.75
21508	317 White St.	Patrick Dougherty	Electrical	100 amp service & 30 openings	0	\$52.50
21510	131 W Blackhawk Dr	Mallory Bohling	Electrical	4 openings	0	\$33.00
						\$952.25

Group Total: 17

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

21484	113 S Sixth St	Dallas Borchardt	Fence	4' Cedar Fence in Front Yard	1,200	\$55.00
21488	421 E. Sherman Ave.	Alex & Tylynn Morrison	Fence	6' privacy fence in rear yard	2,500	\$55.00
21489	1011 Adrian Blvd.	Diana Hernandez	Fence	4' Chainlink Fence	3,000	\$55.00
21500	311 Wilson Ave	Larry & Shirley Muska	Fence	4' picket fence in rear yard	1,500	\$55.00
						\$220.00

Group Total: 4

Group: HVAC

21445	410 Grove St.	Chevon Cook	HVAC	New A/C	0	\$65.00
21452	810 Caswell St.	Richard Schweitzer	HVAC	Replace Furnace	0	\$65.00
21453	312 Clarence St.	Scott Scheibel	HVAC	Replace Furnace	0	\$65.00
21454	1429 Endl Blvd.	Sheree Allard	HVAC	Replace Furnace	0	\$65.00
21455	1320 Montclair Pl.	Ben Crandall	HVAC	Replace Furnace	0	\$65.00
21456	637 N Main St.	Jeff Gaber	HVAC	Replace Furnace	0	\$65.00
21457	327 Adams St.	Todd Lueder	HVAC	Replace Furnace	0	\$65.00
21458	304 Madison Ave.	Terry Chynoweth	HVAC	Replace Furnace	0	\$65.00
21459	1328 Commonwealth Dr.	Alley Brueckner	HVAC	Replace Furnace	0	\$65.00
21460	617 Monroe St.	Marsha Becker	HVAC	Replace Furnace	0	\$65.00
21461	505 Reena Ave.	Cathy Price	HVAC	Replace Furnace	0	\$65.00
21462	612 Chippewa Ct.	Craig Engstrom	HVAC	Replace Furnace	0	\$65.00
21463	703 Short St.	Matt Eske	HVAC	Replace Furnace	0	\$65.00
21464	1321 Jamesway	Marilyn Lueder	HVAC	Replace Furnace	0	\$65.00

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
21465	502 East Sherman Ave.	Ryan Hill	HVAC	Replace Furnace	0	\$65.00
21466	308 Garfield St.	Tim Redenius	HVAC	Replace Furnace	0	\$65.00
21475	1108 Seminole Dr	Connie Thomes	HVAC	Furnace	0	\$100.00
21486	101 S WATER ST W	CITY OF FORT ATKINSON POLICE DEPARTMENT	HVAC	1 AC 1 AIR HANDLER	0	
21505	704 Lexington Blvd.	Koi Lathrop	HVAC	Furnace & A/C Replace	0	\$100.00
21507	309 Foster St.	Jennifer Burkhalter	HVAC	Boiler	0	\$65.00
						\$1,305.00

Group Total: 20

Group: Plumbing

21448	1513 Lena Ln.	Lynn & Cindy Staude	Plumbing	New single family Laterals	0	\$105.00
21471	313 Madison Ave		Plumbing	Backflow/Drain	0	\$66.00
21472	1680 Janesville Ave		Plumbing	Backflow/Sink /Hub drain	0	\$108.00
21473	513 S Main St	Bryan Brandt	Plumbing	Sewer Lateral	0	\$105.00
21499	811-813 Whitewater Ave.	Redenius Investments	Plumbing	Bath addition 811, lateral replacement, Shower on 813, laundries on both	0	\$171.00
21509	711 Caswell St.	Dennis & Ann Wagie	Plumbing	Bath remodel	0	\$42.00
						\$597.00

Group Total: 6

Group: Right of Way Opening Permit

21441	1255 Whitewater Ave		Right of Way Opening Permit	Street Opening	0	\$50.00
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Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
21476	513 S Main St	Bryan Brandt	Right of Way Opening Permit	Street Opening	0	
21477	S Main St & Highland Ave	Water Utility	Right of Way Opening Permit	Street Opening	0	
21478	1011 Industrial Dr	Water Utility	Right of Way Opening Permit	Street Opening	0	
21479	Larsen Rd & Janesville Ave	Water Utility	Right of Way Opening Permit	Street Opening	0	
21480	1229 Erick St	Water Utility	Right of Way Opening Permit	Street Opening	0	
21481	611 Oak St	Water Utility	Right of Way Opening Permit	Street Opening	0	
21482	1111 Maple St	Water Utility	Right of Way Opening Permit	Street Opening	0	
21492	Sinnissippi Dr/HWY 106	AT&T	Right of Way Opening Permit	Street Opening	0	\$50.00
21494	1614/1618 Premier Pl	WE Energies	Right of Way Opening Permit	Street Opening	0	\$50.00
21495	1614/1618 Premier Pl	WE Energies	Right of Way Opening Permit	Street Opening	0	\$50.00
21504	1113 W Sherman Ave	Bruce Davis	Right of Way Opening Permit	Street Opening	0	\$50.00
21511	1520 Rangita St		Right of Way Opening Permit	Street Opening	0	\$50.00
						\$300.00

Group Total: 13

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

21501	1100 Laurie Dr.	CORIANDA BRODZELLER	Shed	10' x 14' Shed, 20' from side lot line , 30'+ from rear lot line	1,200	\$51.00
						\$51.00

Group Total: 1

Group: Sign

21497	201 N Main St.	Mr. Brews Taphouse	Sign	Multi tenant pole sign	10,766	\$55.00
						\$55.00

Group Total: 1

Group: Single Family Alteration/Addition

21442	111 Frederick Ave.	David Vasquez	Single Family Alteration/Addition	Egress window	7,210	\$31.50
21446	251 Cherokee Ln.	Todd Dressler	Single Family Alteration/Addition	Egress window	3,218	\$31.50
21447	Void	Eric Schultz	Single Family Alteration/Addition	Void	9,000	
21490	317 White St.	PatDoc LLC	Single Family Alteration/Addition	Finish Basement adding bath & family room	10,000	\$120.00
						\$183.00

Group Total: 4

						\$5,159.75
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Total Records: 71

4/6/2021

Submitted 4/6/21

[Signature]
Inspector



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

FROM: Andy Selle, P.E.

RE: Review and possible action relating to presentation on and renewal of test plot land rental at Hoard Road for Fort Atkinson FFA

BACKGROUND

In 2020, the Fort Atkinson Future Farmers of America were granted permission to utilize 20 acres located at W6419 Hoard Rd for planting of test crops which afforded students valuable hands-on experience in agricultural processes and procedures.

DISCUSSION

Fort Atkinson FFA program is requesting renewal of their lease at W6419 Hoard Rd for planting of soybeans to further educational opportunity for participating students.

FINANCIAL ANALYSIS

Crops harvested from this parcel amassed \$9,517.89 in profit which was injected back into the Fort Atkinson FFA chapter to aid in offsetting the cost of leadership conferences, conventions, and community service activities.

The lease is provided to the students at no cost.

RECOMMENDATION

Staff recommends that this parcel again be leased to Fort Atkinson FFA for continued agricultural use.

ATTACHMENTS

Presentation by FFA students attached.

Test Plot

...

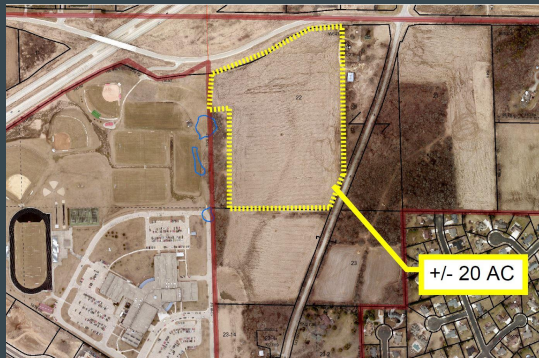
Fort Atkinson FFA ~ W6419 Hoard Rd, Fort Atkinson WI

Purpose of the Test Plot

- Educational benefits - Working in collaboration with agricultural companies in the area will allow students to see the process of farming a successful plot and what all goes on to create a bountiful crop with a hands on experience through it all.
- Bring together the local community - The opportunity of the test plot has allowed us to reach out and interact with the community, and going forward fundraisers and donations that will be ran by students to fund the test plot.
- Pride - The test plot has brought the Fort Atkinson FFA an opportunity to show the community of Fort Atkinson its passion for agriculture and how much dedication there is within the organization. This whole project will allow us to preserve the agricultural nature of our community alive and thriving.

Location

The yellow outlined area is where we gained permission to plant and harvest a test plot in 2020. The plot was highly successful thanks to the collaboration of FFA Alumni Members, FFA student members, and local companies such as Insight FS and Landmark Cooperative



Promotion of the Test Plot

A sign was placed by the FFA on the stretch of Hoard Road on the northern side of the field to make the public aware of this opportunity that we were graciously able to secure and carry out the test plot.



Costs - Budget Plan

20 Corn Varieties	Expenses
Seed	donated
Fertilizer (VRT)	\$2,869.75
Herbicide	\$1,597.29
Harvesting	\$1,400
Disking	
Planting	
Fuel	

Yields, test weight and Moisture

Overall Yield	Avg Sample Moisture	Test Weight
4,054.62 bushels	16.5	58 per bushel
227,058 lbs		

Sold for \$3.84/bu. \$15,381.93
 - Drying charge - \$4,467.04
 - Checkoff - \$1,400.00
TOTAL PROFIT = \$9,514.89

****Profit went back into the chapter to help offset costs for leadership conferences, convention, and community service activities**

Pictures of Harvest



Proposal for 2021-2022

- Same 20 acres of land for use as a test plot
- Soybeans
- Community Engagement Days to teach about soybeans, crop rotation, view equipment, etc



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

FROM: Andy Selle, P.E.

RE: Review and possible action related to authorization and signature of 2020 Recycling Program Annual Report

BACKGROUND

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

DISCUSSION

The Report documents that the City recycled 1,061.69 tons of materials listed on DNR's Table #1: newspaper, cardboard, magazines, etc. This is compared to 953.89 in 2019. The City recycled 171.31 pounds per capita, which surpasses the standard of 106.55 pounds, so we have met the collection standard.

FINANCIAL ANALYSIS

The City's net eligible recycling costs excluding yard waste is \$286,314, which exceeds our Grant amount. The City will receive the full amount of the Grant \$35,098.

RECOMMENDATION

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

ATTACHMENTS

Draft Annual Report has been included.

Wisconsin Department of Natural Resources

Sections:

- 1 **RU Contacts** ✓
- 2 Effective Program
- 3 Performance Data
- 4 Certification

Status: In Progress

Save

Save/Validate

Submit

Print

Instructions

Waste & Materials Management System[Return to](#)[Logout](#)[Contact Us](#)[Switchboard](#)[MyFacility\(s\)](#) >> [Annual Report List](#) >> [Annual Report](#)**2020 Recycling Program Accomplishments and Actual Costs Annual Report**

Return By: April 30 2021

Form 4400-182 Rev. 1-19

State of Wisconsin Dept. of Natural Resources

[Responsible Unit \(RU\)](#)**City of Fort Atkinson****Muni Code: 28226**

County: Jefferson

Population: 12,395

[DNR Contact Information](#)**Ariana Mankerian****608-982-6588**Ariana.Mankerian@wisconsin.gov

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

SECTION 1: CONTACT INFORMATION**A. Authorized Representative**

Note you are **not** able to add or update contact information on this form. If you have changes please contact Rachel Stark by email at DNRWAFacilityContactRegistry@wisconsin.gov or by phone at (920) 650-4064.

First Name: Rebecca**Middle Initial:****Last Name:** Houseman LeMire**Title:** City Manager**Address 1:** 101 N Main St**Address 2:****City:** Fort Atkinson**State:** WI**Zip:** 53538-1861**Phone:** **Landline :** 920-563-7760**Ext:****E-Mail:** rlemire@fortatkinsonwi.net**B. Primary Contact****First Name:** Andy**Middle Initial:****Last Name:** Selle**Address 1:** 101 N Main St**Address 2:****City:** Fort Atkinson**State:** WI**Zip:** 53538-1861**Phone:** **Landline :** 920-563-7760**Ext:****E-Mail:** aselle@fortatkinsonwi.net

To complete this section, click the 'Save/Validate' button to check for incomplete responses. **To go to the next section**, click the appropriate link in the left-hand menu.

The Official Internet site for the Wisconsin Department of Natural Resources
101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621

Sections:

- 1 RU Contacts
- 2 **Effective Program**
- 3 Performance Data
- 4 Certification

Status: In Progress

Save

Save/Validate

Submit

Print

Instructions

Wisconsin Department of Natural Resources

Waste & Materials Management System

[Return to Logout](#) [Contact Us](#) [Switchboard](#)
[MyFacility\(s\)](#) >> [Annual Report List](#) >> Annual Report

RU Name: City of Fort Atkinson

RU Category: Single

Last Grant Year: 2020

Municipal Code: 28226

RU Population: 12,395


SECTION 2: EFFECTIVE PROGRAM INFORMATION

All questions in this section relate to your collection of **s. NR 544 Table 1 recyclables**, listed below. You will be able to report on collection of other materials (such as tires, appliances and yard waste) in section 3C.

- Newspaper
- Corrugated cardboard
- Magazines
- Residential mixed paper
- Aluminum containers
- Steel/BI-metal (tin) containers
- Plastic containers
- Foam polystyrene packaging
- Glass containers

Save your work often using the 'Save' button in the left-hand menu. After saving, you can move to other areas of the form or exit the system, then return later to complete this section.

A. Collection of Recyclables for 1-4 Residential Unit Housing

Review and update information on how your program collected recyclables from 1 to 4 unit residential dwellings during the previous calendar year. 

Do you have curbside collection?


☒ Yes ☐ No

How is curbside service provided? (Check all that apply)


- ☐ RU provides service with municipal service and staff
- ☐ RU contracts another municipality to provide services with their equipment and staff
- ☒ RU contracts private hauler(s) to provide collection service

☐ Residents contract with private hauler for their recyclable pickup % of population that does this

What is your primary curbside collection method?

Single Stream (all recyclables in one bin) 

How often are recyclables picked up?

Once every other we 


Do you have drop off center(s)?

☐ Yes ☒ No

How many total hours is your drop-off center(s) open monthly, on average?

Example: two centers, each open 5 hours per month, equals 10 hours total)

Who operates the drop off center(s)? Your answer should be based on who actually operates a drop-off facility, not who picks up the materials. (Check all that apply)

- ☐ RU operates drop-off site(s)
- ☐ Private hauler/MRF operates drop-off site(s)
- ☐ Other (describe) 

Review and update your list of drop off sites that collected Table 1 recyclables (paper and containers) during the reporting year. Do not list sites if they only collected other items (e.g., yard waste, used oil) and DID NOT also collect Table 1 recyclables. Save your current work by clicking the 'Save' button in the left-hand menu, then click the 'Add/Edit' button below to modify the list.

Drop Off Sites

[Add/Edit](#)

No Data Found

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

☒ Curbside ☐ Drop Off

Review and update the list of haulers that **collected Table 1 recyclables** in your RU during the previous calendar year. Save your current work by clicking the 'Save' button in the left-hand menu, then click the 'Add/Edit' button below to modify the list.

Haulers

[Add/Edit](#)


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

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

Review and update the list of materials recovery facilities (MRFs) that **received and processed** recyclables from your RU during the previous calendar year. This may include MRFs you contract with directly or MRFs your hauler uses on a regular basis. Save

your current work by clicking the 'Save' button in the left-hand menu, then click the 'Add/Edit' button below to modify the list.

Sections:

- 1 RU Contacts 
- 2 Effective Program**
- 3 Performance Data
- 4 Certification

Materials Recovery Facilities**Add/Edit****No Data Found**

Please list places not reported above that received Table 1 recyclables from your RU during the previous calendar year. Examples include farmers that take newspapers for animal bedding and scrap metal yards that collect aluminum cans **(Aluminum cans and/or steel and bi-metal cans are the only metal weights to be reported from scrap metal yards. Do not report the weight of other scrap metal recycled).**

Save your current work by clicking the 'Save' button in the left-hand menu, then click the 'Add/Edit' button below to modify the list. **If you have no other processors or end users, go to the next section.**

Other Processors**Add/Edit****No data found**

Save

Save/Validate

Submit

Print

Instructions

C: Compliance

Review and update information about how your RU ensures that all residents and businesses are complying with your recycling ordinance. Note that all RUs are required to have a valid ordinance and Compliance Assurance Plan (CAP). If you are unsure about either of these items, contact the recycling specialist whose name appears on the top of the first page of this report.

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

Ch 86 Article III

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

☐ Yes ☒ No

Ordinance effective date: (mm/dd/yyyy)

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

☐ Yes ☒ No

How does your RU ensure compliance with your recycling ordinance at residences with 5 or more units? (Check all that apply)

- ☐ There are no residences with 5 or more units physically located within my RU
- ☒ RU provides direct outreach to landlords/building managers
- ☐ RU staff regularly conduct inspections/visits
- ☒ RU staff respond to recycling-related complaints

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

- ☐ There are no non-residential facilities physically located within my RU
- ☐ RU provides direct outreach to business owners/managers
- ☐ RU staff regularly conduct inspections/visits
- ☒ RU staff respond to recycling-related complaints

To complete this section, click the 'Save/Validate' button to check for incomplete responses. **To go to the next section**, click the appropriate link in the left-hand menu.

Sections:

Wisconsin Department of Natural Resources

1 RU Contacts

2 Effective
Program3 Performance
Data

4 Certification

Waste & Materials Management System

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RU Name: City of Fort Atkinson

RU Category: Single

Last Grant Year: 2020

Municipal Code: 28226

RU Population: 12,395

SECTION 3: ANNUAL PERFORMANCE INFORMATION

Provide information on the accomplishments of your effective recycling program during the previous calendar year.

Save your work often using the "Save" button in the left-hand menu. After saving, you can move to other areas of the form or exit the system, then return later to complete this section.

A. Compliance & Enforcement

Please report the number of recycling-related complaints your RU received during the previous calendar year, along with the number of enforcement actions you took (inspections, citations, written warnings and verbal warnings). ①

If you did not receive complaints or take a type of enforcement action, enter a '0' in the appropriate box. You should maintain records to verify these numbers. If you indicated in the previous section you have no residences with 5 or more units, that row should be disabled.

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

B. Table 1 Materials and Weights Collected

All NR 544 Table 1 materials except for those with a waiver (plastic containers #3-7 and Foam PS packaging), are required to be collected by RUs in accordance with s. 287.07(4), Wis. Stats. ①

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

☒ Yes ☐ No

If No, please list the materials your RU does NOT collect for recycling.

<input type="checkbox"/> Newspaper	<input type="checkbox"/> Corrugated cardboard
<input type="checkbox"/> Aluminum containers	<input type="checkbox"/> Steel & bi-metal containers
<input type="checkbox"/> Plastic containers #1 & #2	<input type="checkbox"/> Glass containers
<input type="checkbox"/> Residential mixed paper (includes magazines and office paper)	

Tonnage of Recyclables Collected

Please provide the tonnage of the materials your RU collected from residences with 1 through 4 units during the previous calendar year. You have the option to provide tonnages from multi family residences (5 or more units) in a separate field.

Save your current work by clicking the 'Save' button in the left-hand menu, then click the "Add/Edit" button below to add or modify the tonnage information.

[Add/Edit](#)

Name	Type	Tonnage
Advanced Disposal Services SW Midwest LLC - Fort Atkinson	HAUL	1061.69

Summary of Compliance with Table 1 Collection Standard

Each RU must meet a collection standard for the Table 1 materials each year (explained in ch. NR 544, Wisconsin Administrative Code). Below is a summary of your RU's compliance with this standard for this reporting period based upon the data you provided in this section. ①

Total weight of recyclables collected from residences: **1,061.69** Tons

Per capita collection: **171.31** lbs/person

Per capita collection standard: **106.55** lbs/person/year

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

Sections:

1 RU Contacts

2 Effective
Program3 Performance
Data

4 Certification

Status: In Progress

Save

Save/Validate

Submit

Print

Instructions

C. Information on Other Materials Collected From Residents

Please provide information on other recyclable materials collected within your RU. This information does not affect your compliance with the collection standard and is not required, but reporting it allows us to recognize your additional efforts and helps provide a more accurate and complete picture of recycling in Wisconsin.

Table 2 Other banned materials collected for recycling from residents

	Weight	Measurement Unit		Weight	Measurement Unit
<input type="checkbox"/> Electronics		▼	<input type="checkbox"/> Used oil		▼
<input type="checkbox"/> Major appliances		▼	<input type="checkbox"/> Used oil filters		▼
<input type="checkbox"/> Non-residential office paper		▼	<input type="checkbox"/> Waste tires		▼
<input type="checkbox"/> Used Lead acid batteries		▼	<input type="checkbox"/> Yard waste		▼

D. Report of Actual Recycling Costs for Grant Purposes

Actual program costs are determined by completing the financial worksheet. Click the 'Actual Costs Worksheet' button to complete the worksheet. Please remember that grant assistance is provided only for the single family and 1-4 unit residential portion of your recycling program. If you would like to print a blank worksheet to work from before entering your final amounts into the online form, select the following link, [Blank Worksheet](#).

Actual Costs Worksheet**Summary of Costs**

Total costs of recycling program (Worksheet Line 18, Column E)	286,314
Total ineligible costs and revenue (Worksheet Line 21, Column E)	0
Total eligible recycling costs (Worksheet Line 22, Column E)	286,314
You have successfully earned your grant. Repayment will not be required	
Cost (including yard waste) per capita:	23.10

Yard Waste Costs and Summary

Enter the cost of handling yard waste that is included in line 18, column E of the Actual Costs worksheet.

43284

Cost (excluding yard waste) per capita:	\$ 19.61
Cost (excluding yard waste) per ton:	\$ 228.91

E. Outreach and Other Program Features

Public information and education is key to a successful recycling program and is required by the recycling laws. What outreach efforts did you undertake in the program year? (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Community yard sale | <input type="checkbox"/> Printed publications (flyers, handouts, etc.) |
| <input type="checkbox"/> Conduct waste audits | <input type="checkbox"/> Radio ads or public service announcements |
| <input type="checkbox"/> Direct mail (flyers in the tax bill, etc.) | <input type="checkbox"/> Recycling focused event (collections, cleanups, etc.) |
| <input type="checkbox"/> Display booths at fairs, etc. | <input type="checkbox"/> School education program (Green & Healthy Schools, etc.) |
| <input type="checkbox"/> News releases | <input type="checkbox"/> Social media (facebook, twitter, etc.) |
| <input type="checkbox"/> Print ads (newspaper, magazines, etc.) | <input type="checkbox"/> Web site has recycling info (what to recycle, when, where, and how) |

To complete this section, click the 'Save/Validate' button to check for incomplete responses. **To go to the next section**, click the appropriate link in the left-hand menu.



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

FROM: Rebecca Houseman LeMire, City Manager

RE: Review and possible action relating to the Banker Road Neighborhood Plan
Scope of Services from Vandewalle & Associates

BACKGROUND

The City of Fort Atkinson owns three parcels of land currently located in the Town of Koshkonong, totaling about 75 acres of land. The City purchased this land in 2018 with the intent of developing it for residential purposes. City staff is currently working with the Town of Koshkonong on an Intergovernmental Agreement that would allow the City to attach the parcels without objection.

DISCUSSION

When the land was purchased, the City purchased a set of engineering and subdivision plans from the previous developer. Since that time, the City has engaged Vandewalle and Associates to assist in creating a new Comprehensive Land Use Plan (2019) and a new Zoning Ordinance (2020). The City has also engaged another consultant to develop a new land division ordinance, which will likely be ready for review this summer. In addition to those factors, the demand for a variety of housing types and styles in the City has increased substantially. Likewise, the interest in the residential development of this area by community groups and the public has also increased.

The new Comprehensive Plan, Zoning Ordinance, and increased demand for housing have changed the way staff and other officials view this potential development. The previous engineering and subdivision plans included large single-family lots, wide public rights-of-way, and some multifamily residential buildings. City staff has been working with representatives from Vandewalle to review how these parcels can be developed efficiently, effectively, sustainably, and in an aesthetically-pleasing manner. Staff requested that Vandewalle provide a proposal for planned neighborhood for the City's land in this area. The proposal and budget are attached to this memo for review. If approved, the City would engage Vandewalle to prepare a Neighborhood Land Use Plan and Development Concept for the City per the attached documents.

FINANCIAL ANALYSIS

The scope of services and estimated budget documents show a cost of not to exceed \$28,100 with an alternate project tour of Grandview Commons in Madison for an additional \$770. This expense was not included in the 2021 Budget; however, the prior City Manager budgeted \$43,056.00 in a contingency account for unbudgeted items that may be necessary during the year. Staff proposes to use \$28,870 of these funds for this project.

Table 1 below shows the amount budgeted in the Contingency/Health Insurance/Utility (contingency) account and the impact of the recommendation to expend \$28,870 on this project.

TABLE 1: 2021 Contingency Fund Account

2021 Contingency Fund Account - 01-57-5770-6000					
Contingency Funds Used		Balance	Notes & Approval		
Beginning Balance 1/1/21:		\$ 43,056.00	Approved with 2021 Budget		
Date	\$	-	\$ 43,056.00		
4/20/2021	\$	(28,870.00)	\$ 14,186.00	Vandewalle & Associates/Banker Road Neighborhood Plan	

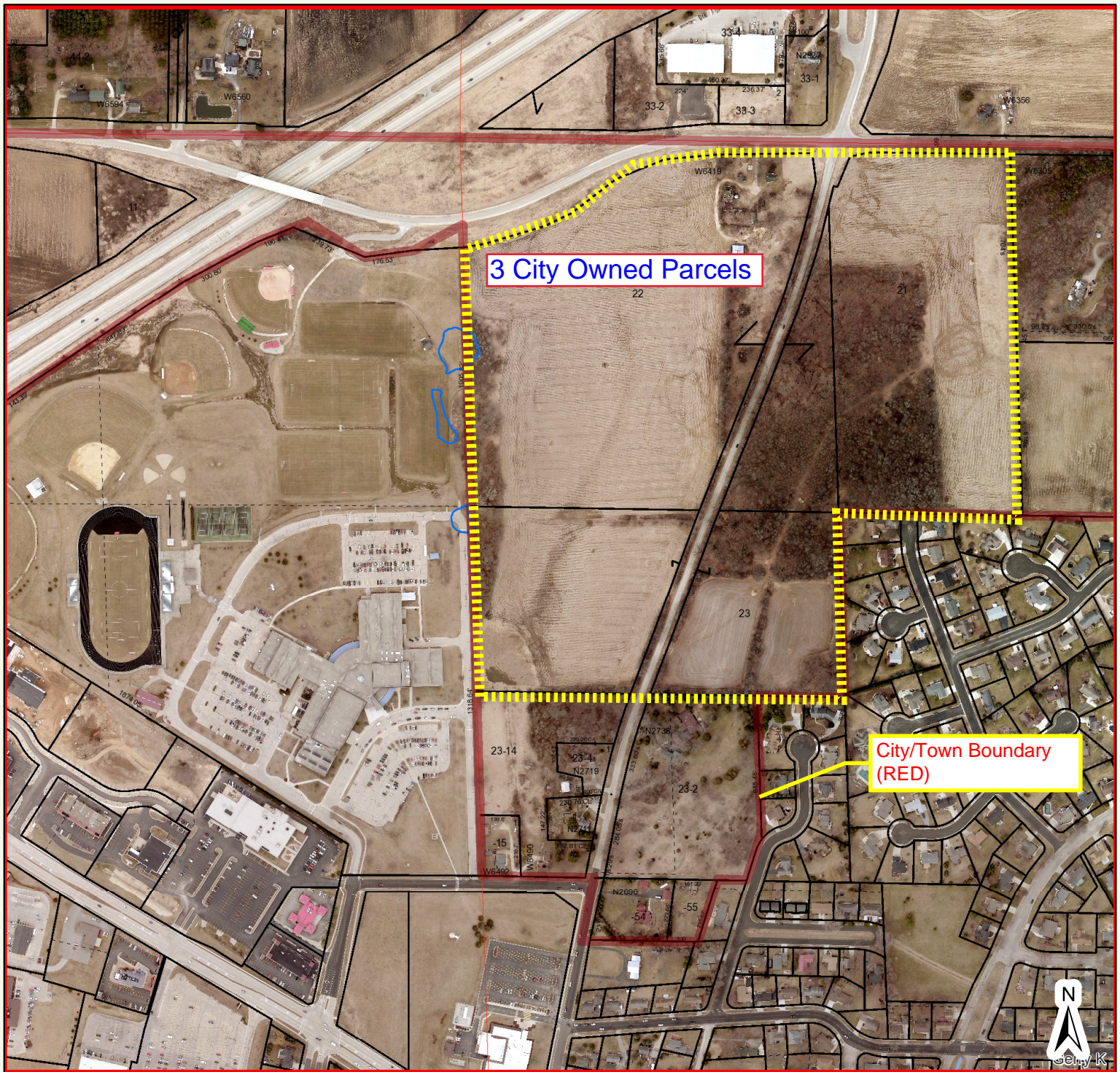
RECOMMENDATION

Staff recommends that the City Council approve the attached scope of services and engage Vandewalle and Associates to prepare a neighborhood plan for the City owned parcels along Banker Road. Staff further recommends that the City Council approve the funding of \$28,870 through the Contingency Fund Account (01-57-5770-6000).

ATTACHMENTS

City Owned Banker Road Parcel Map; City of Fort Atkinson Banker Road Neighborhood Plan Scope of Services; Fort Atkinson Banker Road Neighborhood Plan Budget Estimate

City Owned Banker Road Parcel Map



Parcels

- Parcels
- Municipal Boundaries

Parcel Lines

- Property Boundary
- Surface Water

- Old Lot/Meander Lines
- Rail Right of Ways
- Road Right of Ways
- Section Lines
- Surface Water

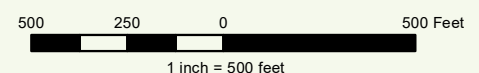
- Map Hooks
- Tax Parcels

Streams and Ditches

raster.SDE.ORTHOS_2018

- Red: Band_1

- Green: Band_2
- Blue: Band_3



City of Fort Atkinson
Banker Road Neighborhood Plan
Scope of Services

The development of the Banker Road Neighborhood Land Use Plan and Development Concept for the City of Fort Atkinson represents a unique opportunity to offer new vibrant and diverse housing options for the Community. Vandewalle & Associates' deep experience in placemaking and neighborhood design has resulted in nearly 4,000 acres of built mixed residential neighborhoods throughout the Midwest. Our team has been involved in every aspect of project implementation for some of the State of Wisconsin's largest traditional neighborhoods and residential developments, guiding site analysis, concept creation, layout development, establishment of character guidelines and product mix, securing zoning entitlements, and project implementation.

Vandewalle & Associates strives to develop neighborhoods that are more than a sum of lots, but rather creates unique resident-focused, walkable neighborhoods that generate a wide range of price options, housing formats, and open spaces. These mixed residential neighborhoods build upon the existing property characteristics, grade, vegetation, and views to create a diversity of housing choices that are both sustainable and economically feasible.

We take special care to ensure that these new neighborhoods connect and contribute to the larger community and that the planning layouts make efficient use of the land and infrastructure from a perspective of both construction and long-term maintenance. We achieve this by integrating the overall design into the existing network of streets, utilities, transit facilities, trails, open spaces and corridors. Our design philosophy and approach transform a patchwork of undeveloped or underdeveloped properties into a true neighborhood - one with a mix of uses, amenities and conveniences - which is seamlessly incorporated into the greater community.

Vandewalle & Associates will leverage our existing working relationship with City staff and elected official, community knowledge and experience, and in-depth understanding of the City's new Zoning Ordinance to complete the Banker Road Neighborhood Plan efficiently and effectively. We propose the following scope of services to assist the City of Fort Atkinson:

Task 1: Existing Conditions Analysis (Month 1)

- Base Mapping
- Review Adopted Plans and Ordinances
- Review prior work done within the project boundary
- Site Visit:
 - Meet with City staff
 - Tour the site and surrounding area
- Undertake an opportunity analysis to evaluate existing conditions, market trends, and development opportunities for the site

Deliverables: Neighborhood Base map for use in Tasks 2 & 3

Task 2: Prepare Concept Plan (Month 2-3)

- Develop a Preliminary Concept Plan for the site and adjoining growth area:
 - Primary site access points
 - Internal circulation (vehicular and ped/bike)/street network

- Stormwater management areas
- Open spaces
- Land use recommendations with density/intensity ranges
- Images of proposed development types
- Development objectives summary and general housing market summary

Deliverables: Digital Concept Plan PDF
 Digital Development Objectives Summary

Task 3: Prepare Preferred Neighborhood Guidance Plan (Month 4)

- Review Concept Plan with City staff (Digital Meeting)
- Present Concept Plan to Plan Commission (Digital Meeting)
- Present Concept Plan to Common Council (Digital Meeting)
- Refine Concept into a Final Neighborhood Guidance Plan

Deliverables: Digital Preferred Neighborhood Guidance Plan PDF
 Digital Development Objectives Summary

Estimated Timeline: Four Months
 Anticipated Scope: Time & Materials, Not to Exceed \$28,000

Optional Task A: City Staff Tour of Vandewalle Designs in Dane County

- Guided tour of completed and under-construction residential developments in Dane County showing:
 - A range of housing types and price point
 - Mixed-use development
 - Discussion of strategies:
 - Enhance long-term livability and build a sense of community
 - Address housing affordability
 - Efficient use of infrastructure
 - Position projects in the marketplace
 - Address architectural character

Budget: \$770

Fort Atkinson Banker Road Neighborhood Plan Budget Estimate

		\$220	\$95	\$120	\$95	\$85	\$70		
		Brian Munson	Ben Rohr	Elona Bartnick	Dan Eckberg	Mara Redding	Nicole Anderson	Materials & Expenses	Budget
Tasks from Scope of Services									
Work Element 1: Site Analysis & Opportunities Assessment									\$4,700
Task 1.1	Day-Long Site Visit	8						\$50	\$1,810
Task 1.2	Background Data Assembly	2	2	4	6	2		\$30	\$1,880
Task 1.3	Opportunities Analysis	2	2	2			2		\$1,010
Work Element 2: Concept Plan Development									\$16,930
Task 2.1	Design Work Sessions	4	2	4					\$1,550
Task 2.2	Concept Development	20	4	16		36			\$9,760
Task 2.3	Development Objectives Summary	12	4	16		8			\$5,620
Work Element 3: Prepare Preferred Neighborhood Guidance Plan									\$6,540
Task 3.1	Review Concept Alternatives with City Staff	6	2	2					\$1,750
Task 3.2	Present Concept Plan to Plan Commission (digital)	4							\$880
Task 3.3	Present Concept Plan to Common Council (digital)	4							\$880
Task 3.3	Refine Concept into a Final Neighborhood Guidance Plan	4	2	6		8	8		\$3,030
Total Hours by Position & Estimated Project Cost		66	18	50	6	54	10	\$ 80	\$28,170

ALT 1	Project Tour: Grandview Commons	2	2				2		\$770
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City of Fort Atkinson
City Clerk/Treasurer's Office
101 N. Main Street
Fort Atkinson, WI 53538

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

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

RE: Discussion and possible action relating to Board of Review scheduled for Wednesday May 5, 2021 10:00 am to 12:00 pm

BACKGROUND

Wisconsin Statutes 70.47 creates a local Board of Review (BOR) to review and decide property tax assessment appeals. The BOR is a quasi-judicial body responsible for correcting errors on the assessment roll and administering the property tax assessment appeal process. The property owner's right to appeal a tax assessment is part of the constitutional right to due process.

DISCUSSION

The BOR is the first step in the formal appeal process for an individual property owner who protests an assessment. The BOR has specific statutory duties, including the following: correcting all description and computation errors in the assessment roll; checking the roll for omitted property and double assessments; and adjusting assessments when proven incorrect by sworn testimony.

The 2021 Board of Review is scheduled to meet on Wednesday, May 5, 2021, from 10:00 a.m. to 12:00 p.m.

FINANCIAL ANALYSIS

Notices as required by Statute was published in the Daily Union resulting in a minor publication fee. There is no other expense for Board of Review. However, the decisions made by the Board of Review have lasting consequences, as they can potentially shift the tax burden from one property owner to all other property owners or certain classifications of property owners.

RECOMMENDATION

Staff recommends that the City Council set the date for Board of Review for Wednesday, May 5th from 10:00 am to 12:00 pm via Zoom.

ATTACHMENTS

2021 Guide for Board of Review members



2021 Guide for Board of Review Members

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I. Guide Information

The purpose of this guide is to assist Board of Review (BOR) members in Wisconsin understand their statutory duties. This guide contains:

- Topical index of responsibilities and procedures
- Flowchart of BOR functions
- Related court cases
- Statutory index
- Glossary of property tax terms

II. Board of Review (BOR) Profile

BOR membership

The BOR membership depends on the municipality – town, village or city (First-class or others).

1. Town BOR members

- Town supervisor
- Town clerk (if elected to the office of town clerk under state law (sec. [70.46\(1m\)](#), Wis. Stats.))
- Other members by ordinance

2. Village BOR members

- President
- Village clerk
- Other members by ordinance

3. First-class city BOR members

- Between five and nine residents of the city
- BOR members are appointed by ordinance
- Members cannot hold public office or be publicly employed
- Members are appointed by the mayor with approval by the common council and hold office for staggered five-year terms

4. City other than First-class BOR members

- Mayor
- City clerk
- Other members by ordinance

Note: Any BOR for the above municipalities can also include citizens, public officers or public employees. The assessor cannot be a member of the BOR. The governing body must select a substitute member if the assessor is initially identified as a member through holding another office.

III. Assessment Roll

A. Assessment roll open for public review

The assessment roll becomes a public document after the assessor completes the roll and is delivered to the municipal clerk (in Milwaukee, to the commissioner of assessments). At least 15 days before the roll is open for examination, the clerk publishes a notice with the days the assessment roll will be open for review.

B. Incomplete assessment roll

If the assessment roll is not completed by the fourth Monday in April or the 45 days thereafter, the BOR must:

- Hold an initial meeting during the 45-day period
- Adjourn until the roll is completed
- BOR clerk must post a written notice on the meeting place door, including the date and time the BOR will resume meeting
- When the roll is completed, the BOR must be in session the hours required by statute or as established by ordinance

IV. BOR Meeting

A. First BOR meeting

1. Hold a minimum of seven days after the assessment roll is open for examination under sec. [70.45](#), Wis. Stats. (sec. [70.47\(1\)](#), Wis. Stats.)
2. Select a chairperson and vice-chairperson
3. Verify at least one member met the mandatory training requirements under state law (sec. [70.46\(4\)](#), Wis. Stats.)
4. Verify the municipality or county has an ordinance for the confidentiality of income and expense information provided to the assessor under state law. No person can appeal to the BOR if the value was made by assessor using the income method unless no later than seven days before the first meeting, the person supplies to the assessor all information about income and expenses. Information provided under this statute is not subject to right of inspection and copying unless a court determines before the first meeting of the BOR that information is inaccurate (sec. [70.47\(7\)\(af\)](#), Wis. Stats.).
5. Receive the assessment roll and sworn statements from the clerk
6. Examine the roll, correct description or calculation errors, add omitted property, and eliminate double assessed property
7. Certify all corrections of error under state law (sec. [70.43](#), Wis. Stats.)
8. Verify with the assessor that open book changes are included in the assessment roll
9. Be in session for at least two hours
10. Allow taxpayers to examine assessment data
11. Schedule hearings for written objections
12. During the first two hours, grant:
 - Waivers of the required 48-hour notice of intent to file an objection when there is good cause
 - Requests for waiver of the BOR hearing allowing the property owner an appeal directly to circuit court
 - Requests to testify by telephone or submit sworn written statement
13. Hear written objections if notice was given by the BOR to the property owner and assessor at least 48 hours earlier, or if both waive the 48-hour notice requirement
14. Create a new hearing schedule for written objections filed but not heard

If the BOR finds a problem with uncontested property, it should:

- Notify the owner or agent of the BOR's intent to review the assessment, and the date, time, and place of the hearing
- Subpoena witnesses necessary to testify on the value of the property
- Conduct the hearing according to the procedure established under state law (sec. [70.47\(8\)](#), Wis. Stats.)

B. BOR meeting location

1. Towns and villages

BOR should meet in the Town/Village Hall, or a place designated by the Town/Village Board. If no such hall exists, the BOR should meet at the clerk's office or at the place where the last annual Town/Village meeting was held.

2. Cities other than First-class

BOR should meet at the Council Chamber or a place designated by the Council.

3. First-class cities

BOR should meet at the place designated by the Commissioner of Assessments.

C. BOR meeting time frame

Municipal BOR must meet:

- Annually
- Anytime during the 45-day period beginning on the fourth Monday in April
- A minimum of seven days after the assessment roll is open for examination under sec. [70.45](#), Wis. Stats.

D. Length of BOR meeting

Each BOR must be in session at least two hours. If the municipal governing body (by ordinance or resolution) designates other meeting hours, the BOR session can vary from these guidelines. If this is done, the BOR may schedule a meeting time between 8:00 a.m. and 12 midnight with the meeting being at least two hours long.

After the first meeting, the BOR may then adjourn at its own discretion from time to time, until its business is completed. Whenever the BOR adjourns for more than one day, the clerk must post a written notice on the meeting place door, stating the date and time the BOR will resume meeting.

V. Hearings

A. Notice

1. Municipal clerk publishes a notice that includes the following under state law (sec. [70.47\(7\)\(aa\)](#), [\(ac\)](#), [\(ad\)](#), [\(ae\)](#) and [\(af\)](#), Wis. Stats.):

- Time and place of the first meeting
- Sec. [70.47\(7\)\(aa\)](#), Wis. Stats. provides that the BOR may deny a hearing to a property owner who does not allow the assessor to complete an exterior view. However, the Wisconsin Supreme Court expressed due process concerns regarding a similarly worded statute in *Milewski v. Town of Dover*, 2017 WI 79, 377 Wis. 2d 38, 899 N.W.2d 303. It is DOR's recommendation to allow a BOR hearing even if the property owner denied an interior or exterior view. The lack of access to view, and the credibility of evidence offered can be managed as an evidentiary issue at a BOR hearing, rather than denying access to the BOR.
- After the first BOR meeting and before the BOR's final adjournment, no person who is scheduled to appear before the BOR may contact, or provide information to, a member of the BOR about that person's objection except at a BOR session

2021 Guide for Board of Review Members

- No person may appear before the BOR, testify to the BOR by phone or contest the amount of any assessment unless, at least 48 hours before the first meeting of the BOR or at least 48 hours before the objection is heard if the objection is allowed under sub. (3)(a), that person provides to the BOR clerk a notice as to whether the person will ask for removal under sub. (6m) and if so which member will be removed and the person's reasonable estimate of the length of time that the hearing will take
- When appearing before the BOR, the person must specify in writing, his or her estimate of the land value and improvements that he or she is objecting and the person must specify the information that he or she used to arrive at that estimate
- No person may appear before the BOR, testify to the BOR by phone or object to a valuation; if that valuation was made by the assessor or the objector using the income method; unless no later than seven days before the first meeting of the BOR the person supplies to the assessor all of the information about income and expenses, as specified in the manual under sec. [73.03\(2a\)](#), Wis. Stats., that the assessor requests. The municipality or county shall provide by ordinance for the confidentiality of information about income and expenses that is provided to the assessor under this paragraph and shall provide exceptions for persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of a court. The information that is provided under this paragraph is not subject to the right of inspection and copying under sec. [19.35\(1\)](#), Wis. Stats., unless a court determines before the first meeting of the BOR that the information is inaccurate.

2. Posting notice under sec. [70.47\(2\)](#), Wis. Stats.

At least 15 days (30 days in revaluation years) before the first session, a municipality with an official newspaper must publish a Class 1 notice under ch. [985](#) with the time and place of the first meeting. If a municipality is not required to and does not have an official newspaper, the clerk may, in lieu of newspaper publication:

- Post the notice in at least three public places likely to give notice to persons affected, *or*
- Post in at least one public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the municipality

The notice posted before the act or event requiring notice shall be posted and, if applicable, placed electronically, no later than the time specified for the first newspaper publication.

If adjournment is for more than one day, the clerk must post a notice of the adjournment on the outer door of the meeting place, stating when the meeting will reconvene.

3. Posting Notice Under the Open Meeting State Law, Sec. [19.84\(1\)](#), Wis. Stats.

The clerk must provide notice of the meeting (1) to those news media who have filed a written request for such notice and (2) to any official newspaper, or if none exists, to a news medium likely to give notice in the area.

The clerk shall also post a notice to the public using one of the following methods:

- Posting a notice in at least three public places likely to give notice to persons affected
- Posting a notice in at least one public place likely to give notice to persons affected and placing a notice electronically on the governmental body's Internet site
- By paid publication in a news medium likely to give notice to persons affected

2021 Guide for Board of Review Members

	19.84(1) requirements (Open Meeting)	70.47(2) requirements (BOR)
City of the 2nd, 3rd and 4th class	Communicate meeting details to official newspaper and news media who requested notice AND one of the following options: 1. Post a notice in at least 3 public places 2. Post notice in at least one public place and place notice on municipal website 3. Pay for publication in a news medium	Publish Class 1 notice in official newspaper
Municipalities with official newspapers	Communicate meeting details to official newspaper and news media who requested notice AND one of the following options: 1. Post a notice in at least 3 public places 2. Post notice in at least one public place and place notice on municipal website 3. Pay for publication in a news medium	Publish Class 1 notice in official newspaper
Municipalities WITHOUT official newspapers	Communicate meeting details to news medium likely to give notice in the area and news media who requested notice AND one of the following options: 1. Post a notice in at least 3 public places 2. Post notice in at least one public place and place notice on municipal website 3. Pay for publication in a news medium	Post in at least 3 public places OR Post in at least one place and place on municipality website (No later than time specified for newspaper publication)

4. Notifying property owners of hearing

BOR clerk must notify property owners of the time and place of their hearing

- After receiving an objection, the BOR must establish a time for hearing the objection
- The BOR clerk must give the objector and the assessor at least 48-hour notice before the hearing
- When all parties are present and waive this notice in the minutes, the hearing may be held immediately
- If a scheduled hearing cannot be heard at the session, then a minimum 48-hour notice of the new scheduled time must be given

5. Municipal clerk notifies property owner of the time and place of a remanded BOR hearing

When any BOR case is remanded, the municipal clerk must post a notice in the same manner as a regular BOR meeting.

Note:

- A remanded case is sent back to a lower judicial or a quasi-judicial body with instructions for further proceedings
- Only a case remanded back to the BOR by a court order can be heard by the reconvened BOR. No additional new cases can be heard at a reconvened BOR.

B. Participants

1. BOR meetings are open to the public

BOR meetings are open to the public. No formal action of any kind may be introduced, deliberated on or adopted at any BOR closed session.

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2. Attendees at a BOR hearing

BOR will have the following attendees:

- Assessor
- Objector (or agent), unless because of medical reasons, objector is testifying by phone
- BOR members

Other people who may attend:

- Municipal attorney
- Objector's attorney
- Assessor's attorney
- Municipal clerk, if not a member of the BOR

At least two BOR members must attend any hearing of evidence. If a member(s) is removed from the Board, at least three members must attend the hearing, under state law (sec. [70.47\(6m\)](#), Wis. Stats.). In either case, the BOR must record and share the evidence with a quorum before a determination.

3. Removing a member

Except for a first or second class city, the municipality must remove a member from a hearing for any of the following reasons:

- Objector provides a timely written or oral notice of intent to file an objection and requests the removal. No more than one member of the BOR can be removed under state law (sec. [70.47\(6m\)](#), Wis. Stats.)
- BOR member has a conflict of interest under an ordinance of the municipality in regard to the objection
- BOR member has a bias in regard to the objection and a party requests the removal of that member for a bias. The party must submit an affidavit with the request stating the party believes the member has a personal bias or prejudice against the party and stating the nature of that bias or prejudice.
- BOR member would violate state law (sec. [19.59](#), Wis. Stats.) by hearing an objection recuses himself or herself from that hearing. The municipal clerk must provide DOR an affidavit declaring whether the requirement under this paragraph is fulfilled.
- If a member(s) is removed or recused under this law, the BOR may replace the member(s) or its remaining member(s) may hear the objection. No fewer than three members may hear the objection.

4. Definition of a quorum

A majority of BOR members is a quorum.

5. Number of BOR members required to hold a hearing

Two BOR members are required to hold a hearing. An exception is when a BOR member is removed. If this occurs, three members are required to hold the hearing.

6. Number of BOR members required to make a determination

A quorum is required to make a determination. The BOR cannot make a determination until the quorum reviews the evidence. If there is a tie vote, the assessor's valuation is considered correct.

BOR member has to do one of the following to vote:

- Attend the hearing of evidence
- Receive a transcript of the hearing no less than five days before the meeting and read the transcript
- Receive a mechanical recording of the evidence no less than five days before the meeting and listen to the recording
- Receive a copy of a summary and all exceptions no less than five days before the meeting and read the summary and exceptions

Note: A "summary" means a written summary of the evidence prepared by one or more BOR member attending the hearing of evidence. This summary is distributed to all BOR members and all parties to the contested assessment. "Exceptions" mean written exceptions to the summary of evidence filed by parties to the contested assessment.

C. General procedures at the BOR

The BOR hears under oath all persons who appear before it. The BOR can take evidence by phone from ill or disabled persons who have presented a letter from a physician, surgeon, or osteopath that confirms their illness or disability.

1. BOR hearing proceeds as follows:

- a. Clerk swears in all persons testifying before it for each contested assessment
- b. BOR must provide adequate time for the property owner and the assessor to present their information
- c. Owner, or the owner's representatives and witnesses should be heard first
- d. BOR may examine under oath, such persons as it believes have knowledge of the property value being appealed
- e. BOR may require witnesses to attend a BOR hearing. If the assessor requests witnesses, the BOR will require those witnesses to attend. It is the objector's responsibility to bring his or her witnesses or experts. The BOR can allow objectors to provide sworn testimony, with proof of a medical condition from a doctor. The BOR may require the presence of records and documents to help show the value of properties in question.
- f. A stenographer or recorder should record all proceedings and the stenographer must be paid by the municipality. The BOR may order a transcription of the testimony presented at the hearings. In cases of an appeal or other court proceedings, testimony must be transcribed. Even though the proceedings are recorded, members of the BOR should still take notes of testimony given. These notes provide a source of reference when reaching a decision on a property owner's objection.
- g. During any meeting, if it determines that some of the written objections cannot be heard at the scheduled time, the BOR creates a new schedule and abides by the 48-hour notice requirement for the property owner and assessor
- h. BOR enforces (and in some cases waives) the requirement for filing timely objections under state law
- i. BOR removes members under specific circumstances under state law
- j. BOR requires that objection forms include stated valuations of the property in question
- k. BOR makes all determinations by roll call vote
- l. BOR assumes the assessor's valuation is correct barring a sufficient showing by the objector to the contrary
- m. As a result of its deliberations, the BOR must state on the record the correct assessment and that it is reasonable in light of all relevant evidence the BOR received
- n. The BOR should not adjourn to a future date without setting the hour and day they will meet - the clerk must post a notice with the adjournment information on the outer door of the meeting place
- o. Before the final adjournment, the BOR must provide both these items to all parties contesting an assessment:
 - 1) Written notice of the amount of the assessment finalized by the BOR
 - 2) Explanation of appeal rights and procedures

2. Who has authority to ask questions at the BOR?

The BOR is defined as a quasi-judicial body under state law. In quasi-judicial proceedings such as the BOR, parties can have expert witnesses and cross-examine all witnesses. Property owners and assessors can ask each other questions. In a case where an attorney represents either the objecting property owner or the municipality, the attorney may question the opposing party's witnesses. Members of the BOR may also ask questions.

The assessor is not a member of the BOR. The assessor is an expert witness for the municipality. The BOR chairperson must manage the hearing to keep all parties focused on the objection.

VI. Duties

A. BOR clerk

The municipal clerk is usually the BOR clerk. With the exception of First-class cities, the clerk is a voting member of the BOR. However, when the town, village or city by ordinance provides for a citizen's BOR, the municipal clerk may act as the BOR clerk, but is not a member of the BOR. Consequently, this clerk does not have a vote on objections heard by the BOR. Town clerks (and treasurers) appointed under state law (sec. [60.30\(1e\)](#), Wis. Stats.), may not be a BOR member. In First-class cities, the Commissioner of Assessments (or any person designated by the commissioner) acts as the BOR clerk.

Duties include:

1. Posts and publishes the required meeting notices under the statutes
2. After receiving the assessment roll from the assessor, carefully examines it, correcting all double assessments, imperfect descriptions, and other apparent errors
3. Adds omitted real or personal property and immediately notifies the assessor. Assessor then views the property, estimates the value and certifies the value to the clerk
4. Posts a notice of the adjournment if the BOR adjourns for more than one day
5. Keeps an accurate record of all BOR proceedings - should keep a list of persons speaking and the order they spoke in
6. Swears in all persons testifying before the BOR, including the assessor
7. Enters into the assessment roll, in red ink, all assessment roll corrections the BOR made
8. Before final adjournment, notifies each objector by personal delivery or mail (return receipt required) of the assessment determined by the BOR
 - » Notice must be on the proper DOR prescribed form ([PR-302](#))
 - » The form is available from each county forms designee or the DOR website
9. Prepares an affidavit specifying the date the notice was mailed
10. Summarizes the proceedings and decisions on DOR prescribed forms ([PA-800](#)) and ([PA-811](#)) available from the county forms designee and keeps this summary as part of the BOR records
11. Provides an affidavit to DOR stating whether the BOR training requirements were met
12. In instances where a member has recused himself or herself from a BOR hearing under state law (sec. [70.47\(6m\)\(b\)](#), Wis. Stats.), the municipal clerk provides an affidavit to DOR
13. Provides any written comments received to the appropriate officer
14. Upon final adjournment of the BOR, electronically submits or authorizes the county designee to electronically transmit the Statement of Assessment to DOR

Note: The clerk is the official custodian of all BOR documents and forms. This includes the assessment roll, personal property statements, written objections, the meeting notices, tape recordings and all other material submitted to the BOR. These materials must be retained for at least seven years and should be available for public inspection to the extent of the law.

B. BOR chairperson

Duties include:

- Direct all to conduct the meeting in an orderly and legal manner
- Verifies each objection is written and complete
 - » Uses forms [PA-115A](#) (real estate) and [PA-115B](#) (personal property)
 - » Obtains forms from the county designee or from the [State Prescribed Forms page](#) on the DOR website
- Reminds all witnesses they are required to present relevant evidence on the value of the contested property
- Monitors the BOR's activities. Makes sure the BOR stays within its legal role as a quasi-judicial body.
- Confirms that all relevant evidence needed to make an informed decision is presented
- Questions witnesses and, if necessary, subpoenas witnesses and records
- Requests the municipal attorney represent the BOR and its members at the BOR hearing (optional)

C. Municipal attorney

The municipal attorney should act as counsel for the BOR.

Duties include:

- Protects the interests of the municipality
 - » Cannot also represent the assessor since this would be a conflict of interest
 - » Municipality and BOR must have separate counsel from the assessor
- Asks questions of those appearing before the BOR
- Advises the BOR on legal matters
- Ensures that a complete legal record of BOR activities is established

VII. Assessor and Property Owner Responsibilities

A. Assessor

1. Before the BOR

- Reviews the assessment roll for proper classification, double assessments, omitted properties and clerical errors (known as "perfecting the roll")
- Verifies that Notices of Changed Assessment are mailed within the time frame established by state law and attaches a statement to the roll declaring these notices were mailed
 - » At least 15 days before the BOR hearing or 30 days if the municipality is conducting a revaluation, the assessor must notify real property owners when the total assessment changed from the prior year
 - » Assessor must also attach an affidavit to the assessment roll declaring the notices were mailed, as required by state law
 - » **Note:** When the assessor sends the notices less than the required 15 or 30 days before the start of the BOR, the BOR is required to remain open for 15 or 30 days from the mailing of the notices, unless the property owner waives the 15-day or 30-day notification requirement. A late notice does not allow the objector sufficient time to analyze and collect materials to challenge the assessment.
- Attends at least two hours of the open examination of the roll, stated on the posted or published notice
- Incorporates open book changes into the assessment roll
- Delivers the completed paper assessment roll to the clerk at least one week before the BOR meets
- Completes and signs the assessor's affidavit located in the front of the assessment roll

2. At the BOR

- Defends all assessments at the BOR. Not defending assessments at the BOR violates the sworn affidavit he or she signed and would violate the law.
- Does not run the BOR, he or she responds to questions from the BOR and objectors
- Attends all hearings and allows the property owner, property owner's attorney or the BOR members to examine the assessor's testimony under oath
- Provides the BOR all books and records necessary to explain the assessor's work. Full disclosure is a requirement.
- Supports the assessor's affidavit; does not contradict or impeach it. **Note:** To impeach the assessor's affidavit means to contradict it.
- Serves as the municipality's expert witness – declares facts relative to the values placed on the assessment roll including the current assessment level
- Asks questions of the property owner and BOR members – the BOR ensures people treat each other respectfully and that all parties focus on the issues before it
- Testifies to all factors necessary to support the assessed value on appeal beyond the BOR

Note:

- Record set at the BOR is the record examined throughout the rest of the appeal process. Therefore, it is important to establish a complete evidence base at this level.
- Assessor may be represented by counsel of his or her choosing
- Municipal attorney represents the municipality and the BOR members and cannot also represent the assessor. The assessor requires independent counsel, different than that who represents the municipality and BOR.

B. Property owner

An objecting property owner must meet certain requirements and responsibilities before appearing at the BOR and while at the BOR.

Property owner must:

- File an annual statement of personal property by March 1 if he or she is contesting a personal property assessment. (After March 1, a property owner may submit the completed statement to the BOR along with a note explaining the reason he or she failed to submit the return on time.)
- Allow the assessor onto the property to conduct an exterior view. Sec. [70.47\(7\)\(aa\)](#), Wis. Stats. provides that the BOR may deny a hearing to a property owner who does not allow the assessor to complete an exterior view. However, the Wisconsin Supreme Court expressed due process concerns regarding a similarly worded statute in *Milewski v. Town of Dover*, 2017 WI 79, 377 Wis. 2d 38, 899 N.W.2d 303. It is DOR's recommendation to allow a BOR hearing even if the property owner denied an interior or exterior view. The lack of access to view, and the credibility of evidence offered can be managed as an evidentiary issue at a BOR hearing, rather than denying access to the BOR.
- Provide written or oral notice of intent to file an objection to the BOR clerk at least 48 hours before the first scheduled BOR meeting. If the owner is requesting a member be removed, he or she must also mention it at this time, along with an estimate of the length of the hearing.
- Complete the entire written objection form and file it with the BOR clerk. It must:
 - » Be done before or during the first two hours of the first meeting
 - » Include an estimate of value
- Object to only the total valuation of the land and the improvements of a particular parcel
- Not contact a BOR member or give him or her information about the objection except at a BOR hearing
- Present factual evidence that supports the opinion of value stated on the objection form. An objector may then ask the assessor questions.
- Hire legal counsel or other suitable representation if unable to attend the BOR hearing personally

VIII. BOR Appeals

A. Property owners/objectors filing an appeal

Objectors must notify the BOR clerk either orally or in writing of their intent to file an objection. An exception to this requirement is that, upon a showing of good cause to the BOR and submission of a written objection, the BOR shall waive that requirement during the first two hours of the first scheduled meeting. For extraordinary causes, the BOR may waive the intent to file requirement up to the end of the fifth day (if the sessions last five days).

How should property owners file an objection to appear before the BOR?

Property owners who want to protest their assessments are required to do the following:

- Provide to the BOR clerk written or oral notice of intent to file an objection at least 48 hours before the first scheduled meeting (or, for a late BOR, the first scheduled meeting after the roll is complete). Upon showing good cause to the BOR and submitting a written objection, the BOR shall waive that requirement during the first two hours of the first meeting.
- Provide the same 48-hour notice to the BOR clerk stating whether they are requesting statutory removal of a member, who the member is, and a reasonable estimate of the length of the hearing
- File their objection in writing with the BOR clerk before or during the final two hours of the BOR's first scheduled meeting
- Use objection forms prescribed by DOR and provided by the BOR - although the BOR can waive the objection forms, DOR strongly encourages their use to ensure the BOR receives all the appropriate information
- Make full disclosure to the BOR of all their property liable to assessment in the district and its value

B. BOR and appeals

Does the BOR have the authority to deny or waive a hearing?

BOR has the authority to waive a BOR hearing and allow a property owner an appeal directly to the circuit court:

1. BOR may waive a BOR hearing at the request of the property owner, assessor or at its own discretion. Review all waivers with the municipal attorney. **Note:** DOR provides a Request for Waiver of BOR Hearing Form ([PA-813](#)).
2. BOR reviews the BOR hearing waiver requests during the first BOR meeting
3. Property owner must provide the 48-hour notice of intent to appeal
4. Property owner must complete the objection form
5. Consider what reasons support waiving the hearing – possible option for complex appeals
6. BOR issues a decision on the waiver not a determination regarding value
7. Property's assessment at the time of the BOR is reviewed by circuit court
8. An action under sec. [70.47\(13\)](#), Wis. Stats. must be commenced within 90 days of the receipt of the notice of the waiving of the hearing. An action under sec. [74.37\(3\)\(d\)](#), Wis. Stats. must be commenced with 60 days of the receipt of the notice of the waiving of the hearing.
9. Claim of excessive assessment under sec. [74.37](#), Wis. Stats. is not available if the BOR waives the BOR hearing
10. Appeal to DOR under sec. [70.85](#), Wis. Stats. is not available if the BOR waives the BOR hearing

Note:

- BOR should review the circumstances and state on the record the reason for waiving a hearing. The BOR should not hear any testimony or evidence involving the assessment and should not complete the Notice of BOR Determination ([PR-302](#)).
- While the assessor may ask that the BOR waive a hearing, it is the BOR's responsibility/authority to make the decision, not the assessor's

C. Appeal time frame

Time limits for appealing to the BOR

Objectors must file their written objection with the BOR clerk either before or during the first two hours of the BOR's first scheduled meeting (or, for a late BOR, the first scheduled meeting after the roll is complete). If the objection was filed at least 48 hours before the meeting and the objector and the assessor have received at least 48-hour notice of the time of hearing, then the hearing may be held at the first scheduled meeting. The hearing may also happen immediately if all parties are present (phone contact with the BOR is acceptable in the case of qualifying ill and disabled individuals) and if all parties waive such notice in the minutes. In all other cases, after receiving an objection, the BOR establishes a time for the hearing, providing at least a 48-hour notice to the parties. All objections must be filed within the first five days of the BOR hearings.

D. BOR members appeal their own assessments

BOR Members can appeal the assessment on their property. However, the individual must temporarily step down from his or her duties as a BOR member.

E. BOR can adjust an assessment even if an owner did not complain about it

The BOR can hold a hearing to review an assessment even if the property owner did not complain about the assessment. The BOR must carefully examine the roll and correct all apparent description or calculation errors. The BOR must not raise or lower an assessment except when based on evidence presented at a hearing.

BOR can order a hearing even though the property owner did not complain, only if:

- The assessor omitted a property
- It believes a property was assessed above or below the general average of assessment of the tax district

When the BOR orders a hearing, it will:

- Notify the owner, agent or possessor of the property that the BOR will review the assessment
- Set the time and place of the meeting and notify the owner
- Subpoena witnesses to testify concerning the value of the property
- Conduct the hearing, deliberate and make a determination
- Provide the owner with a Notice of BOR Determination

Wisconsin law makes no provision for taxpayers to appeal another individual's property assessment. However, if the BOR has reason to question the accuracy of a property assessment that is not appealed, the BOR has the authority to schedule a hearing to review the assessment.

F. Property owners cannot appeal part of their assessment

Property owners can only appeal the total value of a parcel. They may not object to only the land or only the improvement values. In support of their appeal, property owners must completely fill out the objection form and declare their opinion of the fair market value of the property.

G. Property owners can appeal the classification of their property

Property owners may appeal the classification of their property when it affects the assessed value. Classification affects the assessed value of land classified as agricultural, undeveloped and agricultural forest.

The assessed value of agricultural land is based on its use in agriculture, rather than its fair market value. This valuation standard is referred to as use value assessment.

The assessed value of undeveloped and agricultural forest land is based on its full market value, but reduced by 50 percent. After determining the full value of qualifying undeveloped and agricultural forest lands, under state

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law (sec. [70.32\(1\)](#), Wis. Stats.), the value is reduced by 50 percent, under state law (sec. [70.32\(4\)](#), Wis. Stats.). This valuation standard is referred to as a fractional assessment.

Classification appeals require the owner to show how the land meets the appropriate definition of agricultural, undeveloped or agricultural forest land. Beginning with assessments as of January 1, 2017, the [2017 Wisconsin Act 115](#) created the following provision for drainage district corridors: "...the assessor shall assess the land within a district corridor described under [sec. 88.74](#) in the same class under sub. (2)(a) as the land adjoining the corridor, if the adjoining land and the land within the corridor are owned by the same person."

Drainage districts are local governmental entities organized under a county drainage board for the primary purpose of draining lands for agriculture. A drainage district establishes a legal mechanism for managing drains and related facilities to ensure reliable drainage. Landowners who benefit from drainage must pay assessments to cover the cost of constructing, maintaining, and repairing district drains. Of the 72 counties in Wisconsin, 31 of them contain one or more drainage districts and can be located on an interactive map on the Wisconsin Department of Agriculture, Trade, and Consumer Protection website: [Wisconsin Drainage Districts](#).

Note: The residential class includes most property where the predominant use is for living purposes. The residential class also includes vacant land where the most likely use would be residential development, if the land in question does not meet the definition of agricultural use.

If a property owner is appealing the classification of land that was in agricultural use during the prior year, but not verified as agricultural land for assessment purposes, the property owner should be prepared to present evidence to the assessor or BOR verifying its use in agriculture. At the "open book" and BOR, the assessor should assist the property owner and/or BOR members with the calculations required to determine the use value of any parcel with a classification in a non-agricultural class.

Land Classifications

1. Agricultural land

- State law (sec. [70.32\(2\)\(c\)1g](#), Wis. Stats.) – defines agricultural land as "land, exclusive of buildings and improvements and the land necessary for their location and convenience, which is devoted primarily to agricultural use." Land devoted primarily to agricultural use typically bears physical evidence of agricultural use (ex: furrows, crops, fencing or livestock) appropriate to the production season.
- State law (sec. [70.32\(2\)\(c\)1i](#), Wis. Stats.) – defines agricultural use as "agricultural use as defined by the department of revenue by rule and includes the growing of short rotation woody crops, including poplars and willows, using agronomic practices"
- State law (sec. [70.32\(2\)\(c\)1k](#), Wis. Stats.) – defines agronomic practices as "generally associated with field crop production, including soil management, cultivation, and row cropping"

2. Undeveloped land

Undeveloped land Includes bog, marsh, lowland brush, uncultivated land zoned as shore land, under state law (sec. [59.692](#), Wis. Stats.), and shown as a wetland on a final map under state law (sec. [23.32](#), Wis. Stats.), or other non-productive lands not elsewhere classified.

This class includes areas commonly called marshes, swamps, thickets, bogs or wet meadows, areas with soils of the type identified on soil maps as mineral soils that are "somewhat poorly drained," "poorly drained," or "very poorly drained," or "water," and areas where aquatic or semi-aquatic vegetation is dominant. This class also includes fallow tillable land (assuming agricultural use is the land's highest and best use), road right-of-ways, ponds, depleted gravel pits, and land that, because of soil or site conditions, is not producing or capable of producing commercial forest products.

3. Agricultural forest land

To be classified as agricultural forest, land must meet the criteria under state law (sec. [70.32\(2\)\(c\)1d](#), Wis. Stats.).

Agricultural forest land:

- Must be producing or capable of producing commercial forest products
- Must be contiguous to a parcel that is classified in its entirety as agricultural
- Must be owned by the same person who owns the contiguous parcel classified entirely as agricultural
- Agricultural forest land and the agricultural parcel can only be separated by a road

Review the [Agricultural Assessment Guide](#) for agricultural forest examples.

IX. Presentation of Evidence

A. Presumption of correctness

After the assessor's affidavit is completed and signed, the BOR must accept the valuations in the assessment roll as correct valuations. According to state law, the BOR must presume the assessor's valuation is correct. This presumption of correctness is binding on the BOR unless sufficient evidence to the contrary exists. To overturn this presumption of correctness, the property owner has the burden of proof to show evidence proving the assessor is incorrect.

B. Evidence available to the BOR

The BOR can only consider the sworn oral testimony of witnesses appearing before it. Courts have held that if appropriate credible evidence is presented to the BOR showing the assessor's valuation to be incorrect, the BOR must consider it.

A BOR can request additional evidence. If the BOR or the assessor request, the BOR can compel witnesses to appear for questioning. The law allows ill or disabled objectors to testify by phone if a letter from a physician, surgeon or osteopath confirms their illness or disability. The municipality must pay for the call.

In addition to oral testimony, the BOR can also subpoena books, records, appraisals, documents and any other data that may help to understand the issue. If the objector's or the assessor's used the income approach for valuation, the objection should not be heard unless the objector supplies to the assessor all the necessary income and expense information the assessor requests.

The assessor must give the BOR any information relating to the appealed assessment. In addition, the assessor should prepare to present the facts and valuation methods used to develop the assessments. The information presented should help the BOR determine if the assessment is correct. The objection form may contain written testimony or contain exhibits to become part of the BOR proceedings.

If evidence is submitted that was only available to one side prior to the hearing, the BOR should request documentation of any evidence submitted that has not been proven. If documentation is unavailable, this should impact the BOR's evaluation of the credibility of the evidence.

The BOR must provide adequate time for the property owner and the assessor to present their information.

C. All testimony must be given under oath

BOR considers sworn oral testimony of witnesses appearing before the BOR

- Only evidence given under oath is binding
- The BOR is required to hear upon oath, by telephone, all ill or disabled persons who present to the board a letter from a physician, osteopath, physician assistant, or advanced practice nurse prescriber that confirms their illness or disability

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- In addition to sworn oral testimony, an objector must also specify in writing, the person's (ex: property owner) estimate of the land value and improvements that are the subject of the objection. The objector must also specify the information the person used to arrive at that estimate.
- BOR may accept sworn information over the telephone or a sworn written statement:
 - » DOR created – Request to Testify by Telephone or Submit a Sworn Written Statement ([PA-814](#))
 - » BOR determines whether it will accept information in writing or over the phone
 - » BOR reviews requests during the first meeting of the BOR
 - » Property owner must provide the 48-hour notice of intent to appeal
 - » Property owner must complete the objection form
 - » Considerations – written information does not allow for cross examination, audibility for information over the phone, identification of speakers
- BOR may also postpone and reschedule a hearing – limited to once during the same session for the same property

X. BOR Decisions

A. Reaching a decision

After the BOR hears all the evidence, it must deliberate to reach a decision. The deliberation process is open to the public.

BOR deliberates in one of these ways:

- After each objection is heard
- After all objections are heard
- Periodically during the time the BOR is open

After hearing all the evidence, the BOR determines if the assessor's valuation is correct. The BOR's decision should incorporate the understanding that the assessor is presumed correct and the objector has the burden of proof to sufficiently show the assessment is incorrect. DOR recommends recording the deliberation discussion and final determination. The BOR's determination is by roll call vote. Decisions to adjust assessments need to clearly identify the final assessment allocated to the land and the improvements.

B. End of BOR hearing

1. Notification needed at the end of a BOR hearing

The BOR may announce its decision to the property owner and assessor at the conclusion of the hearing, or it may take the case under advisement. However, the BOR clerk must provide the objector, or the appropriate party, notice of the finalized assessment before the final adjournment. This written notice must also explain the property owner's appeal rights and procedures. The BOR clerk must also prepare an affidavit that includes the date the notice was delivered or mailed.

2. Clerk's responsibility after the BOR makes its decisions

The clerk should summarize the proceedings and decisions on DOR prescribed form ([PA-800](#)).

Summary should include the following:

- Property owner's name
- Property description
- Amount of the objected assessment
- Names of the persons who appeared for the property owner
- BOR determination

The municipality should keep this form for at least seven years with the clerk's notes, written objections and all other material submitted to the BOR.

XI. Appealing a BOR Decision

If a property owner is not satisfied with the BOR decision, there are three appeal options available. There are filing requirements for each appeal option. For more detailed information review the [Guide for Property Owners](#) on our website.

If a property owner did not contest the assessment before the local BOR, no other reviewing authority will hear his or her case.

A. Appeal options

- Appealing to DOR – sec. [70.85](#), Wis. Stats.
- Appealing to the circuit court – sec. [70.47\(13\)](#), Wis. Stats.
- Appealing to the municipality (excessive assessment) – sec. [74.37](#), Wis. Stats.

1. Appealing to DOR

A property owner can file a written complaint with the DOR Equalization Supervisor. This appeal has several conditions.

a. Property owner must:

- 1) File a written complaint within 20 days after the property owner receives the BOR determination or within 30 days of the date specified on the affidavit if no return receipt of the Notice of BOR determination exists
- 2) Pay DOR a \$100 filing fee
- 3) State the value of the property does not exceed \$1,000,000
- 4) State the property being appealed is radically out of proportion to the general level of the assessments of all other property in the taxation district

This appeal process applies to either real or personal property. It is not available for properties located in First-class cities (Milwaukee). The appeal procedure is described under state law (sec. [70.85](#), Wis. Stats.).

Note: DOR sends an Appeal Questionnaire (PR-305B) to the municipal clerk after DOR receives an appeal of the BOR determination.

b. Clerk must:

- 1) Complete the Appeal Questionnaire (PR-305B) and submit it to DOR along with a copy of:
 - » Summary of BOR Proceedings Form ([PA-800](#))
 - » Property Owner Objection Form ([PA-115A or B](#))
 - » If the BOR determination notice was sent certified mail, a copy of the certified mail return receipt
- 2) Contact the DOR Equalization Supervisor with questions, see page 38 for additional information

c. Appealing a sec. [70.85](#), Wis. Stats. decision to a higher court

If the property owner finds DOR's decision unacceptable, he or she can appeal to the circuit court. The court will review the DOR decision to determine if DOR made the proper decision.

2. Appealing to the circuit court

A property owner can appeal the BOR's decision by requesting that the circuit court (in the county where the property is located) review the written record of the hearing (action of certiorari).

a. Property owners must do the following:

- File an appeal with the circuit court within 90 days after receiving notice of the determination
- Provide only the BOR evidence to the court

b. The court decides the case solely on the basis of the written record made at the BOR

If the circuit court finds any error in the BOR proceedings, it will return the appeal to the BOR. The court may also remand the appeal back to the BOR if it determines the BOR lacked good cause to deny the request for assessment reduction. The BOR must follow the instructions from the court when reconsidering the case. The court may order the municipality to reconvene the BOR if it has adjourned before the court's decision on the appeal.

3. Appealing to the municipality

Before appealing to the municipality, the property owner must first appeal to the BOR. A property owner cannot appeal to the municipality if her or she already appealed to the circuit court or to DOR. Under state law (sec. [74.37](#), Wis. Stats.), no claim for an excessive assessment may be brought to the municipality unless the tax is timely paid. The property owner must file a claim with the municipality by January 31 of the year the tax is payable. If the municipality denies the claim, the taxpayer may appeal to the circuit court within 90 days after receiving notice by registered or certified mail that the claim is disallowed.

What can be appealed

- Claim for an excessive assessment may be filed against the taxation district or the county that has a county assessor system, which collects the tax
- Claim filed must meet all of the following conditions:
 - » Be in writing
 - » State the alleged circumstances giving rise to the claim
 - » State as accurately as possible the amount of the claim
 - » Be signed by the claimant or his or her agent
 - » Be served on the clerk of the taxation district, or the clerk of the county that has a county assessor system, in the manner under state law (sec. [801.11\(4\)](#), Wis. Stats.), by January 31 of the year the tax is payable based on the contested assessment
- Property owner may bring all new evidence to the municipal body
- If the municipality denies the claim, the property owner may appeal to the circuit court within 90 days after receiving notice by registered or certified mail that the claim is disallowed

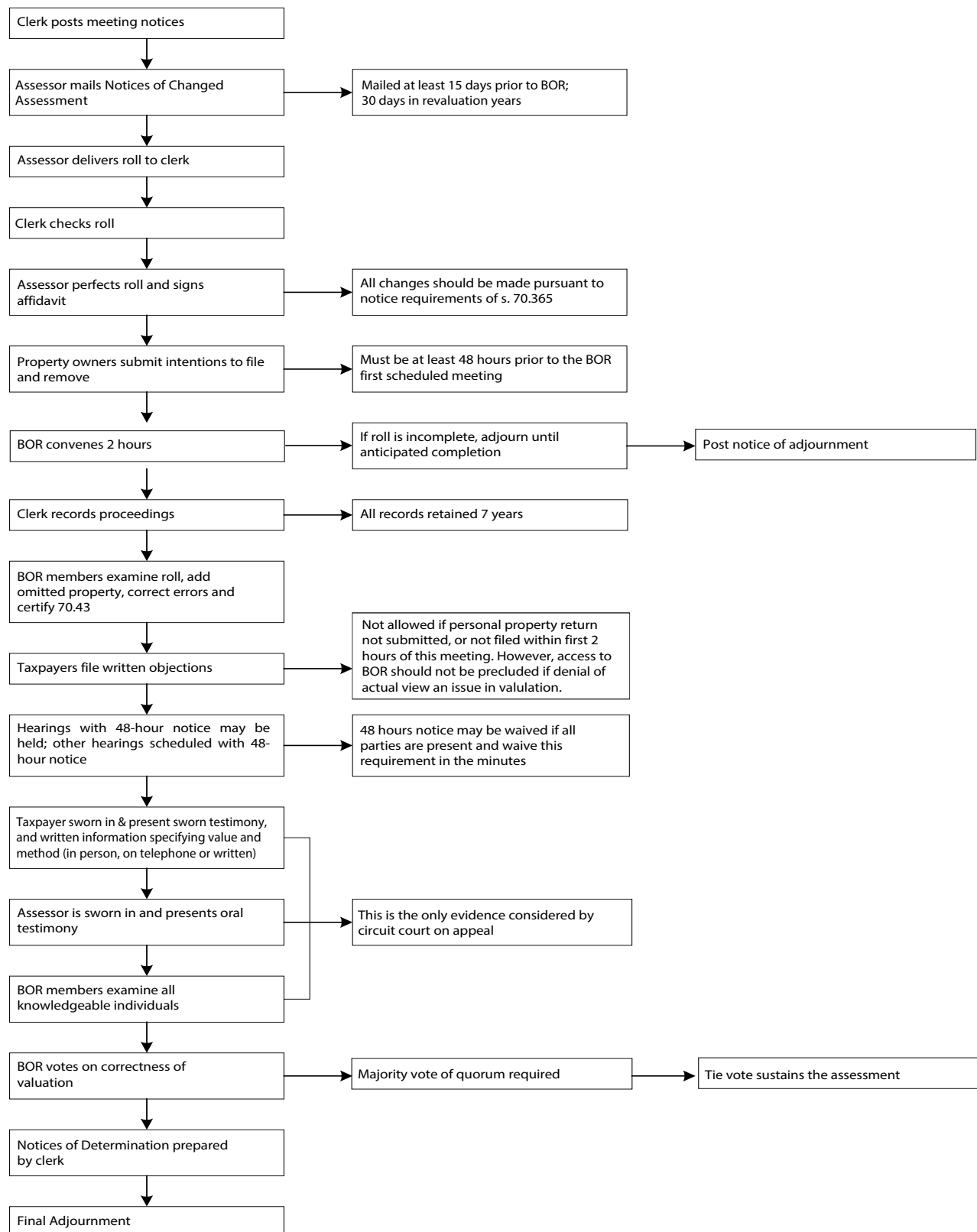
B. Appealing a circuit court decision to a higher court

If the property owner finds the circuit court decision unacceptable, he or she can appeal to the court of appeals. This court will review the facts of the case considered by the lower court to determine if it applied assessment law correctly.

C. Appealing a court of appeals decision to a higher court

A property owner can appeal the court of appeals decision to the Wisconsin Supreme Court. However, this court can also refuse to hear an appeal and thus let the ruling of a lower court stand. The Supreme Court has the final word in the appeal process. At this level, the court reviews all the lower court records and may request written legal briefs from each party supporting its point of view. Once the Supreme Court makes a ruling, it becomes the official interpretation of the laws of the state.

XII. BOR Flowchart



XIII. BOR Legal Authority

A. BOR's primary duties

Each municipality in Wisconsin has the legal authority to create a BOR, which is a quasi-judicial (court-like) body empowered with three primary duties, including:

1. Adjusting assessments when proven incorrect by sworn oral testimony
2. Reviewing the assessment roll for omitted property and double assessments
3. Correcting any errors or omissions in the assessment roll descriptions or calculations

Note: The first formal step in the appeal process starts at the BOR.

B. BOR authority

Statute and case law define the BOR's authority. Many court cases on BOR proceedings exist. The following statements describe BOR's authority:

- It cannot do the work of the assessor and cannot substitute its judgment or opinion of value for the assessor's. The assessor has sole responsibility for making assessments.
- It is legally bound to accept the assessor's assessment as correct unless there is evidence that proves the assessment is incorrect
- It's duty is to hear sworn, oral testimony about assessed values and to decide (based solely on that testimony) whether an individual proved the assessment to be incorrect not to assess property
- It does not have exemption from taxation authority

State law (secs. [70.46](#) through [70.48](#), Wis. Stats.), describes the authority, structure and procedures of a BOR. This guide uses these statutes and case law to define the responsibilities of a Wisconsin BOR.

C. BOR members are subject to penalties for misconduct

The BOR is not an assessing body or charged with redoing the work of the assessor. The BOR can only hear the evidence before it and then act on the basis of that evidence. BOR members who intentionally violate any of the established BOR procedures with the intent to fix any assessed value at less than its true value or omit any property from assessment are guilty of fraud and subject to penalties established by Wisconsin criminal law.

XIV. WI Acts, Statutes, Case Law, Performance and Technical Standards

A. Wisconsin Acts

1. Board of Review meeting notice (2019 Act 140)

- Amended sec. [70.47\(2\)](#), Wis. Stats. – Board of Review (BOR) meeting notice
 - » Prior law – at least 15 days before the first session of the board of review, or at least 30 days before the first session of the board of review in any year in which the taxation district conducts a revaluation under sec. [70.05](#), Wis. Stats., the clerk of the board shall publish a Class 1 notice, place a notice in at least 3 public places and place a notice on the door of the town hall, of the village hall, of the council chambers or of the city hall of the time and place of the first meeting of the board under sub. [\(3\)](#) and of the requirements under sub. [\(7\)\(aa\)](#) and [\(ac\)](#) to [\(af\)](#). A taxpayer who shows that the clerk failed to publish the notice under this subsection may file a claim under sec. [74.37](#), Wis. Stats.
 - » Current law – at least 15 days before the first session of the board of review, or at least 30 days before the first session of the board of review in any year in which the taxation district conducts a revaluation under sec.

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[70.05](#), Wis. Stats., the clerk of the board shall publish a Class 1 notice under [ch. 985](#), Wis. Stats., of the time and place of the first meeting of the board under sub. [\(3\)](#) and of the requirements under sub. [\(7\)\(aa\)](#) and [\(ac\)](#) to [\(af\)](#). A taxpayer who shows that the clerk failed to publish the notice under this subsection may file a claim under sec. [74.37](#), Wis. Stats.

2. Timing of Open Book and BOR; Exterior View ([2017 Act 68](#))

- Amended sec. [70.47\(1\)](#), Wis. Stats. – Board of Review time and place of meeting
 - » Prior law – meet annually during 30-day period starting 2nd Monday of May
 - » Current law – meet annually during 45-day period starting 4th Monday of April, no sooner than seven days after the last day which the assessment roll is open for examination under sec. [70.45](#), Wis. Stats.
- Amended sec. [70.47\(7\)\(aa\)](#), Wis. Stats. – Board of Review appearances – no person can appeal to the BOR if refused reasonable written request of assessor to view exterior of property (see [Notice](#))
- Amended sec. [70.47\(7\)\(af\)](#), Wis. Stats. – BOR and property appealed using the Income Method to value
 - » No person can appeal to the BOR if the value was made by assessor using the income method unless no later than seven days before the first meeting of the BOR, the person supplies to the assessor all information about income and expenses
 - » Information provided under this paragraph is not subject to right of inspection and copying unless a court determines before the first meeting of the BOR that information is inaccurate

3. BOR hearing changes ([2013 Wisconsin Act 228](#))

a. Requires the following notices as of January 1, 2015:

- Notices of changed assessment be sent to the property owner at least 30 days before the meeting of BOR when the municipality is conducting a revaluation
- Notices of changed assessment be sent to the property owner at least 25 days before the meeting of the BOA in a first class city
- Class one meeting notice at least 15 days before the BOR's first meeting or at least 30 days before the first meeting when the municipality is conducting a revaluation

b. Provides the BOR with the following options:

- Allow a property owner to appear by telephone or to submit written statements for the objection, under oath, instead of appearing in person at the BOR hearing
- Postpone and reschedule a BOR hearing as it relates to a property once per session, at the request of the property owner
- Waive the BOR hearing and have the assessment reviewed in circuit court

4. Trespassing and Revaluation Notice ([2009 Wisconsin Act 68](#))

Provides statutory guidance to assessors regarding trespassing.

This law includes – partially exempting an assessor and an assessor's staff from liability for trespassing, creating immunity from civil liability, and changing the notice requirements relating to the revaluation of property by an assessor.

a. Trespass law

The trespass law entitles the assessor to enter a property once during an assessment cycle unless the property owner authorizes additional visits. A list of denied entries is maintained by the assessor under state law. State law (secs. [943.13](#) and [943.15](#), Wis. Stats.) pertains to property entry.

b. Revaluation notice

Notification must be published on or before a revaluation by an assessor.

Under state law (sec. [70.05\(5\)\(b\)](#) Wis. Stats.), before a city, village or town assessor can conduct a revaluation of property, it must publish a notice on its municipal website stating a revaluation will occur. If a municipality does not

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have a website, it must post the required information in at least three public places within the city, village or town.

The notice must include approximate dates of the property revaluation and describe the authority of an assessor, to enter land. (secs. [943.13](#) and [943.15](#), Wis. Stats.)

DOR recommends you provide a link to the Wisconsin Statute references mentioned above on your website.

B. Statutes and case law

Although statutes and case law may be thought of as standards, they are not optional in the sense of "attempting to achieve." It is required to follow statutes and case law.

There are two such requirements for Wisconsin assessors

1. Wisconsin law (sec. [70.32](#), Wis. Stats.) requires assessors to assess residential, commercial, manufacturing, forest, other and personal property at full value. They must assess agricultural land according to use value guidelines. They must assess undeveloped and agricultural forest at 50 percent of its full value.
2. **Assessment compliance** – under state law (sec. [70.05\(5\)\(b\)](#), Wis. Stats.), each municipality must assess all major classes of property within 10 percent of full value in the same year, at least once within a five-year period. A 'major class' of property is defined as a property class that includes more than 10 percent of the full value of the taxation district. If a municipality is non-compliant after four consecutive years, the Wisconsin Department of Revenue (DOR) must notify the municipality of its non-compliance status. DOR issues the municipality a second non-compliance notice after five consecutive years of non-compliance, and issues an order for supervised assessment after six consecutive years of non-compliance.

C. Performance and technical standards

Performance and technical standards for Wisconsin assessors are found primarily in three documents.

1. Wisconsin Property Assessment Manual ([WPAM](#))
2. International Association of Assessing Officers ([IAAO](#)) Technical Standards
3. Uniform Standards of Professional Appraisal Practice ([USPAP](#))

Wisconsin Property Assessment Manual (WPAM)

The WPAM specifies technical, procedural and administrative practices. It also defines procedures, policies, legal decisions and assessor performance expectations.

State law (sec. [73.03](#), Wis. Stats.) grants DOR the authority to prepare the WPAM. This statute requires DOR to prepare a manual that discusses and illustrates accepted assessment methods, techniques and practices to help create more uniform and consistent property assessments at the local level.

DOR amends the manual to reflect changes in the assessment practices, court decisions concerning assessment practices, costs, and statistical and other information deemed valuable to local assessors.

XV. BOR Court Case Decisions

All the following cases deal with BOR issues. We included the most important cases. You can find more cases in Volume I of the [Wisconsin Property Assessment Manual \(WPAM\)](#) and in court records.

These cases are arranged in the following categories:

- | | |
|-----------------|------------------------------|
| A. General | F. Sworn oral testimony |
| B. Procedures | G. Assessor presumed correct |
| C. Organization | H. Witnesses |
| D. Notices | I. Evidence |
| E. Objections | J. Appeals |

A. General

1. *State v. Gaylord*, 73 Wis. 306, 41 N.W. 518 (1889)

The power of the Board to review and alter extends not merely to the correction of errors in the roll, but also to lowering or raising the valuation of any property, including securities on the assessment roll; and the sworn statement as to the amount of such securities, made by the property owner to the assessor, is not conclusive on the Board.

2. *Brown v. Oneida County*, 103 Wis. 149, 79 N.W. 216 (1899)

The court held that, "the Board is a creature of the statute, and has only such powers given to it by the statute."

3. *State ex rel. Kimberly Clark Co. v. Williams*, 160 Wis. 648, 152 N.W. 450 (1915)

The court said, "The BOR is not an assessing body and it is not to do over the work of the assessor or substitute its judgment for his." Court set aside an assessment made by the BOR after the Board had made a personal inspection of the property.

4. *State ex rel. International Business Machines Corporation v. BOR, City of Fond du Lac*, 231 Wis. 303, 285 N.W. 784 (1939)

A BOR is not an assessing body, but rather a quasi-judicial body whose duty it is to hear evidence tending to show errors in the assessment roll and to decide upon the evidence adduced whether the assessor's valuation is correct.

5. *Milewski v. Town of Dover*, 2017 WI 79, 377 Wis.2d 38, 899 N.W.2d 303

Property owners brought action against municipality, alleging excessive property tax assessment and raising as-applied constitutional challenges to statutes governing procedure to be followed in challenging tax assessor's property valuation. The lead opinion held that: (1) property owners had a due process right to contest tax assessor's valuation of their real property as excessive; (2) tax assessor who enters a home to conduct an "interior view" occupies private property for the purpose of obtaining information and is, therefore, conducting a Fourth Amendment search; and (3) statutory scheme governing practices for challenging tax assessor's property valuation was unconstitutional as applied to the property owners.

6. *Thoma v. Village of Slinger*, 2018 W.I. 45 (Wis. 2018)

The classification of real property for tax purposes is based on the actual use of the property, and an injunction prohibiting agricultural use of a residentially-zoned property, which is based on a restrictive covenant, does not control the property's tax assessment classification.

7. *Ogden Family Trust v. Town of Delafield*, 2019 WI 23.

The Court held: the BOR did not act according to law when it based its decision on an erroneous belief that a business purpose was required for agricultural classification. A business purpose is not required for agricultural classification so long as land is devoted primarily to "agricultural use" as defined by state statutes and administrative rules. That use does not need to be carried out for a business purpose for the land to qualify as agricultural land.

B. Procedures

Once the assessor places a value on all taxable property listed on the assessment roll and signs the affidavit attached to the roll, the assessments are presumed correct. At this time, the assessor is not allowed to impeach the information found in the assessment roll and the BOR cannot change an assessment without sworn oral testimony. The BOR meets once the assessment roll is completed and delivered to the municipal clerk.

***Bender v. Town of Kronenwetter*, 2002 WI App 284, 258 Wis.2d 321, 654 N.W.2d 57**

Sec. [70.47\(8\)\(e\)](#), Wis. Stats. states in part that all proceedings shall be taken in full by a stenographer or by a recording device. In this case, the court found that "complete and accurate records of the (BOR) meetings were not kept." The erratic records have made it difficult and sometimes impossible to tell whether there was a quorum at each evidentiary and decision hearing as required by sec. [70.47\(1\)](#), Wis. Stats. and whether any Board member voted on an assessment after failing to attend the evidentiary hearing on that valuation in violation of sec. [70.47\(9\)\(b\)](#), Wis. Stats.

"Another problem is that all the Board members who voted on a decision may not have attended the evidentiary hearing on that assessment or have read a transcript or listened to a recording of the evidentiary hearing at least five days before voting as sec. 70.47(9)(b), Wis. Stats. requires."

"Still another problem is that a majority of the Board members may not have agreed on each of the assessment decisions ... the record suggests that not all voting members were at the evidentiary hearings and therefore should not have been counted in the majority vote..." Allowing a Board member to vote or participate in deciding an assessment when he did not attend the evidentiary hearing and deciding cases without the agreement of at least two Board members are fundamental errors.

"Because the court has found numerous errors in the proceedings of the Board that affect each petitioner, it finds those proceedings void and remands each of the assessments that petitioners had hearings on before the Board for a rehearing."

C. Organization

1. Revenue Administrative Advice (1978)

Sec. [70.365](#), Wis. Stats. specifically states that the notices shall be sent "at least 15 or 30 days before the meeting of the board." There is no authority in the rules of statutory construction to reinterpret this specific and clear language to expand the 15 or 30-day period by excluding legal holidays, weekend days or non-business days from the calculation of the 15 or 30 days. It is plainly obvious that any 15 or 30-day period would include a weekend or possibly legal holidays; this would have been obvious to the legislature and no specific reference was made in the statute to exclude any such days from the calculation of the 15 or 30-day period. Any general language in another statute should not be used to defeat the obvious intent in sec. [70.365](#), Wis. Stats.; the rules of statutory construction require that language of a specific section control over the more general language in another statutory provision. As an example, if the board is scheduled to meet on the sixteenth of the month, the notices will satisfy the statutory requirements if they are mailed no later than the first day of the month even though legal holidays and weekend or non-business days intervene. In this example cited, the 15 or 30-day period does not have to be moved back into the previous month to accommodate the occurrence of any legal holidays, weekend or non-business days.

2. *Bender v. Town of Kronenwetter*, 2002 WI App 284, 258 Wis.2d 321, 654 N.W.2d 57

The court stated, "It is clear from sec. [70.46\(1\)](#), Wis. Stats. that the assessor cannot act as a BOR member in deciding appeals. Common sense dictates that an assessor should not be judging the merits of his own assessments when a property owner appeals to the BOR. The assessor has a right to be present at a decision hearing, as any other citizen does at an open meeting, but the assessor cannot participate in any way or vote on the cases. The action by the Board in allowing the assessor to repeatedly give information, participate and even vote at decision hearings was a major error that materially prejudiced petitioners' rights to a fair appeal. Sec. 70.46(1), Wis. Stats. and due process considerations forbid this participation by an assessor."

D. Notice

1. Revenue Administrative Advice (September 2, 1994)

Should Saturday, Sunday and Holidays be excluded in the calculation of time relating to the Notice of Higher Assessment?

Sec. [70.365](#), Wis. Stats. specifically states that the notices shall be sent "at least 10 days before the meeting of the board." There is no authority in the rules of statutory construction to reinterpret this specific and clear language to expand the 10-day period by excluding legal holidays, weekend days or non-business days from the calculation of the 10 days. It is plainly obvious that any 10-day period would include a weekend or possibly legal holidays; this would have been obvious to the legislature and no specific reference was made in the statute to exclude any such days from the calculation of the 10-day period. Any general language in another statute should not be used to defeat the obvious intent in sec. 70.365, Wis. Stats.; the rules of statutory construction require that language of a specific section control over the more general language in another statutory provision. As an example, if the board is scheduled to meet on the eleventh of the month, the notices will satisfy the statutory requirements if they are mailed no later than the first day of the month even though legal holidays and weekend or non-business days intervene. In this example cited, the 10-day period does not have to be moved back into the previous month to accommodate the occurrence of any legal holidays, weekend or non-business days.

2. *State ex rel. John R. Davis Lumber Co. v. Sackett*, 117 Wis. 580, 94 N.W. 314

The court held, "The BOR must give the property owner notice of intention to increase his assessment before it can legally increase it." Sec. [70.47\(10\)](#), Wis. Stats. states that the BOR can add omitted property but must notify the property owner. The Board cannot raise an assessment except upon reasonable evidence submitted to it; to do so constitutes jurisdictional error.

3. *Milwaukee County v. Dorsen*, 208 Wis. 637, 242 N.W. 515 (1932)

Taxation proceedings are not judicial, and taxpayer is not entitled to such notice and hearings are essential to validity of judicial proceedings and judgments. The court stated, "...much less formality as to notice and opportunity to be heard will suffice to satisfy requirements of due process of law in taxation proceedings than before judicial tribunals."

A property owner is not entitled to specific notice of the BOR meeting time and place. Under state law, the meeting time and place, along with providing general notice, is sufficient to constitute due process.

4. *State ex rel. Baker Mfg. Co. v. City of Evansville*, 261 Wis. 599, 53 N.W.2d 795 (1952)

Where the original meeting of the City BOR to consider the property owner's objection to the assessment of its personal property was adjourned to no particular time, a later meeting to consider the assessment not referring to the adjourned meeting and held almost two months after the first meeting, was a new meeting and not an adjourned meeting, and the statutory 48-hour notice was required to be given to the property owner.

E. Objections

Objections to valuation must be in writing unless expressly waived by action of the Board. No assessment may be raised or lowered except after a hearing, under state law (secs. [70.47\(8\)](#) and [70.47\(10\)](#), Wis. Stats.).

1. *State ex rel. Reiss v. Board of Review of Town of Erin*, 29 Wis.2d 246, 138 N.W.2d 278 (1965)

In this case the property owner had filled out answers to all the questions on the form, including date of purchase and purchase price, improvement (nature and value), amount of fire insurance carried on the buildings, and that there had been no recent commercial appraisal of the buildings. However, in the answer to the question, "What is the present fair market value of this property?" The objecting property owner wrote, "I do not know." The court says, "Even if it were considered that the Board had accepted the answers to other questions, the answer remained insufficient. Surely the single most important fact relevant to an assessment is the fair market value of the property and a property owner who desires to proceed with an objection in good faith must be prepared to take a position as to what the fair market value is."

The majority of the court held that the property owner had not properly filled out the objection form and therefore had no right to a BOR hearing.

2. *Bitters v. Town of Newbold*, 51 Wis.2d 493, 187 N.W.2d 339 (1971)

A property owner, wishing to appeal an assessment appeared at the BOR with an improvised objection form. At the meeting, the property owner refused to fill out the proper objection form or be sworn in and left the meeting without testifying. When the tax bills were later issued based on the original assessment, only the portion of the bill based on the property owner's estimate of value was paid. The property owner then filed a claim under sec. [74.37](#), Wis. Stats. for recovery of illegal taxes.

The court held that the BOR may deny a property owner a hearing if the objection is not stated on an approved form; the Board does not have to accept the information supplied by the property owner in a different format. A certiorari review is limited to the action of the Board. In this case the property owner did not meet the requirements of appearing at the BOR.

F. Sworn oral testimony

1. *Town of Wauwatosa v. Gunyon*, 25 Wis. 271 (1870)

The court stated that a note should be made in the records "refused to swear," when parties refuse to swear or present evidence under oath. The Board may then proceed to hear the appeal.

2. *Bender v. Town of Kronenwetter*, 2002 WI App 284, 258 Wis.2d 321, 654 N.W.2d 57

The court found that "another error that the Board made was failing to swear the assessor in when he spoke at the evidentiary hearings. Sec. [70.47\(8\)](#), Wis. Stats. requires that all persons be sworn before giving evidence on the valuation of property to the BOR. These transcripts show that each objecting property owner, property owner's attorney and witnesses (if any) were all duly sworn, but never once was the assessor sworn before he gave testimony. The assessor spoke at many hearings without being under oath. The Board should have had the assessor take an oath before speaking about any assessments or offering information... The fact that the assessor testified at several evidentiary hearings without being under oath like all the other witnesses requires a finding that these hearings were void."

3. *State ex rel. Heller v. Fuldner*, 109 Wis. 56, 85 N.W. 118 (1901)

Where no evidence under oath is given or offered before the BOR upon an application to reduce an assessment, the Board has no power to reduce the valuation.

4. *State ex rel. Vilas v. Wharton*, 117 Wis. 558, 94 N.W. 359 (1903)

Letters and affidavits of the purchasers of property are not admissible as evidence before a BOR upon the question of whether the title passed to them before the assessment date.

5. *In re Ryerson's Estate*, 239 Wis. 120, 300 N.W. 782 (1941)

Assessment rolls are not competent evidence to establish value in cases other than those given that effect by express provision in the statutes. However, statements made to assessor or the BOR with respect to description and value of property, whether written or oral, may be received in evidence against property owner as an "admission against interest," it being within the power of the assessor and Board to require a property owner to submit to an examination.

G. Assessor presumed correct

1. *Bass v. Fond du Lac County*, 60 Wis. 516, 19 N.W. 526 (1884)

The court ruled, "The BOR and the clerk should see to it that the assessor's affidavit is signed and attached to the roll, for its absence is prima facie evidence of the inequality or injustice of the assessment and shifts the burden of proving it equitable and just to the municipality."

2. *State v. Lien*, 108 Wis. 316, 84 N.W. 422 (1900)

In proceedings before the BOR, the assessor's valuation is prima facie correct.

3. *State ex rel. Kimberly-Clark Co. v. Williams*, 160 Wis. 648, 152 N.W. 34 (1955)

The assessor's valuation of property is prima facie correct and is binding on the BOR in the absence of evidence showing it to be incorrect.

4. *State ex rel. Enterprise Realty Co. v. Swiderski*, 269 Wis. 642, 70 N.W.2d 34 (1955)

The assessor's valuation is presumptively correct and the owner's evidence that such valuation exceeded construction costs was not sufficient to upset the assessor's valuation. Construction costs do not prove the sale price.

H. Witnesses

***State ex rel. Gregersen v. Board of Review of Town of Lincoln*, 5 Wis.2d 28, 92 N.W.2d 236 (1958)**

The court admits that extraordinary cases might arise wherein "it may be very important to the property owner to examine the assessor as an adverse witness at the very outset..." of the proceedings. The court proceeds to quote favorably the language in the case of *Baker Mfg. Co. v. Evansville*, 261 Wis. 599, 53 NW 2d 795 (1952).

"A few questions to the assessor may quickly establish facts which could otherwise be proved only by the time consuming and expensive method of proving the values of a large sampling of properties to show that discrimination has been practiced against one class. Other examples might be suggested. Where the case is none of that sort, the property owner's right to determine the order in which he will present his case, and to call the assessor at the outset for cross examination, is a matter of such substance that only extraordinary circumstances could warrant its denial. On the other hand, in an ordinary case where the sole contention is that the assessor has over estimated the value of property owner's own property, circumstances may justify the Board in requiring the property owner to present his own testimony on value or that of his expert witnesses before examining the assessor."

The court then concludes that if the property owner, "thought he would be prejudiced by waiting until after his own testimony to examine the assessor, he owed it to the Board to assert such prejudice and explain how it might result. Having failed to do so, he cannot later be heard to say in court that the Board exceeded its jurisdiction in directing him to put in other testimony first." The court also remarked that in the certiorari proceedings the property owner should have, but did not, show how the Board's action was prejudicial to a material degree.

I. Evidence

1. *Milwaukee Iron Co. v. Schubel*, 29 Wis. 444 (1872)

The BOR has no authority to value property arbitrarily or capriciously, but must be governed by the sworn evidence before it, where that is clear and uncontradicted; although, if the evidence is conflicting the decision of the Board may be final.

2. *State ex rel. N.C. Foster Lumber Co. v. Williams*, 123 Wis. 61, 100 N.W. 1048 (1904)

In proceedings before a BOR to reduce the assessor's assessment, the Board is not bound to accept as true the evidence upon one side or that of the other, but may, in the exercise of its judgment, disregard the evidence on both sides, and fix a valuation between the two extremes.

In proceedings before a BOR for the reduction of an assessment of sawmill property for taxation, the testimony of the owner bore mainly on what the property was worth to disorganize and dispose of its parts. The testimony in support of the assessment bore mainly on what the property was worth as an entirety and as a going concern; that is, what the property would bring at private sale, assuming that a buyer, with the same opportunity for the use of the mill as the owner, was at hand, and had the means to buy it. The court held that under sec. [70.32](#), Wis. Stats., providing that real property shall be valued at the value which could ordinarily be obtained therefore at private sale, and prescribing what elements the assessor shall consider in determining the value, the evidence of the owner furnished no basis for valuing the property, while the evidence in support of the assessment was sufficient to warrant the Board in adopting the assessor's valuation.

3. *State v. Fisher*, 129 Wis. 57, 108 N.W. 206 (1906)

"Board may consider evidence of an earlier hearing to support its findings and is not held to regular court rules on evidence."

4. *State ex rel. Althen v. Klein*, 157 Wis. 308, 147 N.W. 373 (1914)

The BOR cannot change the assessor's valuation without evidence; but if, in any reasonable view of it, the evidence furnished a substantial basis for the action of the Board in making a change, and there is nothing to show that it acted arbitrarily or dishonestly, its decision will not be interfered with by the courts.

5. *State v. Jodon*, 182 Wis. 645, 197 N.W. 189 (1924)

The court held, "All that can be asked of assessment officers is that they act on the evidence and facts before them, honestly and without discrimination against such property. When this is done and the case is before us on appeal, we will examine the record to ascertain if there is any competent, credible evidence to sustain the valuations placed upon the property by the assessing officers, and if there be such, it is not our province to weigh the testimony to determine where the preponderance lies."

6. *State v. Windus*, 208 Wis. 583, 243 N.W. 216 (1932)

The court said that, "It was proper to consider cost, depreciation, replacement value, income, industrial conditions, location and occupancy, sales of like property, book value in a prospectus, and appraisals produced by owner."

7. *State ex rel. Collins v. Brown*, 225 Wis. 593, 275 N.W. 455 (1937)

"It has been consistently held that in the state the assessor's valuation is prima facie correct and will not be set aside in the absence of evidence showing it to be incorrect." The fact that the property was sold immediately after the assessment at a lower price than the assessment does not prove the assessment wrong unless it is shown that the price paid is that which could be obtained at a private sale. The burden of proof is upon the person appealing the assessment.

8. *State ex rel. First & Lumbermen's Nat. Bank of Chippewa Falls v. Board of Review of Chippewa Falls*, 237 Wis. 306, 296 N.W. 614 (1941)

The rule on real estate assessment is that value for tax purposes shall be arrived at by the assessor from an actual view or from the best information that can be practically obtained as to the full value which would ordinarily be obtained for property at a private sale, and when the assessor has complied with such rule and the BOR has been guided by competent evidence in passing upon fairness of assessment, a court cannot disturb the findings.

9. *Bauermeister v. Town of Alden*, 16 Wis.2d 111, 113 N.W. 823 (1962)

Owners of 22 properties alleged that their lakeshore properties were assessed in 1959 at a much higher ratio (average 96.9 percent) than six farms they picked out as comparisons which were assessed at an average ratio of 53.8 percent. The court gave much weight to the fact that these farms were not random samples; and that testimony of tabulated sales of farms sold in 1957, 1958, and 1959 showed that "the particular farms sold were assessed at a higher percentage of the perspective sales price than the particular lakeshore properties sold in the same year..."

These facts tend to show that there was no discrimination in favor of farms, at least in the assessment of the particular properties sold."

The court continued, "We take judicial notice of the fact that the Department (of Revenue) determined that in 1959, in the Town of Alden, the assessed value of all real estate was 99.2 percent of full value, and the assessed value of all real estate and personal property combined was 95.6 percent of full or true value... It is of some significance that the Department, following its own statistical methods, arrived at a result which does not support the plaintiff's contentions." Relief to plaintiffs was denied.

10. *State ex rel. Home Ins. v. Burt*, 23 Wis.2d 231, 127 N.W.2d 270 (1964)

Under this section requiring real property to be assessed at the full value which could ordinarily be obtained at private sale, the assessor's valuation must be taken as presumptively correct in proceedings appealing an assessment, but presumption gives way to undisputed competent evidence establishing a lower value or substantially higher value.

11. *Superior Nursing Homes, Inc. v. City of Wausau, Board of Review*, 37 Wis.2d 570, 155 N.W.2d 670 (1968)

It is the obligation of the assessor and BOR to determine fair market value of property from best competent evidence available, which may or may not coincide with the construction costs less depreciation.

12. *Dolphin v. Board of Review of Village of Butler*, 70 Wis.2d 403, 234 N.W.2d 277 (1975)

A property owner went to the BOR with three separate appraisals of the property in question. No other testimony was presented and the Board stated that they would notify the property owner by mail of its decision. After the hearing, the Board went into executive session with the assessor present, but not the property owner. At this session, the assessor proceeded to question the property owner's appraisals. Based on this information the assessment was reduced, but not to what the property owner's appraisals had indicated.

The court held that the executive session was more than a mere deliberation session. It was closer to a continuation of the quasi-judicial hearing but without the potentially bothersome presence of the objecting property owner. This session was ruled improper and amounted to a jurisdictional error on the part of the BOR.

J. Appeals

Once the BOR has adjourned, the appeal of an assessment must follow the procedures outlined in the [Wisconsin Property Assessment Manual](#), Chapter 21: Board of Review and Assessment Appeals. Whenever the valuation of property is being questioned, the property owner must have first appeared before the BOR and presented sworn oral testimony.

1. *State ex rel. J.S. Stearns Lumber Co. v. Fisher*, 124 Wis. 271, 102 N.W. 566 (1905)

"In order for the appellate court to remove the findings of the Board, the evidence must be overwhelmingly against the Board's findings."

2. *Milwaukee County v. Dorsen*, 208 Wis. 637, 242 N.W. 515 (1932)

A property owner who does not appear before the BOR and object to the validity of the tax sought to be imposed, cannot thereafter question the tax imposed on either the property or the income.

3. *Highlander Co. v. City of Dodgeville*, 249 Wis. 502, 25 N.W.2d 76 (1947)

An assessment on property on any basis other than the full value obtainable at private sale, as required by statute, is illegal and if the assessment is so substantially out of line with other assessments as to impose an inequitable tax burden, the property owner may proceed under state law (sec. [74.37](#), Wis. Stats.), relating to the recovery of taxes unlawfully assessed.

4. *Central Cheese Co. v. City of Marshfield*, 13 Wis.2d 524, 109 N.W.2d 75 (1961)

Where the BOR had adjourned sine die, it could give no further consideration to the assessment.

5. *Marina Fontana v. Village of Fontana-On-Geneva Lake*, 69 Wis.2d 736, 233 N.W.2d 349 (1975)

Property owners brought action against the village under state law (sec. 74.37, Wis. Stats.), (Recovery of Illegal Taxes) claiming an excessive increase in the valuation of the real estate owned by them. They also claimed that they were not given notice of the increased assessment even though it was in excess of \$100 as required by sec. [70.365](#), Wis. Stats. The village countered these claims by pointing out that according to the case of *Pelican Amusement Co. v. Pelican*, 13 Wis. 2d 585, any objection to the assessment must begin at the BOR. The property owners had not appeared at the Board. The village also contended that the property owners failed to properly plead which alternative provision of sec. 74.74, Wis. Stats., they relied on for the reassessment of the property taxes. The court found that the *Pelican* case was decided in 1961 and that sec. 70.365, Wis. Stats., was enacted two years later. This later enactment of sec. 70.365, Wis. Stats., modified the holding in the *Pelican* case. The failure to give the required notice of assessment waived the property owner's obligation to appear at the BOR. The court dismissed the village's second contention that the property owners did not properly plead which alternative provision of sec. 74.74, Wis. Stats., because the responsibility of determining which alternative to proceed under, lies with the trial court.

6. *State ex rel. Geipel v. City of Milwaukee*, 68 Wis.2d 726, 229 N.W.2d 585 (1975)

Scope of review by certiorari is strictly limited in Wisconsin...the reviewing court may consider only the following:

1. Board kept within its jurisdiction
2. It (the BOR) acted according to law
3. Its action was arbitrary, oppressive or unreasonable and represented its will and not its judgment
4. Evidence was such that it might reasonably make the order or determination in question

XVI. Glossary

Ad valorem tax – in reference to property, a tax based upon the value of the property

Arm's-length sale – sale between two parties neither of whom is related to or under abnormal pressure from the other (see [Market value](#))

Assessed value – dollar amount assigned to the taxable property, both real (by parcel) and personal (by owner), by the assessor for the purpose of taxation. Assessed value is estimated as of January 1 and will apply to the taxes levied at the end of that year. Assessed value is called a primary assessment because a levy is applied directly against it to determine the tax due. Accurate assessed values ensure fairness between properties within the taxing jurisdiction. (see Equalized value for fairness between municipalities)

Assessing – act of valuing a property for the purpose of establishing a tax base

Assessment – see "assessed value"

Assessment district – assessor's jurisdiction; it may or may not be an entire tax district. Any subdivision of territory whether whole or part of a municipality in which a separate assessment of taxable property is made. Such districts may be referred to as taxing districts, administrative districts or special purpose districts. (see sec. [70.08](#), Wis. Stats.)

Assessment level – relationship between the assessed value and the equalized value of non-manufacturing property minus corrections for prior year over or under charges within a municipality–town, village or city. For example, if the assessed value of all the property subject to property tax in the municipality is \$2,700,000 and the equalized value (with no prior year corrections) in the municipality is \$3,000,000 then the "assessment level" is said to be 90 percent ($\$2,700,000 \div \$3,000,000 = .90$ or 90%).

Assessment ratio – relationship between the assessed value and the fair market value For example, if the assessment of a parcel which sold for \$150,000 (fair market value) was \$140,000, the assessment ratio is said to be 93 percent (140,000 divided by 150,000). The difference in the assessment level and the assessment ratio is that the level typically refers to the taxation district; the ratio refers to the individual parcel. The assessment ratio does not apply to agricultural lands, agricultural forest, or undeveloped lands.

Assessment roll – official listing of all properties within a given municipality (town, village, city) by ownership, description, and location showing the corresponding assessed values for each

Assessment year – period of time during which the assessment of all properties within a given assessment district must be completed; the period between tax lien dates

Assessor – administrator charged with the assessment of property for ad valorem taxes; the precise duties differ from state to state depending upon state statutes

Board of Review (BOR) – quasi-judicial board charged with the responsibility of raising or lowering assessments proven incorrect as well as correcting any errors in the assessment roll. BOR consists of a clerk and selected municipal officers (other than the assessor) or citizens. It hears all objections to the amount or valuation of property if objections are made in writing and filed with its clerk before adjournment of public hearings. The Board examines the assessment roll or rolls and corrects all apparent errors in description or calculation, adds all omitted property to the assessment roll, and determines whether an assessor's valuation is correct from evidence brought before it. It cannot determine exempt or taxable status of property.

Comparable property – property that is similar to your property in such things as location, style, age, size, and other physical features, depending on specific market preferences

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Doomage assessment – process of arriving at an assessment from the best information available when the assessor is denied the opportunity to physically inspect a property; making an assessment without actually viewing the property or receiving and/or accepting the taxpayer's declaration of personal property

Equalized value – estimated value of all taxable real and personal property in each taxation district, by class, as of January 1 and certified by DOR on August 15 of each year. The value represents market value (most probable selling price), except for agricultural property, which is based on its use (ability to generate agricultural income) and agricultural forest and undeveloped lands, which are based on 50 percent of their full value.

Equated value – dollar amount placed on individual parcels of manufacturing property in a taxation district for tax collection purposes. The value is calculated by multiplying the market value of the property as determined by DOR times the assessment level of all other property within the taxation district.

Equity – in reference to property taxes, a condition in which the tax load is distributed fairly (or equitably), based on the concept of uniformity provided in the state constitution (i.e., each person's share of the tax is based on each property's value compared to the total value of all taxable property). Typically, this would require periodic reviews of the assessments (local revaluations) to account for the constantly changing economic factors impacting property. In practical terms, you have equity in taxes when the assessed value of each property bears the same relationship to market or use value. In reference to value, it is the owner's financial interest in the property remaining after deducting all liens (including mortgages) and charges against it.

Expert help – is employed when the governing body of a municipality determines that it is in the public interest to appoint such help to aid in making the assessments in order that they may be equitably made and in compliance with the law. The expert help may be a private firm or person, or a DOR employee.

Fractional assessment – when the assessment is made at some percentage of the full value as determined by policy by the government

Full value – (1) value at 100 percent of the value standard. This is the value that should be applied in assessing the property per Wisconsin Statutes, see the [WPAM](#). (2) The same as equalized value, however is often used when referring to the value of school and special districts.

General property tax – the following elements must be present: (1) a dollar amount of levy, (2) total assessed values of individual properties (parcels of real property/personal property items), and (3) uniform rate of taxation within the same common area applied to all taxable real and personal property within that area

Levy – amount of tax imposed by a taxation jurisdiction or government unit

Lien – charge against property whereby the property is made the security for the payment of a debt

Market value – most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. Reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. Price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale

Mass appraisal – process of valuing a universe of properties, as of a specified date, utilizing standard methodology, using common data and allowing for statistical testing

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Mill rate – mill is one thousandth of one dollar. Tax rates are often expressed in mills per dollar

Example:

Tax = 3,000 Taxable assessed value = 100,000

Mill rate = $3,000/100,000 = 0.03$ of a dollar per dollar of taxable assessed value

Municipal Assessment Report (MAR)– was previously called the Assessor's Final Report (AFR). The assessor electronically files the MAR with DOR. It can be filed as an "Estimate" (before the BOR), as a "Final" (after the BOR), or as an "Amended" report to make changes to a previously filed "Final" version. This electronic report provides changes in assessed values and reasons for the changes between the prior year's assessed values and the current year's assessed values of the entire taxation district. The assessor must file an estimated or final version of this report by the second Monday of June.

Notice of Changed Assessment – written notification to a property owner of the assessed value of certain properties described therein; mandated by law to be given to each property owner following a change in value of the property. The assessor is not required to provide notice if land is classified as agricultural land, as defined in sec. [70.32\(2\)\(c\)1g](#), Wis. Stats., for the current year and previous year and the difference between the assessments is \$500 or less.

Over-assessed – condition wherein a property is assessed proportionately higher than comparable properties

Parcel identification (PIN) – identification number, assigned to a parcel of land to uniquely identify that parcel from any other parcel within a given taxing jurisdiction

Property record card – document specially designated to record and process specified property data; may serve as a source document, a processing form; and/or a permanent property record

Reassessment – revaluation of all properties within a given jurisdiction for the purpose of establishing a new tax base. When a written complaint is made to the Wisconsin Department of Revenue by the owners of 5 percent or more of the assessed valuation of the property within a municipality stating that the assessment of property in the municipality is not in substantial compliance with the law and that the interest of the public would be promoted by a reassessment, the department can order such actual doing over of the assessment roll (reassessment) of all or part of the taxable property in municipality.

Recuse – to disqualify oneself from hearing an objection due to interest or prejudice, as defined by state law

Revaluation – placing new values on all taxable property for the purpose of a new assessment. The previous year's assessment roll is not affected. The term is often used in conjunction with sec. [70.055](#), Wis. Stats. where expert help can be hired to work with the assessor in revaluing the district.

Sales ratio study – statistical analysis of the distribution of assessment or appraisal-to-sale ratios of a sample of recent sales made for the purpose of drawing inferences regarding the entire population of parcels from which the sample was abstracted

Tax bill – itemized statement showing the amount of taxes owed for certain property described therein and forwardable to the party or parties legally liable for payment thereof

Tax exemption – either total or partial freedom from taxation granted by a specific state statute

Tax levy – in reference to property taxes, the total revenue realized by the tax

Tax mapping – creation of accurate representations of property boundary lines at appropriate scales to provide a graphic inventory of parcels for use in accounting, appraising and assessing. Such maps show dimensions and the relative size and location of each tract with respect to other tracts. Also known as assessment maps and cadastral maps.

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Tax rate – rate generally expressed in dollars per hundred or dollars per thousand (mills) applied against the tax base (assessed value) to compute the amount of taxes. The tax rate is derived by dividing the total amount of the tax levy by the total assessed value of the taxing district.

Tax roll – official list showing the amount of taxes, special assessments and charges levied against each parcel and item of personal property in the municipality

Taxation – right of government to tax property to support the government

Taxation district – town, village, or city. If a city or village lies in more than one county, the taxation district is the portion of the city or village that lies within each county. (see sec. [74.01\(6\)](#), Wis. Stats.)

Taxing jurisdiction – entity which is authorized by law to levy taxes on general property which is located within its boundaries (see sec. [74.01\(7\)](#), Wis. Stats.). (ex: In addition to towns, villages and cities, this includes school districts, sewerage districts and lake rehabilitation districts)

Uniformity – constitutional requirement that the taxable property must bear its proportionate share of ad valorem basis taxes. As applied to assessing, a condition wherein all properties are assessed at the same ratio to market value, or other standard of value depending upon the particular assessing practices. Following a 1974 amendment to the constitution, agricultural land may be non-uniform with other property, but must be uniform within its class. The standard for value for agricultural property is its value in use.

Use-value – value a specific property has for a specific use. Beginning in 2000, agricultural property is assessed according to its use as farmland instead of its market value as indicated by sales. The guideline values are based on 5-year average income and expense data modified by the tax rate in each taxation district in the state.

Use-value assessment – assessment based on the value of the property as it is currently used, not its market value. This only applies to agricultural land. The guidelines for the use values are based on administrative rules, and developed by DOR staff serving as support for the Farmland Advisory Council who adopts the values.

XVII. BOR Statutory Index

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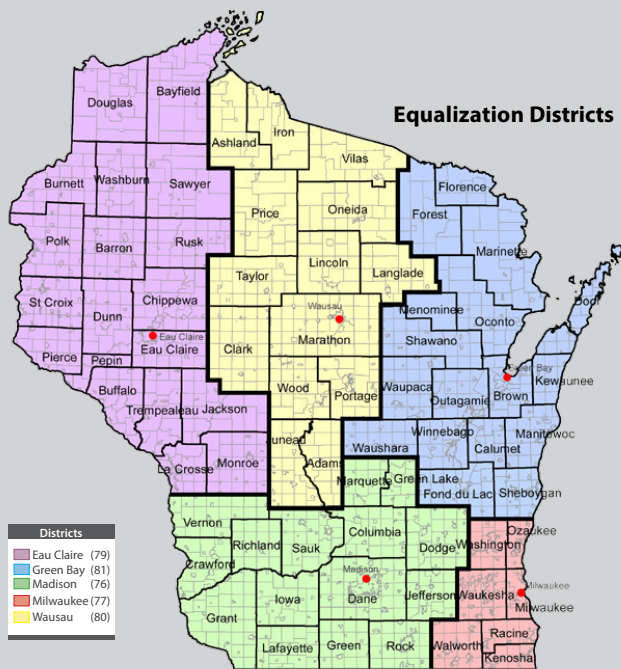
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XIX. Contact Information

Department of Revenue - Equalization District Offices



Wisconsin Counties - Alphabetical List

County	District Office	County	District Office	County	District Office
Code	Name	Code	Name	Code	Name
01	Adams	25	Iowa	48	Polk
02	Ashland	26	Iron	49	Portage
03	Barron	27	Jackson	50	Price
04	Bayfield	28	Jefferson	51	Racine
05	Brown	29	Juneau	52	Richland
06	Buffalo	30	Kenosha	53	Rock
07	Burnett	31	Kewaunee	54	Rusk
08	Calumet	32	La Crosse	55	St. Croix
09	Chippewa	33	Lafayette	56	Sauk
10	Clark	34	Langlade	57	Sawyer
11	Columbia	35	Lincoln	58	Shawano
12	Crawford	36	Manitowoc	59	Sheboygan
13	Dane	37	Marathon	60	Taylor
14	Dodge	38	Marinette	61	Trempealeau
15	Door	39	Marquette	62	Vernon
16	Douglas	40	Milwaukee	63	Vilas
17	Dunn	41	Monroe	64	Walworth
18	Eau Claire	42	Oconto	65	Washburn
19	Florence	43	Oneida	66	Washington
20	Fond du Lac	44	Outagamie	67	Waukesha
21	Forest	45	Ozaukee	68	Waupaca
22	Grant	46	Pepin	69	Wausau
23	Green	47	Pierce	70	Winnebago
24	Green Lake			71	Wood

Equalization Bureau

Contact Information

Eau Claire District Office (79)

610 Gibson St, Ste. 7
Eau Claire, WI 54701-2650
eqleau@wisconsin.gov
Ph: (715) 836-2866 Fax: (715) 836-6690

Green Bay District Office (81)

200 N. Jefferson St, Ste. 126
Green Bay, WI 54301-5100
eqlgrb@wisconsin.gov
Ph: (920) 448-5195 Fax: (920) 448-5207

Madison District Office (76)

Mailing Address
PO Box 8909 #6-301
Madison, WI 53708-8909

Street Address
2135 Rimrock Rd #6-301
Madison, WI 53713-1443
eqlmsn@wisconsin.gov
Ph: (608) 266-8184 Fax: (608) 267-1355

Milwaukee District Office (77)

819 N. 6th St, Rm. 530
Milwaukee, WI 53203-1682
eqlmke@wisconsin.gov
Ph: (414) 227-4455 Fax: (414) 227-4071

Wausau District Office (80)

730 N. Third St
Wausau, WI 54403-4700
eqlwau@wisconsin.gov
Ph: (715) 842-5885 Fax: (715) 848-1033



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

FROM: Tom Williamson, Department of Public Works Superintendent

RE: Large Equipment Purchase; more specifically a Tandem Axle Roll-on/off, Hook Truck, with Dump Box and Plow Setup.

BACKGROUND

The Public Works Department has need to periodically replace snow removal and materials hauling equipment. The 2021 Capital Improvement Program for the Public Works Department included the funding for this type of purchase to upgrade one of our snow removal and material hauling trucks. The Council previously approved the short term borrowing of \$235,000.00, for this item, at the March 2, 2021 Regular Council meeting.

DISCUSSION

The Department requested purchase quotations for this vehicle type from Lakeside International of Janesville WI and R.N.O.W., Inc. of West Allis, WI. Both companies responded with truck models matching our requirements.

Lakeside International provided a purchase price in the amount of **\$238,543.00** for an INTERNATIONAL HV507 SFA.

R.N.O.W., Inc. provided a purchase price of **\$241,330.00** for a FREIGHTLINER 108SD.

Both models are similarly equipped and would offer us a great deal of flexibility with the roll off/on capabilities for added equipment configurations, such as water tanks, leaf vacuum and dumpster hauling. Please see the attached proposals showing each truck as specified.

FINANCIAL ANALYSIS

The Council has approved borrowed up to \$235,000.00 for the purchase of this vehicle. The actual final quoted price from Lakeside International is \$238,543.00. The change in price is due to a shortage of supplies and materials to build the vehicles and a consistent demand for them. The current price will be effective for the next 30 days. If approved, the City will place this order in hopes of the truck arriving in time for the fall season of 2022. The \$3,843.00 in excess of the approved borrowing will be made up within the Departments current 2021 shop parts and materials funding.

RECOMMENDATION

Staff recommends that the order be placed with **Lakeside International of Janseville, in the amount not to exceed \$238,543.00**, for the purchase of an INTERNATIONAL HV507 SFA Tandem Axle, Hook Style, Roll-on/off Truck, with Dump Box and Plow Equipment provided by Monroe Truck Equipment.

ATTACHMENTS

Attached with this document are the two provided quotes and supporting detailed information.



HV507 SFA

Sales Proposal For:
CITY OF FORT ATKINSON

Presented By:
LAKESIDE INTL-JANESVILLE

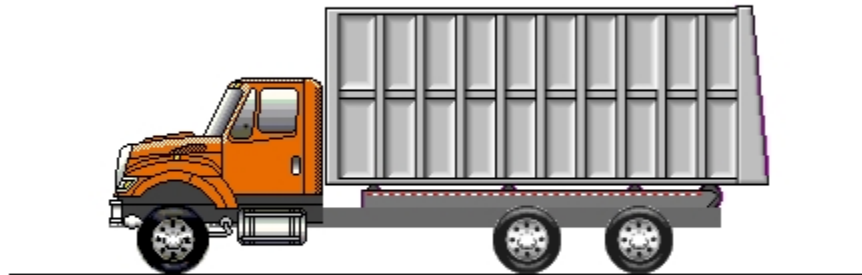
Prepared For:

CITY OF FORT ATKINSON
 Don Knaak
 700 JAMES PL.
 FORT ATKINSON, WI 53538-
 (920)563 - 7771
 Reference ID: Dual Steer

Presented By:

LAKESIDE INTL-JANESVILLE
 Patrick McNamara
 3850 Kennedy Rd
 JANESVILLE WI 53545 -
 (608)754-8195

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.



Model Profile
2022 HV507 SFA (HV507)

AXLE CONFIG:	6X4
APPLICATION:	Roll-On/Roll-off
MISSION:	Requested GVWR: 66000. Calc. GVWR: 66000 Calc. Start / Grade Ability: 18.20% / 2.12% @ 55 MPH Calc. Geared Speed: 70.1 MPH
DIMENSION:	Wheelbase: 205.00, CA: 130.00, Axle to Frame: 69.00
ENGINE, DIESEL:	{Cummins L9 370} EPA 2021, 370HP @ 2100 RPM, 1250 lb-ft Torque @ 1200 RPM, 2100 RPM Governed Speed, 370 Peak HP (Max)
TRANSMISSION, AUTOMATIC:	{Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-20-133A} Wide Track, I-Beam Type, 20,000-lb Capacity
AXLE, REAR, TANDEM:	{Meritor RT-46-164EH} Single Reduction, Standard Width, 46,000-lb Capacity, Driver Controlled Locking Differential in Forward-Rear and Rear-Rear Axle, 200 Wheel Ends Gear Ratio: 5.63
CAB:	Conventional, Day Cab
TIRE, FRONT:	(2) 315/80R22.5 Load Range L HSC 3 (CONTINENTAL), 481 rev/mile, 68 MPH, All-Position
TIRE, REAR:	(8) 11R22.5 Load Range H HDR2+ (CONTINENTAL), 491 rev/mile, 75 MPH, Drive
SUSPENSION, REAR, AIR, TANDEM:	{Hendrickson PRIMAAX EX} 46,000-lb Capacity, 55" Axle Spacing, 9.0" Ride Height, with Shock Absorbers
PAINT:	Cab schematic 100WK Location 1: 0311, Omaha Orange (Std) Chassis schematic N/A

<u>Code</u>	<u>Description</u>
HV50700	Base Chassis, Model HV507 SFA with 205.00 Wheelbase, 130.00 CA, and 69.00 Axle to Frame.
1570	TOW HOOK, FRONT (2) Frame Mounted
1AND	AXLE CONFIGURATION {Navistar} 6x4
	<u>Notes</u> : Pricing may change if axle configuration is changed.
1CAJ	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.866" x 3.622" x 0.437" (276.0mm x 92.0mm x 11.1mm); 456.0" (11582mm) Maximum OAL
1LLA	BUMPER, FRONT Swept Back, Steel, Heavy Duty
1WDS	FRAME EXTENSION, FRONT Integral; 20" In Front of Grille
1WGB	WHEELBASE RANGE 177" (450cm) Through and Including 226" (575cm)
2ARY	AXLE, FRONT NON-DRIVING {Meritor MFS-20-133A} Wide Track, I-Beam Type, 20,000-lb Capacity
3AGA	SUSPENSION, FRONT, SPRING Parabolic Taper Leaf, Shackle Type, 20,000-lb Capacity, with Shock Absorbers
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications
	<u>Includes</u> : BRAKE LINES Color and Size Coded Nylon : DRAIN VALVE Twist-Type : GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster : PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel : PARKING BRAKE VALVE For Truck : QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4 : SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6
4732	DRAIN VALVE {Berg} with Pull Chain, for Air Tank
4AZJ	AIR BRAKE ABS {Bendix AntiLock Brake System} 4-Channel (4 Sensor/4 Modulator) Full Vehicle Wheel Control System, with Automatic Traction Control
4EBD	AIR DRYER {Wabco System Saver 1200} with Heater
4EXU	BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 Sqli Spring Brake
4EXV	BRAKE CHAMBERS, FRONT AXLE {Bendix} 24 Sqli
4LAG	SLACK ADJUSTERS, FRONT {Gunitite} Automatic
4LGG	SLACK ADJUSTERS, REAR {Gunitite} Automatic
4SPA	AIR COMPRESSOR {Cummins} 18.7 CFM
4VKC	AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab
4VKK	AIR TANK LOCATION (2) Mounted Under Battery Box, Outside Right Rail, Back of Cab, Perpendicular to Rail
4XDL	BRAKES, FRONT {Bendix Spicer ES-165-6X} Air S-Cam Type, Heavy Duty Fabricated Spider, Fabricated Shoe, Single Anchor Pin, Size 16.5" X 6", 23,000-lb Capacity
4XDM	BRAKES, REAR {Bendix Spicer ES-165-7X} Air S-Cam Type, Heavy Duty Fabricated Spider, Fabricated Shoe, Single Anchor Pin, Size 16.5" X 7", 23,000-lb Capacity per Axle
4XEE	PARK BRAKE CHAMBERS, ADDITIONAL (2) Spring Brake Type
5708	STEERING COLUMN Tilting
5CAW	STEERING WHEEL 4-Spoke; 18" Dia., Black

<u>Code</u>	<u>Description</u>
5PTB	STEERING GEAR (2) {Sheppard M100/M80} Dual Power
6DGT	DRIVELINE SYSTEM {Dana Spicer} SPL170 Main Driveline with SPL170 Interaxle Shaft, for 6x4
7BEU	AFTERTREATMENT COVER Aluminum
7BLW	EXHAUST SYSTEM Horizontal Aftertreatment System, Frame Mounted Right Side Under Cab, for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab
7WAZ	TAIL PIPE (1) Turnback Type
7WCM	EXHAUST HEIGHT 8' 10"
7WDN	MUFFLER/TAIL PIPE GUARD (1) Aluminum
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment
	<u>Includes</u>
	: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab
	: HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel
	: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever
	: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light
	: STARTER SWITCH Electric, Key Operated
	: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector
	: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature
	: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever
	: WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted
	: WIRING, CHASSIS Color Coded and Continuously Numbered
8GXD	ALTERNATOR {Leece-Neville AVI160P2013} Brush Type, 12 Volt, 160 Amp Capacity, Pad Mount, with Remote Sense
8HAH	ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Combined Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake Accommodation Package with Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket
8MSG	BATTERY SYSTEM {Fleetrite} Maintenance-Free, (3) 12-Volt 1980CCA Total, Top Threaded Stud
8RGA	2-WAY RADIO Wiring Effects; Wiring with 20 Amp Fuse Protection, Includes Ignition Wire with 5 Amp Fuse, Wire Ends Heat Shrink and Routed to Center of Header Console in Cab
8RMV	SPEAKERS (2) 6.5" Dual Cone Mounted in Doors
8RPS	RADIO AM/FM/WB/Clock/Bluetooth/USB Input/Auxiliary Input
8THB	BACK-UP ALARM Electric, 102 dBA
8THJ	AUXILIARY HARNESS 3.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications
8TNR	BATTERY CABLES with 36" of Extra Length Coiled and Strapped Near Battery Box
8TPR	STOP, TURN, TAIL & B/U LIGHTS {Weldon} Multi-Function LED Lamp, Mounted Outside Rails, Includes LED License Plate Light
8VAY	HORN, ELECTRIC Disc Style
8VUJ	BATTERY BOX Steel, with Plastic Cover, 18" Wide, 2-4 Battery Capacity, Mounted Right Side Back of Cab
8WGL	WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time
8WKR	WIRING, FEEDER DATA TERMINAL Cab Wiring for "Feeder Data Terminal" FDT System; Includes Extra 9-Pin Diagnostic Connector Located Behind the Instrument Panel

<u>Code</u>	<u>Description</u>
8WNH	RUNNING LIGHT (2) Daytime
8WPH	CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade
8WPZ	TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights
8WRB	HEADLIGHTS ON W/WIPERS Headlights Will Automatically Turn on if Windshield Wipers are turned on
8WTK	STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt, Less Thermal Over-Crank Protection
8WWJ	INDICATOR, LOW COOLANT LEVEL with Audible Alarm
8WXD	ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, with Ignition "OFF" and any Door Opened
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses
8XGT	TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender
8XHD	BATTERY DISCONNECT SWITCH 300 Amp, Disconnects Charging Circuits, Locks with Padlock, Cab Mounted
8XHN	HORN, AIR Single Trumpet, Black, with Lanyard Pull Cord
8XHR	POWER SOURCE, ADDITIONAL Auxiliary Power Outlet (APO) & USB Port, Located in the Instrument Panel
9585	FENDER EXTENSIONS Rubber
9AAB	LOGOS EXTERIOR Model Badges
9AAH	LOGOS EXTERIOR, ENGINE Badge Shipped Loose
9ANG	HOOD, HATCH (01) for Servicing
9HBM	GRILLE Stationary, Chrome
9WAC	BUG SCREEN Mounted Behind Grille
9WBC	FRONT END Tilting, Fiberglass, with Three Piece Construction, for WorkStar/HV
10021	CHASSIS COATING Corrosion Resistant E-Coat Primer Coating for Single Frame Rails
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100
	<u>Includes</u> : PAINT SCHEMATIC ID LETTERS "WK"
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone
10RHE	DUAL DRIVE Customer Intends to Convert to In-Cab Dual Drive Positions
10SLV	PROMOTIONAL PACKAGE Government Silver Package
10WCY	SAFETY TRIANGLES
10XAN	FIRE EXTINGUISHER 5 lb Class A B C
10XAP	FIRE EXTINGUISHER BRACKET Mounted Left Side Driver Seat
11001	CLUTCH Omit Item (Clutch & Control)
12703	ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection
12849	BLOCK HEATER, ENGINE 120V/1000W, for Cummins ISB/B6.7/ISL/L9 Engines
	<u>Includes</u> : BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door
12851	PTO EFFECTS, ENGINE FRONT Less PTO Unit, Includes Adapter Plate on Engine Front Mounted

<u>Code</u>	<u>Description</u>
12926	RADIATOR HOSES Silicone; Molded
12ESR	ENGINE, DIESEL {Cummins L9 370} EPA 2021, 370HP @ 2100 RPM, 1250 lb-ft Torque @ 1200 RPM, 2100 RPM Governed Speed, 370 Peak HP (Max)
12THT	FAN DRIVE {Horton Drivemaster} Two-Speed Type, Direct Drive, with Residual Torque Device for Disengaged Fan Speed <u>Includes</u> : FAN Nylon
12UWZ	RADIATOR Aluminum, Cross Flow, Front to Back System, 1228 SqIn, with 1167 SqIn Charge Air Cooler, Includes In-Tank Oil Cooler <u>Includes</u> : DEAERATION SYSTEM with Surge Tank : HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps : RADIATOR HOSES Premium, Rubber
12VAG	AIR CLEANER Single Element, with Integral Snow Valve and In-Cab Control
12VHR	FEDERAL EMISSIONS {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2021
12VXT	THROTTLE, HAND CONTROL Engine Speed Control; Electronic, Stationary, Variable Speed; Mounted on Steering Wheel
12VYL	ACCESSORY WIRING, SPECIAL for Road Speed Wire Coiled Under Instrument Panel for Customer Use
12VYP	ENGINE CONTROL, REMOTE MOUNTED No Provision for Remote Mounted Engine Control
12WZE	EMISSION COMPLIANCE Federal, Does Not Comply with California Clean Air Idle Regulations
13AVR	TRANSMISSION, AUTOMATIC {Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway
13WBL	TRANSMISSION SHIFT CONTROL {Allison} Push-Button, for Allison 3000 & 4000 Series Transmission
13WGH	TRANSMISSION DIPSTICK Relocated to Right Side of Transmission
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS) and Regional Haul Series (RHS), General Purpose Trucks, Construction, Package Number 223
13WVW	NEUTRAL AT STOP OMIT
13WYH	TRANSMISSION TCM LOCATION Located Inside Cab
13WYU	SHIFT CONTROL PARAMETERS {Allison} 3000 or 4000 Series Transmissions, Performance Programming
13XAM	PTO LOCATION Dual, Customer Intends to Install PTO at Left and/or Right Side of Transmission
14899	SUSPENSION AIR CONTROL VALVE Pressure Release Control In Cab
14HRC	AXLE, REAR, TANDEM {Meritor RT-46-164EH} Single Reduction, Standard Width, 46,000-lb Capacity, Driver Controlled Locking Differential in Forward-Rear and Rear-Rear Axle, 200 Wheel Ends . Gear Ratio: 5.63 <u>Notes</u> : Axle Lead Time is 45 Days
14UNX	SUSPENSION, REAR, AIR, TANDEM {Hendrickson PRIMAAX EX} 46,000-lb Capacity, 55" Axle Spacing, 9.0" Ride Height, with Shock Absorbers
14WMK	AXLE, REAR, LUBE {EmGard FE-75W-90} Synthetic Oil; 65 thru 89.99 Pints
15924	FUEL TANK STRAPS Bright Finish Stainless Steel

<u>Code</u>	<u>Description</u>
15LNS	FUEL/WATER SEPARATOR {Racor 400 Series} 12 VDC Electric Heater, Includes Pre-Heater, with Primer Pump, Includes Water-in-Fuel Sensor, Mounted on Engine
15SGG	FUEL TANK Top Draw, Non-Polished Aluminum, D-Style, 19" Tank Depth, 70 US Gal (265L), Mounted Left Side, Under Cab
15WDG	DEF TANK 7 US Gal (26L) Capacity, Frame Mounted Outside Left Rail, Under Cab
16030	CAB Conventional, Day Cab
16564	HEATER SHUT-OFF VALVES (1) Ball Valve Type, Supply Line
16BAM	AIR CONDITIONER with Integral Heater and Defroster
16GDC	GAUGE CLUSTER Base Level; English with English Speedometer and Tachometer, for Air Brake Chassis, Includes Engine Coolant Temperature, Primary and Secondary Air Pressure, Fuel and DEF Gauges, Oil Pressure Gauge, Includes 3 Inch Monochromatic Text Display
16GHU	GRAB HANDLE, CAB INTERIOR (2) Safety Yellow
16HGH	GAUGE, OIL TEMP, AUTO TRANS for Allison Transmission
16HHE	GAUGE, AIR CLEANER RESTRICTION {Filter-Minder} with Black Bezel, Mounted in Instrument Panel
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster
16JNV	SEAT, DRIVER {National 2000} Air Suspension, High Back with Integral Headrest, Cloth, Isolator, 1 Chamber Lumbar, 2 Position Front Cushion Adjust, -3 to +14 Degree Back Angle Adjust
16RPX	SEAT, PASSENGER {National} Air-Suspension, High Back with Integral Headrest, Cloth, Isolated, 1 Chamber Lumbar, 2 Position Front Cushion Adjustment, -3 to +14 Degree Seat Back Adjustment
16SJW	MIRROR, CONVEX, HOOD MOUNTED {Lang Mekra} (2) Right and Left Sides, Black, Heated, 7.5" Sq.
16SMW	GRAB HANDLE, EXTERIOR Black, Aluminum, for Cab Entry Mounted Left Side at B-Pillar
16SNP	MIRRORS (2) C-Loop, Power Adjust, Heated, Black Heads and Arms, 7.5" x 14" Flat Glass, Includes 7.5" x 7" Convex Mirrors, for 102" Load Width
	<u>Notes</u>
	: Mirror Dimensions are Rounded to the Nearest 0.5"
16VEX	CONTROLS, CENTER PANEL Includes Ignition Switch, Headlights and Power Mirror Controls Located in Center Panel
16VKK	CAB INTERIOR TRIM Diamond, for Day Cab
	<u>Includes</u>
	: CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger
	: DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Reading Lights; Integral to Overhead Console, Center Mounted
	: SUN VISOR (3) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Vanity Mirror and Toll Ticket Strap, plus 1 Auxiliary Visor (Front Only), Driver Side
16VSL	WINDSHIELD Heated, Single Piece
16WBY	ARM REST, RIGHT, DRIVER SEAT
16WJU	WINDOW, POWER (2) and Power Door Locks, Left and Right Doors, Includes Express Down Feature
16WLS	FRESH AIR FILTER Attached to Air Intake Cover on Cowl Tray in Front of Windshield Under Hood
16WSK	CAB REAR SUSPENSION Air Bag Type
16XJN	INSTRUMENT PANEL Flat Panel

<u>Code</u>	<u>Description</u>
16XWJ	WINDSHIELD WIPER BLADES Snow Type
16XWY	WINDSHIELD WASHER RESERVOIR Mounted Under Cab with Remote Fill Mounted Behind Cab Drivers Side
16XXC	COWL TRAY LID
16ZJA	ACCESS, CAB Aluminum, Self-Cleaning, Open and Serrated Design, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab, Extended Cab or Sleeper Cab
27DUL	WHEELS, FRONT {Accuride 29300} DISC; 22.5x9.00 Rims, Powder Coat Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs
28DUK	WHEELS, REAR {Accuride 29169} DUAL DISC; 22.5x8.25 Rims, Powder Coat Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with .472" Thick Increased Capacity Disc and Steel Hubs
60AAG	BDY INTG, REMOTE POWER MODULE Mounted Inside Cab Behind Driver Seat, Up to 6 Outputs & 6 Inputs, Max 20 amp per Channel, Max 80 amp Total; Includes 1 Switch Pack with Latched Switches
7382135444	(8) TIRE, REAR 11R22.5 Load Range H HDR2+ (CONTINENTAL), 491 rev/mile, 75 MPH, Drive
7792545438	(2) TIRE, FRONT 315/80R22.5 Load Range L HSC 3 (CONTINENTAL), 481 rev/mile, 68 MPH, All-Position

Services Section:

40128	WARRANTY Standard for HV507, HV50B, HV607 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A
	Title and Fees
	Special Delivery Prep (Med)
	FM
	Dual Drive Gear from Fontane

<u>Description</u>	(US DOLLAR)	<u>Price</u>
Net Sales Price:		\$114,575.00

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

OPTIONAL PRICING:

Aluminum Wheels -	\$ 1,250
Accu-Shield Coating -	\$ 320
Line X Cab Floor Coating -	\$ 648

Approved by Seller:

Accepted by Purchaser:

Official Title and Date_____
Firm or Business Name_____
Authorized Signature_____
Authorized Signature and Date

This proposal is not binding upon the seller without
Seller's Authorized Signature

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.

The limited warranties applicable to the vehicles described herein are Navistar, Inc.'s standard printed warranties which are incorporated herein by reference and to which you have been provided a copy and hereby agree to their terms and conditions.



1151 W Main Avenue
DePere, WI 54115
Sales Rep: Eric Krahenbuhl
Ph: (262) 269-6322
www.MonroeTruck.com

J.O. #

Quotation ID: 2CHK001430

Date: 3/12/2021

Valid thru: 4/11/2021

Terms: NET 30

Quoted by: Clayton Kraft

Ph/Fax: 920-347-4189 / 920-336-8118

Quoted to:

FORT ATKINSON, CITY OF (ATTN:)

ATTN ACCOUNTS PAYABLE

N 101 MAIN ST

FT ATKINSON, WI 53538

Ph: 920-563-7760 / Fax: 920-563-7776

Email:

Chassis Information

Year:	Make:	Model:	Chassis Color:	Cab Type:
Single/Dual:	CA:	CT:	Wheelbase:	Engine:
			F.O. Number #:	Vin:

Notes:

Monroe Truck Equipment, Inc. is pleased to offer the following quote for your review:

Description	Amount
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14' CRYSTEEL STAINLESS STEEL SELECT DUMP BODY
- 168" X 84" ID 96" OD
- 44" SIDES MADE OF 7 GA STAINLESS STEEL
- 50" FRONT MADE OF 7 GA STAINLESS STEEL
- 52" STRAIGHT REAR MADE OF 7 GA STAINLESS STEEL
- 1/4" AR450 FLOOR
- CABSHIELD: 1/2, 78"W, 10 GAUGE, STAINLESS STEEL
- 2-1/2" SAFETY STEP WALKWAY
- LADDER: 3-RUNG SLIDE-OUT, FOLD-DOWN, STAINLESS STEEL
- STAINLESS STEEL SPRING LOADED SHOVEL HOLDER
- FULL LENGTH GRAB HANDLE
- POLY FENDERS
- AIR TAILGATE: INSTALLATION OF OEM AIR TAILGATE
- RECESSED STOP/TURN/ TAIL AND BACKUP LIGHTS WITH SEALED WIRING HARNESS AND JUNCTION BOX
- BODY TO BE LEFT IN BARE STAINLESS STEEL
- INSTALLED

SWAP LOADER SL-400 HOOK LIFT
- 40,000 LB LIFT CAPACITY
- 6" DA LIFT CYLINDER 4" DA CYLINDER FOR SLIDING JIB
- SLIDE THROUGH LOCKS
- INSTALLED

PINTLE MOUNT; 3/4" PLATE WITH 3/4" D-RINGS (NO HITCH)
PINTLE HOOK: RIGID MOUNT, 15-TON
TRAILER RECEPTACLE: 6-WAY, ROUND SOCKET, ROUND PIN
ELECTRIC BRAKE CONTROL
BACKUP ALARM

TRUCK PORTION - FLAT-FOLD LIFT ARM HITCH W/ INTEGRAL QCP RECEIVER
(REQUIRES MINIMUM OF 18" FRONT FRAME EXTENSION)
CD-400; 4" X 10" DA LIFT CYLINDER

C-STYLE, TORSION TRIP-EDGE PLOW W/ INTEGRAL SHIELD (MP44R12-ISTT)
- 44" HIGH, 12' LENGTH
- 10 GAUGE ROLL-FORMED MOLDBOARD
- (6) 1/2" X 4" TAPERED, ONE-PIECE, FLAME-CUT RIBS
- 2" X 3" X 3/8" TOP ANGLE, 4" X 4" X 1/2" UPPER BOTTOM ANGLE, 3/4" BOTTOM ANGLE
- (6) NON-ADJUSTABLE 3/4" TORSION SPRING ASSEMBLIES FOR A 3-SECTION TRIP-EDGE
- 4" X 4" X 3/8" CROSS TUBE SUPPORT, 3-1/2" X 3-1/2" X 1/2" SEMI-CIRCLE
- (2) 3" X 10" DOUBLE-ACTING REVERSE CYLINDERS W/ CUSHION VALVE
- BUILT-IN MONROE LEVEL LIFT ASSEMBLY
- MOLDBOARD & PUSH-FRAME TO BE 100% CONTINUOUSLY WELDED
- PARTS-INSTALLATION MANUAL
- STANDARD PLOW IS POWDER-COATED W/ THE MOLDBOARD ORANGE & A BLACK PUSH-FRAME



Description	Amount
<ul style="list-style-type: none"> - DEFLECTOR KIT - PARKING JACK KIT - PLOW MARKERS 	
<p>MONROE UNDER-TAILGATE, DIRECT DRIVE SPREADER (MS969-OW/DD-DD) W/ SPEED SENSOR</p> <ul style="list-style-type: none"> - 201 STAINLESS STEEL - 9" DIA. AUGER W/ ONE-WAY FLIGHTING FOR LEFT OR RIGHT DISCHARGE - 7 GA., 96" TROUGH W/ 1/4" END PLATES - ONE-PIECE, REMOVABLE & HINGED, COMBINATION COVER & REAR PANEL - HEAVY-DUTY, STEEL ROD, CAPTIVE LATCHES - QUICK DETACH MOUNTING BRACKETS - TAILGATE SHIELDS - SPRAY BAR KIT - 201 STAINLESS STEEL, SELF-LEVELING, LH DISCHARGE, SPINNER W/ POLY DISC - INSTALLED 	
<p>CLOSED LOOP HYDRAULIC BASE KIT W/ PLUMBING KIT</p> <ul style="list-style-type: none"> - 7 GPM HYDRAULIC PUMP W/ 14" X 7" X 6.5" ENCLOSURE AND PLUMBING KIT W/O HYDRAULIC VALVE - TANK KIT: 140 GALLON (1 TANK) - NOZZLE KIT, HYDRAULIC UNIT, 2 GPM, 3 NOZZLES - BULK-FILL & FLUSHER KIT - QUICK DISCONNECT KIT - TAILGATE PROP ASSY 	
<p>ELECTRIC HYDRAULICS PACKAGE</p> <ul style="list-style-type: none"> - D/A HIGH-PRESSURE HOOK - D/A HIGH-PRESSURE JIB <p>PRESSURE REDUCING</p> <ul style="list-style-type: none"> - D/A PLOW LIFT WITHOUT FLOAT - D/A PLOW ANGLE - PRE-WET - AUGER - SPINNER - 30 GALLON CAPACITY STAINLESS HYDRAULIC RESERVOIR WITH INTERNAL FILTER - FILLER/BREATHING CAP, LEVEL/TEMP SIGHT GLASS, 3/4" MAGNETIC PLUG, - 60 P.S.I. CONDITION INDICATOR - STAINLESS ENCLOSURE WITH WEATHER TIGHT COVER - HYDRAULIC ENCLOSURE WILL BE MOUNTED ON FRAME RAIL - FORCE SSC6100 GROUND BASED SPREADER CONTROL W/ ULTRA CONTROLS * (2) JOYSTICKS TO OPERATE THE HOOK/JIB AND PLOW LIFT/ANGLE - PARTS FOR CLOSED LOOP AUGER OPERATION INCLUDED - PARTS FOR CLOSED LOOP PREWET OPERATION INCLUDED - WIRELESS ARC ROAD TEMPERATURE SENSOR - STAINLESS STEEL LINES * PLOW * SPREADER * SPINNER * PRE-WET - INSTALLED 	
<p>STROBE LIGHT: WHELEN, L.E.D. LIGHT-BAR, AMBER, PERM.</p> <ul style="list-style-type: none"> - MOUNTED ON CABSHIELD OF DUMP BODY 	
<p>OVAL LED STROBES</p> <ul style="list-style-type: none"> - MOUNTED IN REAR PILLAR OF DUMP BODY 	
<p>OVAL STT/R COMBO LIGHT</p> <ul style="list-style-type: none"> - MOUNTED IN REAR PILLAR OF DUMP BODY 	
<p>LED CLEAR WORK LIGHT</p> <ul style="list-style-type: none"> - (2) MOUNTED FOR REVERSE LIGHTS - (1) SPREADER LIGHT 	
<p>*L.E.D. PLOW LIGHTS (J.W. SPEAKER)</p> <ul style="list-style-type: none"> - HEATED L.E.D. RECTANGULAR HEADLIGHTS - XENON HOUSING, BLACK - INCLUDES AMBER TURN SIGNALS 	
Quote Total: \$123,968.00	

Additional Options:



Description	Amount	Add to quote? Yes / No
-------------	--------	---------------------------

Terms & Conditions

- Terms are Due Upon Receipt unless prior credit arrangements are made at the time of order.
- Please note if chassis is furnished, it is as a convenience and terms are Net Due on Receipt of Chassis.
- State and Federal taxes will be added where applicable. **Out-of-state municipal entities may be subject to Wisconsin sales tax.**
- Restocking fees may be applicable for cancelled orders.
- MTE is not responsible or liable for equipment that does not meet local/state regulations if those laws are not made known at time of order.

By signing and accepting this quote, the customer agrees to the terms listed above and has confirmed that all chassis information listed above is accurate to chassis specs.

Re-Assign (Required for all pool units):	<input type="checkbox"/> Fleet	<input type="checkbox"/> Retail	Customer P.O. Number:	Dealer Code:	Sourcewell Member Number:
MSO/MCO (ONLY check if legally required):	<input type="checkbox"/> MCO	<input type="checkbox"/> MSO			
Customer Signature:				Date of Acceptance:	



R.N.O.W., Inc.
8636R West National Avenue
West Allis, WI 53227

QUOTATION

Quote Number: 2021-5547
 Quote Date: Apr 15, 2021
 Page: 1

Voice: 414-541-5700
 Fax: 414-543-9797

Quoted To:




CITY OF FORT ATKINSON
 700 JAMES PLACE
 FORT ATKINSON, WI 53538
 U.S.A.

Accepted By: _____

Sign above to accept quotation and place order


Customer Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
1.00	 FREIGHTLINER CHASSIS	TRUCK CHASSIS FREIGHTLINER 108SD CHASSIS PER THE ATTACHED SPECIFICATIONS	241,330.00	241,330.00
1.00	 AL AMP 150-197-18	HOOK LIFT HOIST Ampliroll 40,000 lbs capacity hooklift, body lengths 13 to 20 ft. CT 154" to 186", suggested body length 18 FT Hook height set at 54"		
4.00	AL 5.414	Tandem Axle steel diamond plate fenders for 22.5 tires (Requires 4)		
1.00	AL 6.19 LED	96" wide bumper with clearance lights four stop turn tail bulbs and two backup center mounted 3 light cluster		
51.00	INSTALLATION	Installation Hook lift on Chassis		
1.00	AL SK1854	18' A-FRAME SKID WITH 54" HOOK HEIGHT - NO BODY		
1.00	 MONROE	MONROE SNOW PLOW AND SPREADER		

Thank you for the opportunity to quote

SUBMITTED BY


Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
West Allis, WI 53227

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Page: 2

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Accepted By: _____

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Customer Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
	 <small>Subsidiary of Federal Signal Corporation</small>	DUMP BODY 14' CRYSTEEL STAINLESS STEEL SELECT DUMP BODY - 168" X 84" ID 96" OD - 44" SIDES MADE OF 7 GA STAINLESS STEEL - 50" FRONT MADE OF 7 GA STAINLESS STEEL - 52" STRAIGHT REAR MADE OF 7 GA STAINLESS STEEL - 1/4" AR450 FLOOR - CABSHIELD: 1/2, 78"W, 10 GAUGE, STAINLESS STEEL - 2-1/2" SAFETY STEP WALKWAY - LADDER: 3-RUNG SLIDE-OUT, FOLD-DOWN, STAINLESS STEEL - STAINLESS STEEL SPRING LOADED SHOVEL HOLDER - FULL LENGTH GRAB HANDLE - POLY FENDERS - AIR TAILGATE: INSTALLATION OF OEM		

Thank you for the opportunity to quote

SUBMITTED BY


Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
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QUOTATION

Quote Number: 2021-5547

Quote Date: Apr 15, 2021

Page: 3

Voice: 414-541-5700

Fax: 414-543-9797

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U.S.A.

Accepted By: _____

Sign above to accept quotation and place order

Customer Fax: _____

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
		AIR TAILGATE - RECESSED STOP/TURN/ TAIL AND BACKUP LIGHTS WITH SEALED WIRING HARNESS AND JUNCTION BOX - BODY TO BE LEFT IN BARE STAINLESS STEEL - INSTALLED - STROBE LIGHT: WHELEN, L.E.D. LIGHT-BAR, AMBER, PERM.MOUNTED ON CABSHIELD OF DUMP BODY - OVAL LED STROBES MOUNTED IN REAR PILLAR OF DUMP BODY - OVAL STT/R COMBO LIGHT MOUNTED IN REAR PILLAR OF DUMP BODY - LED CLEAR WORK LIGHTS: (2) MOUNTED FOR REVERSE LIGHTS (1) SPREADER LIGHT ----- PINTLE MOUNT ----- - MOUNTING PLATE 3/4" WITH 3/4" D-RINGS (NO HITCH) - PINTLE HOOK: RIGID MOUNT, 15-TON		

Thank you for the opportunity to quote

SUBMITTED BY _____

Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
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QUOTATION

Quote Number: 2021-5547

Quote Date: Apr 15, 2021

Page: 4

Voice: 414-541-5700

Fax: 414-543-9797

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700 JAMES PLACE
FORT ATKINSON, WI 53538
U.S.A.

Accepted By: _____

Sign above to accept quotation and place order


Customer Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
		- TRAILER RECEPTACLE: 6-WAY, ROUND SOCKET, ROUND PIN - ELECTRIC BRAKE CONTROL - BACK UP ALARM ----- SNOW PLOW ----- MONROE C-STYLE, TORSION TRIP-EDGE PLOW W/ INTEGRAL SHIELD (MP44R12-ISTT) - 44" HIGH, 12' LENGTH - 10 GAUGE ROLL-FORMED MOLDBOARD - (6) 1/2" X 4" TAPERED, ONE-PIECE, FLAME-CUT RIBS - 2" X 3" X 3/8" TOP ANGLE, 4" X 4" X 1/2" UPPER BOTTOM ANGLE, 3/4" BOTTOM ANGLE - (6) NON-ADJUSTABLE 3/4" TORSION SPRING ASSEMBLIES FOR A 3-SECTION TRIP-EDGE - 4" X 4" X 3/8" CROSS TUBE SUPPORT, 3-1/2" X 3-1/2" X 1/2" SEMI-CIRCLE		

Thank you for the opportunity to quote

SUBMITTED BY


Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
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700 JAMES PLACE
FORT ATKINSON, WI 53538
U.S.A.

Accepted By: _____

Sign above to accept quotation and place order


Customer Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
		- (2) 3" X 10" DOUBLE-ACTING REVERSE CYLINDERS W/ CUSHION VALVE - BUILT-IN MONROE LEVEL LIFT ASSEMBLY - MOLDBOARD & PUSH-FRAME TO BE 100% CONTINUOUSLY WELDED - PARTS-INSTALLATION MANUAL - STANDARD PLOW IS POWDER-COATED W/ THE MOLDBOARD ORANGE & A BLACK PUSH-FRAME - DEFLECTOR KIT - PARKING JACK KIT - PLOW MARKERS ----- TAILGATE SPREADER ----- MONROE UNDER-TAILGATE, DIRECT DRIVE SPREADER (MS969-OW/DD-DD) W/ SPEED SENSOR - 201 STAINLESS STEEL - 9" DIA. AUGER W/ ONE-WAY FLIGHTING FOR LEFT OR RIGHT DISCHARGE		

Thank you for the opportunity to quote

SUBMITTED BY


Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
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QUOTATION

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Voice: 414-541-5700

Fax: 414-543-9797

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CITY OF FORT ATKINSON
700 JAMES PLACE
FORT ATKINSON, WI 53538
U.S.A.

Accepted By: _____

Sign above to accept quotation and place order


Customer Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
		- 7 GA., 96" TROUGH W/ 1/4" END PLATES - ONE-PIECE, REMOVABLE & HINGED, COMBINATION COVER & REAR PANEL - HEAVY-DUTY, STEEL ROD, CAPTIVE LATCHES - QUICK DETACH MOUNTING BRACKETS - TAILGATE SHIELDS - SPRAY BAR KIT - 201 STAINLESS STEEL, SELF-LEVELING, LH DISCHARGE, SPINNER W/ POLY DISC - INSTALLED ----- HYDRAULICS ----- CLOSED LOOP HYDRAULIC BASE KIT W/ PLUMBING KIT - 7 GPM HYDRAULIC PUMP W/ 14" X 7" X 6.5" ENCLOSURE AND PLUMBING KIT W/O HYDRAULIC VALVE - TANK KIT: 140 GALLON (1 TANK) - NOZZLE KIT, HYDRAULIC UNIT, 2 GPM, 3 NOZZLES		

Thank you for the opportunity to quote

SUBMITTED BY


Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
West Allis, WI 53227

QUOTATION

Quote Number: 2021-5547

Quote Date: Apr 15, 2021

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Voice: 414-541-5700

Fax: 414-543-9797

Quoted To:

CITY OF FORT ATKINSON
700 JAMES PLACE
FORT ATKINSON, WI 53538
U.S.A.

Accepted By: _____

Sign above to accept quotation and place order

Customer Fax: _____

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
		- BULK-FILL & FLUSHER KIT - QUICK DISCONNECT KIT - TAILGATE PROP ASSY ----- ELECTRIC HYDRAULIC CONTROL PACKAGE ----- - D/A HIGH-PRESSURE HOOK - D/A HIGH-PRESSURE JIB - PRESSURE REDUCING D/A PLOW LIFT WITHOUT FLOAT - D/A PLOW ANGLE - PRE-WET - AUGER - SPINNER - 30 GALLON CAPACITY STAINLESS HYDRAULIC RESERVOIR WITH INTERNAL FILTER - FILLER/BREATHING CAP, LEVEL/TEMP SIGHT GLASS, 3/4" MAGNETIC PLUG - 60 P.S.I. CONDITION INDICATOR - STAINLESS ENCLOSURE WITH WEATHER TIGHT COVER		

Thank you for the opportunity to quote

SUBMITTED BY _____

Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
West Allis, WI 53227

QUOTATION

Quote Number: 2021-5547

Quote Date: Apr 15, 2021

Page: 8

Voice: 414-541-5700

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CITY OF FORT ATKINSON
700 JAMES PLACE
FORT ATKINSON, WI 53538
U.S.A.

Accepted By: _____

Sign above to accept quotation and place order


Customer Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
		- HYDRAULIC ENCLOSURE WILL BE MOUNTED ON FRAME RAIL - FORCE SSC6100 GROUND BASED SPREADER CONTROL W/ ULTRA CONTROLS - (2) JOYSTICKS TO OPERATE THE HOOK/JIB AND PLOW LIFT/ANGLE - PARTS FOR CLOSED LOOP AUGER OPERATION INCLUDED - PARTS FOR CLOSED LOOP PREWET OPERATION INCLUDED - WIRELESS ARC ROAD TEMPERATURE SENSOR - STAINLESS STEEL LINES (Plow, Spreader, Spinner, Pre-Wet Installed) ----- PLOW LIGHTS ----- *L.E.D. PLOW LIGHTS (J.W. SPEAKER) - HEATED L.E.D. RECTANGULAR HEADLIGHTS - XENON HOUSING, BLACK - INCLUDES AMBER TURN SIGNALS		

Thank you for the opportunity to quote

SUBMITTED BY


Steven D. Krall
President

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL	Continued



R.N.O.W., Inc.
8636R West National Avenue
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Page: 9

Voice: 414-541-5700

Fax: 414-543-9797

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CITY OF FORT ATKINSON
700 JAMES PLACE
FORT ATKINSON, WI 53538
U.S.A.

Accepted By: _____

Sign above to accept quotation and place order


Customer Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
FORT ATKINSON	5/15/21	DUE ON DELIVERY	JAS

Quantity	Item	Description	Unit Price	Amount
1.00	 TITLE FEE	TITLE FEES TITLE FEES	164.50	164.50

Thank you for the opportunity to quote

SUBMITTED BY


Steven D. Krall
President

Subtotal	241,494.50
Sales Tax	
Freight	1,250.00
TOTAL	242,744.50



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

MEMORANDUM

DATE: April 20, 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 Generals Baseball Festival

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 Generals Baseball Festival

Dates and Hours of Event:

Thursday June 17 th	6:15 pm to 11:59 pm
Friday June 18 th	6:15 pm to 11:59 pm
Saturday June 19 th	10:00 am to 11:59 pm
Sunday June 20 th	12:00 pm to 4:00 pm

Location: Jones Park, 600 Janesville Avenue

Contact Person: Tim Garant, tgarant74@gmail.com

Estimated Number of Attendees: 2,500 over 4 days

Please refer to the attached event description that detail health, safety measures and the layout with increased restrooms and washing stations.

Event information was routed to Departments without any concerns provided. Parks and Public Works Departments will assist with proper refuse receptacles and barricades. Chief Bump indicated extra Patrol will be provided which may result in overtime for the Police Department. The City Electrician provided requirements to the applicant.

There is a potential for live music scheduled on Saturday June 19th from approximately 7:30 pm to 11:00 pm.

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 General Baseball Festival Special Event on June 17th thru June 20th at Jones Park.

ATTACHMENTS

Special Event Application, Event Description, Site Plan Layout and Electrical Requirements by City Electrician

To: City Manager & City Council
From: Fort Atkinson Generals Baseball Board
Date: 3/15/21
RE: BASEBALL FEST AT JONES PARK

This is a formal request for approval of Baseball Fest 2021. I am submitting to you and the Council the itinerary for the 2021 Baseball Fest at Jones Park. Due to COVID-19 we have taken extra planning steps to ensure a safe and fun community event. The Board plans to follow all COVID guidelines provided by the County during the entirety of our event.

This event is sponsored by the Fort Atkinson Generals Baseball team. Baseball Fest will run June 17-20, involve the same carnival ride company, and lots of baseball! The food vendors are licensed by the Watertown Health Dept. for Jefferson County. All proceeds go to community programs and to improvements at Jones Park.

The Generals board will have more hand washing stations this year and the Carnival company will be providing a fogging machine for cleaning. For several years we have implemented an ID check for a wristband that allows the purchase of alcohol from the concession stand. All persons with an alcoholic beverage or wish to purchase alcohol must have this ID band.

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

The Fort Generals have donated over \$118,000 toward Jones Park improvements during the 17 years of their Baseball Fest event.

The Generals Board would be happy to address City Council please use the contacts below

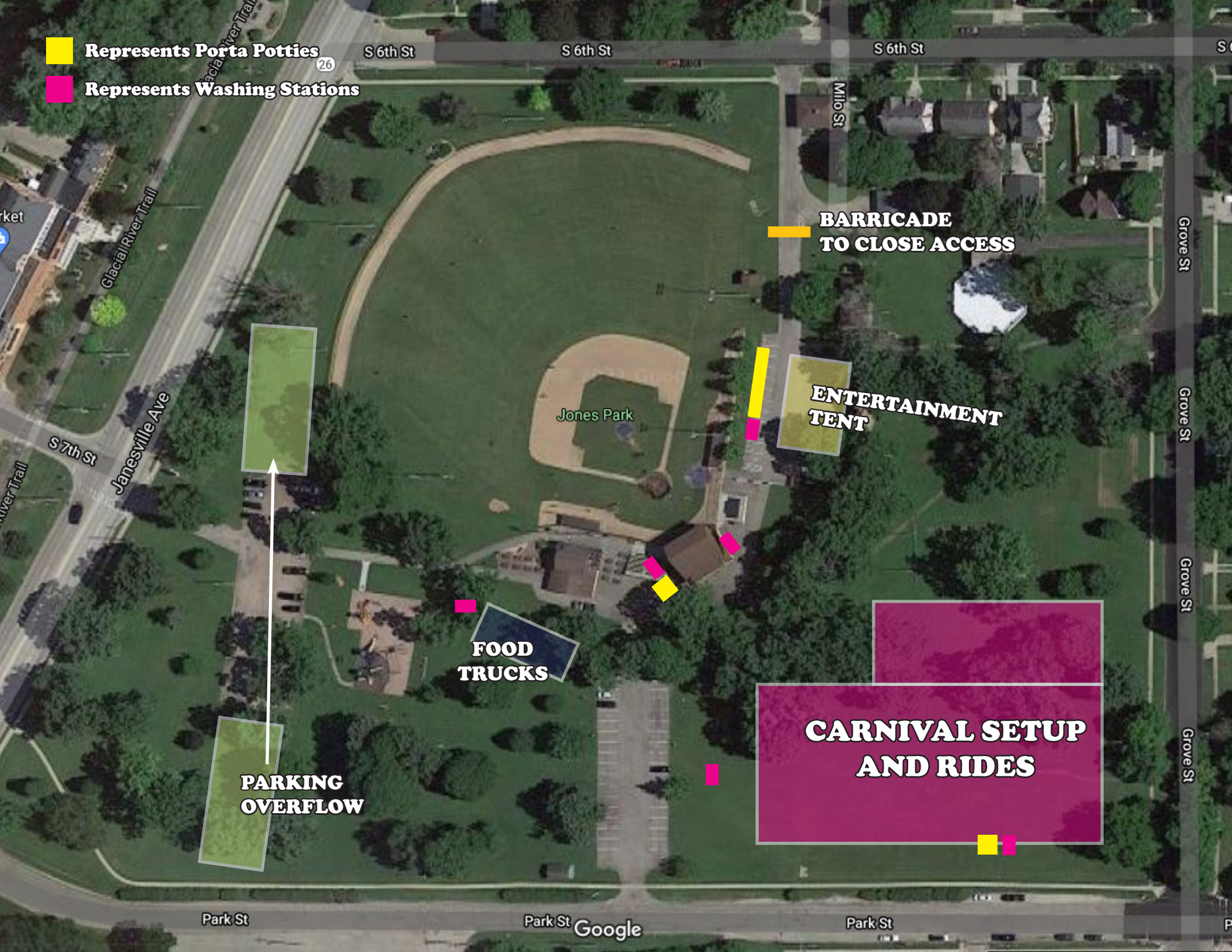
Contacts for the Fort Generals Baseball Fest:

Jim Roethel	(262) 617-6251	jroethel2011@gmail.com
Tim Garant	(920) 222-2184	tgarant74@gmail.com
Josh Smith	(262) 949-4596	jsmithxc@gmail.com
Trista Taylor	(920) 650-0796	tristabeach@gmail.com

Thank you for your time & consideration!

Trista Taylor
Fort Atkinson Generals Board Member

 **Represents Porta Potties**
 **Represents Washing Stations**



**BARRICADE
TO CLOSE ACCESS**

**ENTERTAINMENT
TENT**

**FOOD
TRUCKS**

**CARNIVAL SETUP
AND RIDES**

**PARKING
OVERFLOW**



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

MEMORANDUM

FROM: Jeff Armstrong, City Electrician
jarmstrong@fortatkinsonwi.net
(920) 563-7765

RE: Temporary Power Requirements for Special Events

All temporary power that is being sourced from City of Fort Atkinson power pedestals must meet the following requirements.

- 1) All extension cords operating at 120-volts shall be of 12-gauge wire minimum, with a ground wire. All cords shall be free of cuts, splices and any exposed wires.
- 2) Extension cord connections shall be limited to 1900 Watts/16 Amps at 120 volts. If you have any questions on your equipment please feel free to call or check the manufacture's tag.
- 3) No open wire pigtails or adaptors allowed.
- 4) All cord connection shall be secure and free of exposure to harsh conditions and weather.
- 5) Length shall be limited to 25 feet, if longer is required an approved connection covering will be required at the point of a cord to cord connection.
- 6) Ground Fault protection (GFCI) will be the responsibility of the end user.
- 7) All 240-volt connections shall be approved prior to the event thru the Fort Atkinson Electrical Department, requirements will be discussed at that time.



CITY OF FORT ATKINSON
Special Event Application

Name of Business/Group Organizing Event: Fort Atkinson Generals Baseball Team, Inc	
Contact Person for Event: Tim Garant - Agent for Fort Atkinson Generals Baseball Team, Inc	
Phone Number: (920) 222-1284	Email: tgarant74@gmail.com
Is the Business/Group Organizing Event: <input checked="" type="checkbox"/> For profit or <input type="checkbox"/> Non-Profit	
Special Event Details	
Event Name: Fort Atkinson Generals Baseball Festival	
Event Date: June 17th - 20th	
Event Location: 600 Janesville Avenue, Fort Atkinson, WI 53538 / Jones Park	
Estimated Number of Attendees: 2,500 + over the 4 days	Hours of Event: 17th & 18th: 6:15 pm - 11:59 pm / 19th: 10:00 am - 11:59 pm 20th: 12:00 pm - 4:00 pm
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: Possibly 6/19 - 7:30 pm to 11:00pm <input checked="" type="checkbox"/> I will be closing a street(s) <i>parking lot</i> 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 checked="" 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: <i>Timothy A Garant</i>	

Office Use Only

Date Submitted to Clerk: *4/1/21* Date Emailed to Departments: *4/1/21*

Department	Comments, Concerns, Action(s) to be taken
<input checked="" type="checkbox"/> Clerk/Treasurer	<i>alcohol license applied for, adequate bartenders, checking ID's</i>
<input checked="" type="checkbox"/> EMS - Ryan Brothers Ambulance	<i>no comments provided</i>
<input checked="" type="checkbox"/> Engineer and Building Inspection	<i>no comments</i>
<input checked="" type="checkbox"/> Electrician	<i>electrical requirements attached</i>
<input checked="" type="checkbox"/> Fire and Rescue Department	<i>no concerns</i>
<input checked="" type="checkbox"/> Library and Museum	<i>no concerns</i>
<input checked="" type="checkbox"/> Parks & Recreation	<i>supports event</i>
<input checked="" type="checkbox"/> Police Department	<i>addtl. officers on duty, associated overtime cost</i>
<input checked="" type="checkbox"/> Public Works Department	<i>no comments</i>
<input checked="" type="checkbox"/> Wastewater and Water Utility	<i>no comments</i>

Date Reported to City Council (if necessary): *4/20/2021*

Comments, Contingencies, Findings:



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

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

RE: Review and possible action relating to Special Event: Hoard Historical Museum Dairy Day at the MOOseum

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: Dairy Day at the MOOseum

Date: Saturday June 19, 2021

Location: Hoard Historical Museum Grounds, Foster Street / Whitewater Avenue

Contact Person: Merrilee Lee

Hours of Event: 11:00 am to 1:00 pm

Estimated Number of Attendees: 500+

Event information was routed to Departments without any concerns provided.

Public Works will provide appropriate barricades for traffic flow and closure.

FINANCIAL ANALYSIS

There is no financial impact to the City of Fort Atkinson for the event. Departments will assist with proper street closure barricades.

RECOMMENDATION

Staff recommends that City Council approve the Special Event for Hoard Historical Museum – Dairy Day at the MOOseum on Saturday June 19, 2021 and approve street closures as requested.

ATTACHMENTS

Special Event Application, Event Summary with Noted Street Closures and Site Plan

April 13, 2021

Ms. Rebecca LeMire, City of Fort Atkinson
101 N. Main St.
Fort Atkinson, WI 53538

Dear Ms. LeMire:

This is our formal request to be included in the agenda for a City Council meeting. The 7th Annual "Dairy Day at the MOOseum" is scheduled for Saturday, June 19th at the Hoard Historical Museum. This year's event will be a drive-thru event with participants' receiving a family-fun packet with crafts and dairy products to help support our dairy farmers.

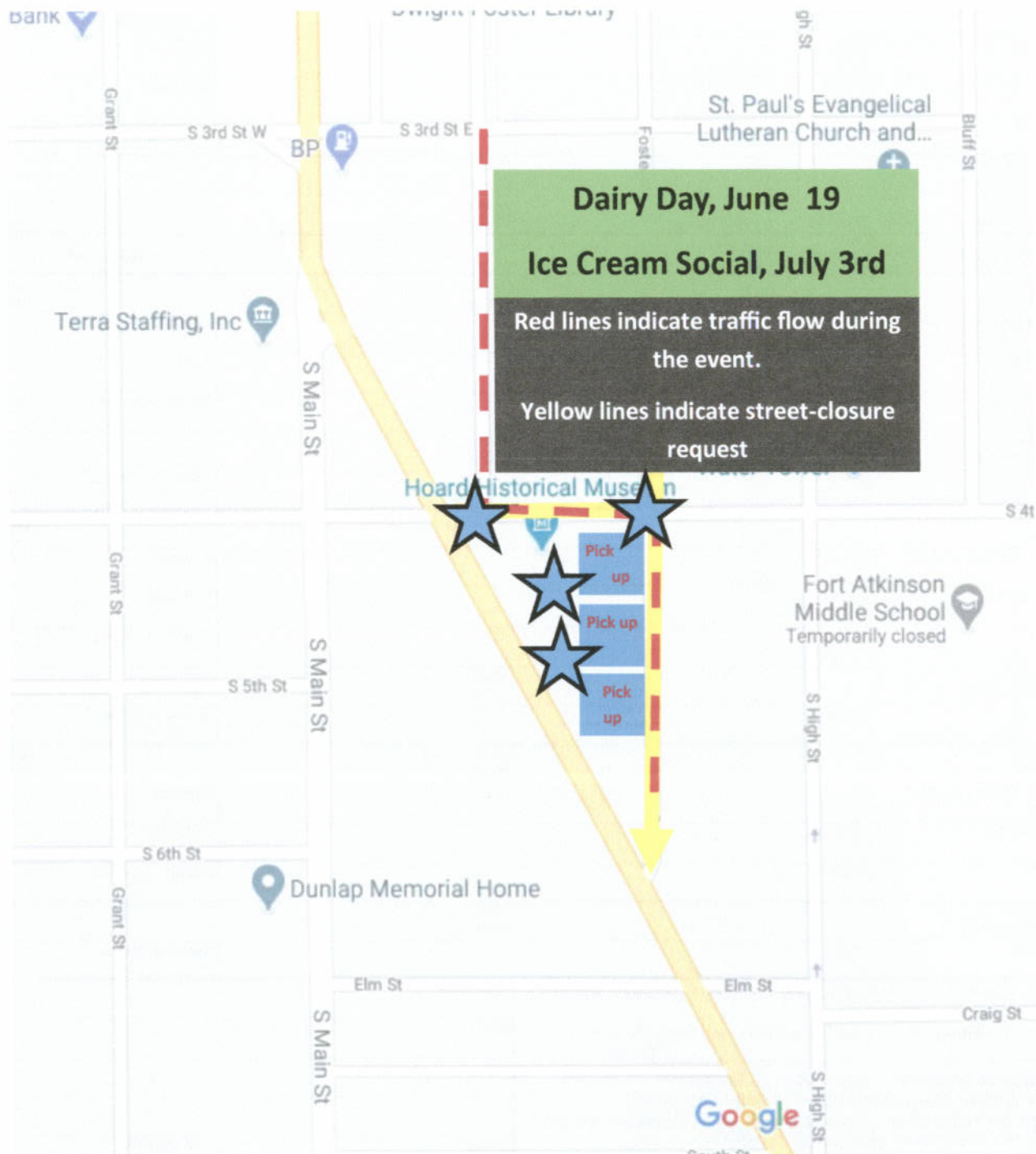
We would like to request the closure of Foster Street from 4th Street South to Whitewater Avenue for the event. We would also like to close the 100 block of S. 4th Street East to traffic from Whitewater Avenue to Foster Street. We would also like to request that the south side of the 100 block of 4th Street South would be designated as a "no parking" zone to allow the better flow of traffic through our event.

In the past, the street has been accessible to emergency personnel and for residents but closed to thru-traffic. Residents along the block are notified regarding the closure and invited the free event at the Museum. We would ask that the Department of Public Works place temporary barricades at the intersections of 4th Street South and Foster Street as well the intersection of Whitewater Avenue and Foster Street by Friday, June 18th. Museum staff and volunteers can place the barricades in the street once the event begins.

We are happy to work with city personnel in the organization of this event, and would appreciate the opportunity to answer any questions the council may have.

Sincerely,

Merrilee Lee
Museum Director, Hoard Historical Museum



Dairy Day, June 19

Ice Cream Social, July 3rd

Red lines indicate traffic flow during the event.

Yellow lines indicate street-closure request

Pick up

Pick up

Pick up

Dunlap Memorial Home

Fort Atkinson Middle School
Temporarily closed

Google



Location of
Museum
volunteers/staff



CITY OF FORT ATKINSON
Special Event Application

Name of Business/Group Organizing Event: <u>Hoard Historical Museum</u>	
Contact Person for Event: <u>Merilee Lee</u>	
Phone Number: <u>920-563-7769</u>	Email: <u>mlee@hoardmuseum.org</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>Dairy Day at the Museum</u>	
Event Date: <u>Saturday, June 19, 2021</u>	
Event Location: <u>Hoard Historical Museum grounds</u>	
Estimated Number of Attendees: <u>500+</u>	Hours of Event: <u>11 - 1 pm.</u>
Check all applicable boxes:	
<input 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 checked="" 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 checked="" 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>Merilee Lee</u>	

Office Use Only

Date Submitted to Clerk: 4/12/2021 Date Emailed to Departments: 4/12/2021

Department	Comments, Concerns, Action(s) to be taken
<input checked="" type="checkbox"/> Clerk/Treasurer	<u>no concerns</u>
<input checked="" type="checkbox"/> EMS - Ryan Brothers Ambulance	<u>no response</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>no concerns</u>
<input checked="" type="checkbox"/> Police Department	<u>supports traffic flow</u>
<input checked="" type="checkbox"/> Public Works Department	<u>will provide street closure signage</u>
<input checked="" type="checkbox"/> Wastewater and Water Utility	<u>no concerns</u>

Date Reported to City Council (if necessary):

Comments, Contingencies, Findings:



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

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

RE: Review and possible action relating to Special Event: Hoard Historical Museum Ice Cream Social

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: Ice Cream Social

Date: Saturday July 3, 2021

Location: Hoard Historical Museum Grounds, Foster Street / Whitewater Avenue

Contact Person: Merrilee Lee

Hours of Event: 1:00 pm to 3:00 pm

Estimated Number of Attendees: 500+

Event information was routed to Departments without any concerns provided.

Public Works will provide appropriate barricades for traffic flow and closure.

FINANCIAL ANALYSIS

There is no financial impact to the City of Fort Atkinson for the event. Departments will assist with proper street closure barricades.

RECOMMENDATION

Staff recommends that City Council approve the Special Event for Hoard Historical Museum – Ice Cream Social on Saturday July 3, 2021 and approve street closures as requested.

ATTACHMENTS

Special Event Application, Event Summary with Noted Street Closures and Site Plan

April 10, 2021

Ms. Rebecca LeMire, City of Fort Atkinson
101 N. Main St.
Fort Atkinson, WI 53538

Dear Ms. LeMire:

This is our formal request to be included in the agenda for a City Council meeting. The Annual "Ice Cream Social" is scheduled for Saturday, July 3rd at the Hoard Historical Museum. This year's event will be a drive-thru event with participants' receiving a family-fun packet with crafts and ice cream sandwiches.

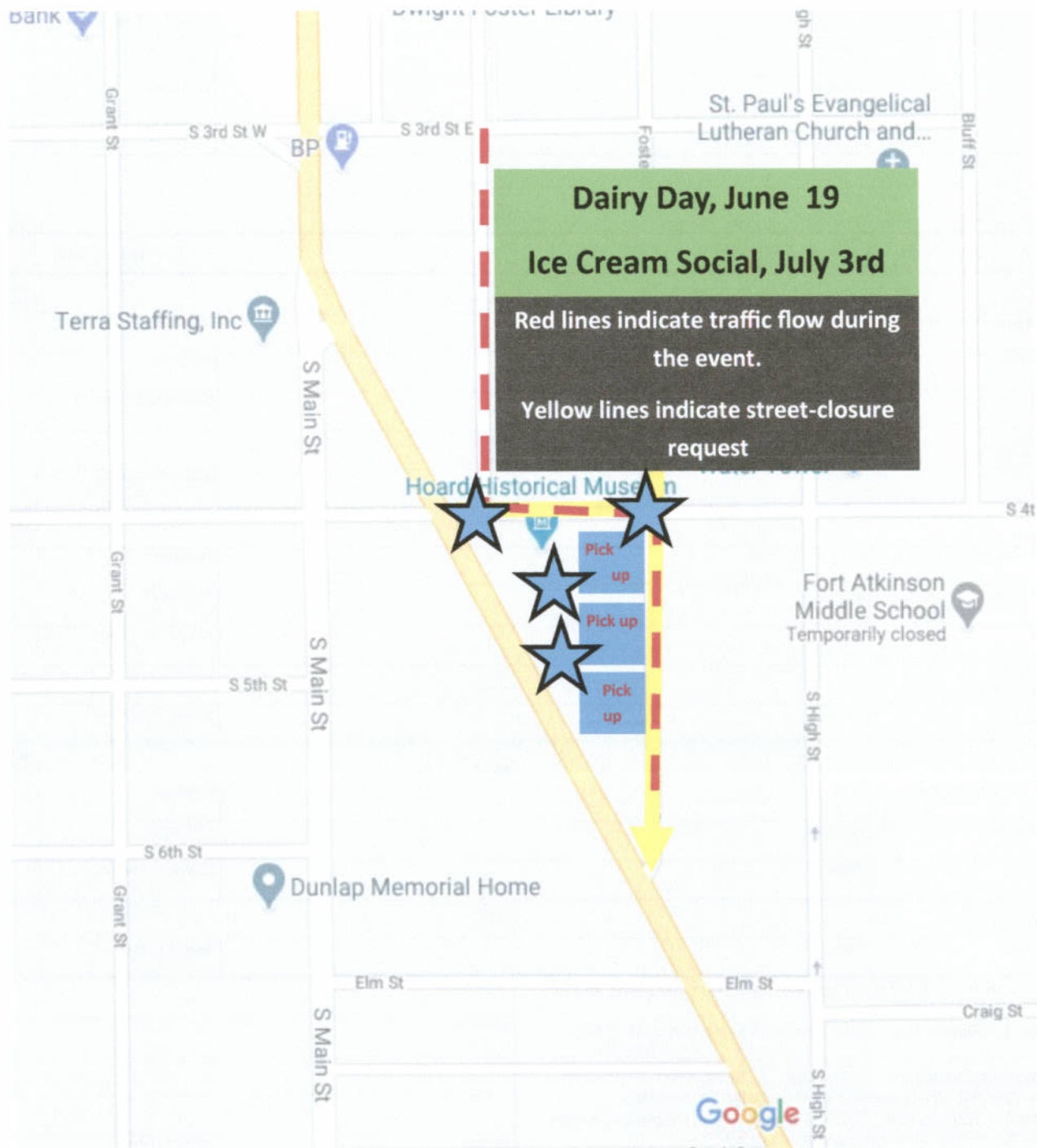
We would like to request the closure of Foster Street from 4th Street South to Whitewater Avenue for the event. We would also like to close the 100 block of S. 4th Street East to traffic from Whitewater Avenue to Foster Street. We would also like to request that the south side of the 100 block of 4th Street South would be designated as a "no parking" zone to allow the better flow of traffic through our event.

In the past, the street has been accessible to emergency personnel and for residents but closed to thru-traffic. Residents along the block are notified regarding the closure and invited the free event at the Museum. We would ask that the Department of Public Works place temporary barricades at the intersections of 4th Street South and Foster Street as well the intersection of Whitewater Avenue and Foster Street by Friday, July 2nd. Museum staff and volunteers can place the barricades in the street once the event begins.

We are happy to work with city personnel in the organization of this event, and would appreciate the opportunity to answer any questions the council may have.

Sincerely,

Merrilee Lee
Museum Director
Hoard Historical Museum



Location of
Museum
volunteers/staff



CITY OF FORT ATKINSON
Special Event Application

Name of Business/Group Organizing Event: <u>Hoard Historical Museum</u>	
Contact Person for Event: <u>Maile Lee</u>	
Phone Number: <u>920-563-7769</u>	Email: <u>Mlee@hoardmuseum.org</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>Ice Cream Social</u>	
Event Date: <u>Saturday, July 3 1-3p.m.</u>	
Event Location: <u>Hoard Historical Museum</u>	
Estimated Number of Attendees: <u>500+</u>	Hours of Event: <u>1-3p.m.</u>
Check all applicable boxes: <input 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 checked="" 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 checked="" 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>Maile Lee</u>	

Office Use Only

Date Submitted to Clerk: 4/12/2021 Date Emailed to Departments: 4/12/2021

Department	Comments, Concerns, Action(s) to be taken
<input checked="" type="checkbox"/> Clerk/Treasurer	<u>no concerns</u>
<input checked="" type="checkbox"/> EMS - Ryan Brothers Ambulance	<u>no response</u>
<input checked="" type="checkbox"/> Engineer and Building Inspection	<u>no comments</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>no comments</u>
<input checked="" type="checkbox"/> Police Department	<u>approves route, traffic flow</u>
<input checked="" type="checkbox"/> Public Works Department	<u>will provide street closure signage</u>
<input checked="" type="checkbox"/> Wastewater and Water Utility	<u>no comments</u>

Date Reported to City Council (if necessary):

Comments, Contingencies, Findings:



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

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

RE: Review and possible action relating to Special Event: FA Summer Charity Concerts

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: FA Summer Charity Concerts

Date: Wednesday June 30, 2021 and Wednesday July 14, 2021

Location: Barrie Park

Contact Person: Megan Hartwick

Hours of Event: 6:30 pm to 8:30 pm

Estimated Number of Attendees: 400+

Event information was routed to Departments without any concerns provided. Parks Department will provide proper receptacles.



FINANCIAL ANALYSIS

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

RECOMMENDATION

Staff recommends that City Council approve the Special Event FA Summer Charity Concerts in Barrie Park on Wednesday June 30th and Wednesday July 14th.

ATTACHMENTS

Special Event Application



CITY OF FORT ATKINSON
Special Event Application

Name of Business/Group Organizing Event: FA Summer Charity Concerts

Contact Person for Event: Megan Hartwick

Phone Number: 920-728-6061

Email: facharityconcerts@gmail.com

Is the Business/Group Organizing Event: ☐ For profit or ☒ Non-Profit

Special Event Details

Event Name: FA Summer Charity Concerts

Event Date: June 30 & July 14

Event Location: Barrie Park

Estimated Number of Attendees: 400

Hours of Event: 6:30-8:30pm

Check all applicable boxes:

☒ I am renting a City Park

Attach copy of paid park rental from Parks & Recreation (920) 563-7781.

☒ I will be having music

Start and end time of music: 6:30-8:30pm

☐ I will be closing a street(s)

Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771.

☐ 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.

☐ 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: Megan Hartwick

Office Use Only

Date Submitted to Clerk: 4/12/2021 Date Emailed to Departments: 4/12/2021

Department

Comments, Concerns, Action(s) to be taken

☒ Clerk/Treasurer

no concerns

☒ EMS - Ryan Brothers Ambulance

no comment provided

☒ Engineer and Building Inspection

no comment provided

☒ Electrician

☒ Fire and Rescue Department

no concerns

☒ Library and Museum

no concerns

☒ Parks & Recreation

will prep park, restrooms, supports events

☒ Police Department

no concerns, supports events

☒ Public Works Department

no concerns

☒ Wastewater and Water Utility

no comments

Date Reported to City Council (if necessary):

Comments, Contingencies, Findings:



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

MEMORANDUM

DATE: April 20, 2021

TO: Fort Atkinson City Council

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

RE: Review and possible action relating to Special Event: American Legion Post 166 Memorial Day Parade

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: Memorial Day Parade

Date: Monday, May 31, 2021

Location: Beginning at American Legion and ending at Evergreen Cemetery

Contact Person: Dan Juday

Hours of Event: 10:00 am to 12:00 pm

Estimated Number of Attendees: 400+

Event information was routed to Departments without any concerns provided. Police Department will provide escort from the Legion to the Cemetery on N. Main Street. Public Works will assist with street closure barricades. Chief Bump indicated extra Patrol will be provided which may result in overtime for the Police Department.

FINANCIAL ANALYSIS

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

RECOMMENDATION

Staff recommends that City Council approve the Special Event for American Legion Post 166 – Memorial Day Parade on Monday May 31, 2021 and street closures as noted.

ATTACHMENTS

Special Event Application, Event Description, Map with Route and Closures



CITY OF FORT ATKINSON
Special Event Application

Name of Business/Group Organizing Event: <u>American Legion Post 166</u>									
Contact Person for Event: <u>Daniel Tudy</u>									
Phone Number: <u>920 747 0691</u>	Email: <u>ifish920@gmail.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>Memorial Day Parade</u>									
Event Date: <u>31 May 21 - Monday</u>									
Event Location: <u>AL 166</u>									
Estimated Number of Attendees: <u>400</u>	Hours of Event: <u>1000 - 1200</u>								
<p>Check all applicable boxes:</p> <table style="width: 100%;"><tr><td><input type="checkbox"/> I am renting a City Park</td><td>Attach copy of paid park rental from Parks & Recreation (920) 563-7781.</td></tr><tr><td><input type="checkbox"/> I will be having music</td><td>Start and end time of music:</td></tr><tr><td><input checked="" type="checkbox"/> I will be closing a street(s)</td><td>Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771.</td></tr><tr><td><input type="checkbox"/> I will be selling beer and/or wine*</td><td>Attach Temporary License and Bartender/Operator Applications. Contact City Clerk (920) 563-7760</td></tr></table> <p>*Restroom Plan also required with sales of beer and/or wine. Refer to the Special Event Guide.</p> <p><input type="checkbox"/> I will be erecting a tent, canopy or other temporary structure.</p>		<input 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 checked="" 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
<input 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 checked="" 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								
<p>By signing, I agree to the following statements:</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: <u>[Signature]</u></p>									
<i>Office Use Only</i>									
Date Submitted to Clerk: <u>4/12/2021</u>	Date Emailed to Departments: <u>4/12/2021</u>								
Department	Comments, Concerns, Action(s) to be taken								
<input checked="" type="checkbox"/> Clerk/Treasurer	<u>no concerns</u>								
<input type="checkbox"/> EMS - Ryan Brothers Ambulance									
<input type="checkbox"/> Engineer and Building Inspection									
<input type="checkbox"/> Electrician									
<input type="checkbox"/> Fire and Rescue Department									
<input type="checkbox"/> Library and Museum									
<input type="checkbox"/> Parks & Recreation									
<input type="checkbox"/> Police Department									
<input type="checkbox"/> Public Works Department									
<input type="checkbox"/> Wastewater and Water Utility									
Date Reported to City Council (if necessary):									
Comments, Contingencies, Findings:									

American Legion Post 166
Memorial Day Committee
Daniel Juday, Secretary

W4887 State Rd 106
FORT ATKINSON, WI. 53538

April 12, 2021

City Council
City of Fort Atkinson
111 North Main St.
Fort Atkinson, WI. 53538

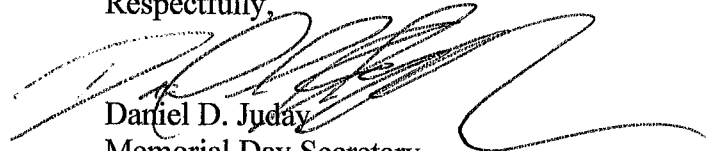
Re: Memorial Day Program

Councilmembers,

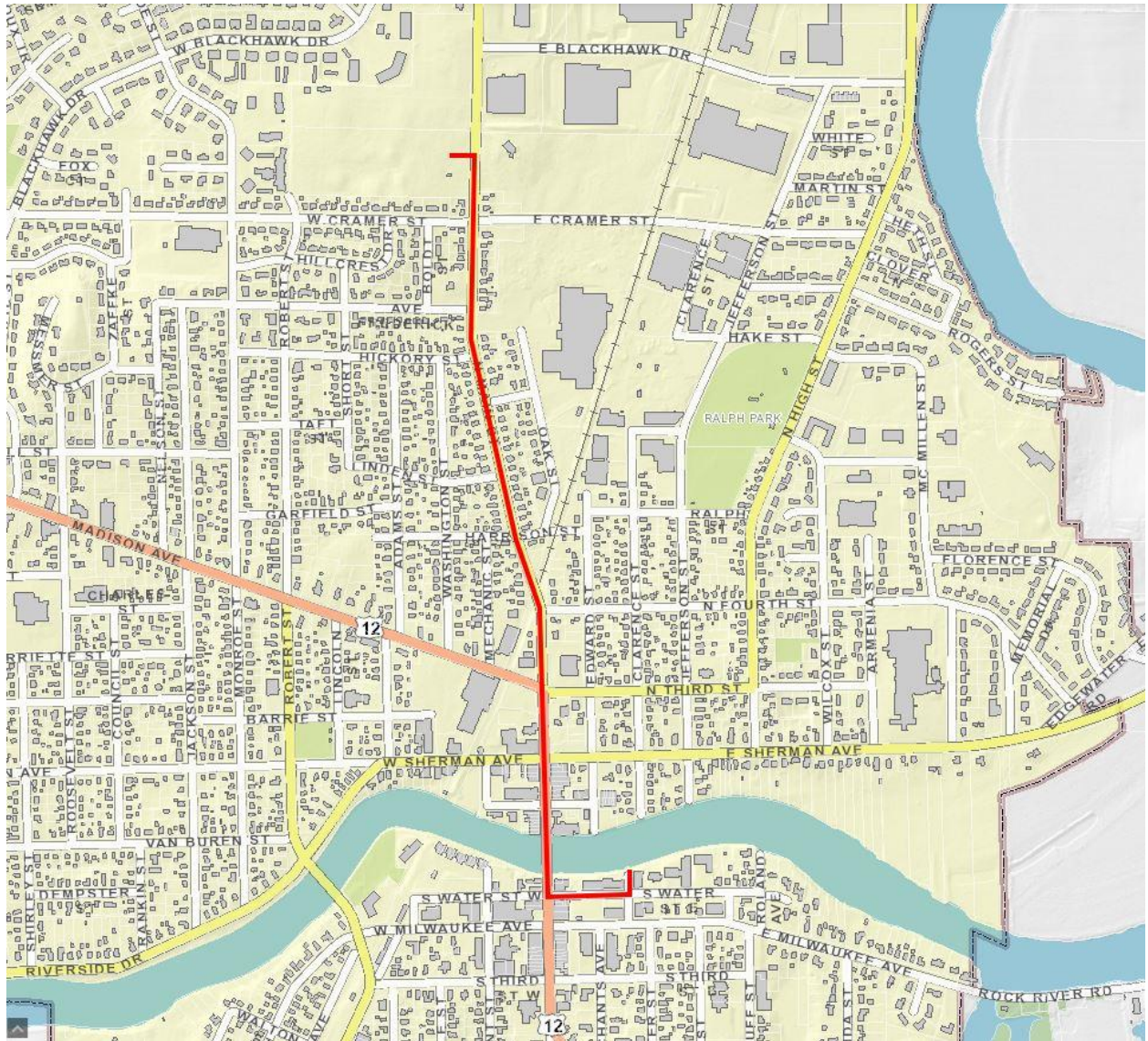
The Memorial Day Committee of Fort Atkinson respectfully requests permission to hold a parade on Monday, May 31, 2021 at 10 AM for the purpose of honoring service members who have given the ultimate sacrifice in defense of our country. The parade will begin at the American Legion Post 166(201 S Water St E.) in the city of Fort Atkinson and continue northbound on Main St. to the Evergreen Cemetery.

On behalf of the Memorial Day Committee, I would further like to invite the members of the City Council, as well as the City Manager, to ride in the Memorial Day Parade. Transportation will be furnished to the cemetery and back to the Dugout. We would ask that all who wish to participate be at the Legion Dugout at no later than 9:45 am on that day. Contact parade vehicle POC Bill Imiland(also VFW Commander) upon arrival.

Respectfully,



Daniel D. Juday
Memorial Day Secretary
Phone: (920) 747-0691
IFish920@GMail.com





CITY OF FORT ATKINSON
Special Event Application

Name of Business/Group Organizing Event: <u>American Legion Post 166</u>	
Contact Person for Event: <u>Daniel Juday</u>	
Phone Number: <u>920 747 0691</u>	Email: <u>ifish920@gmail.com</u>
Is the Business/Group Organizing Event: <input type="checkbox"/> For profit or <input type="checkbox"/> Non-Profit	
Special Event Details	
Event Name: <u>Memorial Day Parade</u>	
Event Date: <u>31 May 21 - Monday</u>	
Event Location: <u>AL 166</u>	
Estimated Number of Attendees: <u>400</u>	Hours of Event: <u>1000 - 1200</u>

Check all applicable boxes:

- ☐ I am renting a City Park Attach copy of paid park rental from Parks & Recreation (920) 563-7781.
- ☐ I will be having music Start and end time of music:
- ☒ I will be closing a street(s) Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771.
- ☐ 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.
- ☐ 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:

Office Use Only

Date Submitted to Clerk: 4/12/2021 Date Emailed to Departments: 4/12/2021

Department	Comments, Concerns, Action(s) to be taken
<input checked="" type="checkbox"/> Clerk/Treasurer	<u>no concerns</u>
<input checked="" type="checkbox"/> EMS - Ryan Brothers Ambulance	<u>no response</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, will be present</u>
<input checked="" type="checkbox"/> Library and Museum	<u>no concerns</u>
<input checked="" type="checkbox"/> Parks & Recreation	<u>no concerns</u>
<input checked="" type="checkbox"/> Police Department	<u>will provide escort, overtime may occur</u>
<input checked="" type="checkbox"/> Public Works Department	<u>will provide street closure signage</u>
<input checked="" type="checkbox"/> Wastewater and Water Utility	<u>no concerns</u>

Date Reported to City Council (if necessary):

Comments, Contingencies, Findings:



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

MEMORANDUM

DATE: April 20, 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
Megan J Haskins	Stop N Go	X
Devin A Wiedenhoeft	Creamery 201	X
Rachel E Stevenson	Bienfang's Bar	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 1st.

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: April 20, 2021

TO: Fort Atkinson City Council

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

RE: Review and possible action relating to the Monthly Financials as of March 31, 2021 and First Quarter 2021 Highlights

BACKGROUND

Financial statements are provided monthly to reflect financial activity the prior month and include year-to-date balances. Quarterly, staff also provides a series of highlights for certain notable accounts and funds.

DISCUSSION

The regular March 2021 financial statements are attached to this memo. Additionally, the first quarter highlights are also attached. This year, staff added history data from 2019 and 2020 to compare the 2021 status of these notable accounts and funds to the prior years. The attached spreadsheet provides the following information broken down by fund: Account Number, Account Name, and Percent of first quarter compared to budget for years 2019 and 2020. The final columns include the 03/31/2021 balance, 2021 budget and percent compared to budget.

FINANCIAL ANALYSIS

The City remains in a positive financial position. There are no major concerns relating to first quarter revenues or expenditures.

RECOMMENDATION

Staff recommends that the City Council accept and file the monthly financial statements as of March 31, 2021. The quarterly highlights are for information purposes only.

ATTACHMENTS

First Quarter 2021 Highlights

Monthly Financials as of March 31, 2021 (separate attachment)

FIRST QUARTER FINANCIAL HIGHLIGHTS - 2021

		2019	2020	2021			Comments
		Percent of Budget	Percent of Budget	First Quarter 3/31/2021	Budget 12/31/2021	Percent of Budget	
FUND 1 - GENERAL FUND							
01-43-0043-3200	DOG & CAT LICENSE	33.6%	28.7%	\$ (10,675.24)	\$ (20,000.00)	53.4%	Higher than average first quarters over past years.
01-43-0043-5100	BUILDING PERMITS	17.3%	15.7%	\$ (6,954.75)	\$ (29,000.00)	24.0%	
01-43-0043-5200	ELECTRICAL PERMITS	23.3%	16.2%	\$ (2,765.50)	\$ (9,000.00)	30.7%	
01-43-0043-5300	PLUMBING PERMITS	9.5%	23.2%	\$ (1,332.00)	\$ (6,000.00)	22.2%	Similar to 2020, increase from first quarter 2019.
01-43-0043-6100	COURT PENALTIES & COSTS	35.0%	36.6%	\$ (34,632.84)	\$ (80,000.00)	43.3%	Higher than average first quarters over past years.
01-43-0043-6200	PARKING VIOLATIONS	61.0%	63.6%	\$ (18,363.00)	\$ (30,000.00)	61.2%	Stable percentage collected over three years.
01-44-0044-6100	LIBRARY-MISCELLANEOUS	16.5%	26.3%	\$ (451.31)	\$ (3,500.00)	12.9%	Reduction in charging fines, limited hours.
01-44-0044-6110	LIBRARY-FINES	17.0%	11.1%	\$ (142.57)	\$ (2,500.00)	5.7%	Less foot traffic utilizing services.
01-48-0048-1100	INTEREST ON GENERAL INVESTMENT	247.7%	231.1%	\$ (3,473.92)	\$ (14,000.00)	24.8%	Drastic interest rate reduction, not anticipating an interest rate increase for quite sometime.
01-51-5132-0600	MANAGER-Supplies	10.7%	22.2%	\$ 11,348.37	\$ 3,200.00	354.6%	January Interim Manager wages
01-51-5143-0600	ELECTIONS-Supplies	91.2%	65.5%	\$ 2,387.07	\$ 2,500.00	95.5%	Does not include April election expenses, increase in firmware cost for DS200 ballot machines.
01-51-5152-0100	ASSESSOR-Salaries Contract	43.0%	49.3%	\$ 21,346.64	\$ 43,280.00	49.3%	Majority of contract paid up first quarter of year.
01-52-5211-2000	PD-K-9 Unit	9.9%	15.7%	\$ 1,462.22	\$ 401.23	364.4%	Account offset by donations.
01-52-5242-1300	ELECTRICAL-Tools	32.1%	31.5%	\$ 554.86	\$ 500.00	111.0%	Electrician tracks purchases for other Departments and will get reimbursed by various Dept expense accounts.
01-52-5291-0600	EMERGENCY MNGMNT-Supplies	16.5%	16.2%	\$ 4,957.87	\$ 4,000.00	123.9%	PPE equipment, offset by Grants
01-53-5343-0000	HUMANE SOCIETY	99.5%	100.1%	\$ 33,208.68	\$ 34,100.00	97.4%	Contract paid up front for entire year.
01-54-5412-1100	GARAGE-Natural Gas	33.4%	42.7%	\$ 7,889.00	\$ 17,000.00	46.4%	Natural Gas will be used less as weather warms. This is average for first quarter.
01-54-5435-0100	SNOW & ICE-Salaries	52.8%	43.4%	\$ 57,701.20	\$ 100,314.42	57.5%	Wages reflect more snow fall clean up.
01-54-5435-0600	SNOW & ICE-Supplies	70.9%	13.6%	\$ 6,923.93	\$ 10,000.00	69.2%	2019 and 2021 plow/blade repairs
01-54-5435-0700	SNOW & ICE-Sand-Salt	60.5%	22.1%	\$ 12,634.56	\$ 80,000.00	15.8%	Less salt purchase in 2021.
01-56-5644-0600	ECON DEV-Expenses	70.2%	0.0%	\$ 2,194.00	\$ 5,000.00	43.9%	Expenses for U-Haul site plan, will be reimbursed by U-Haul.
FUND 2 - WASTEWATER UTILITY							
02-00-0001-0099	CASH ALLOCATED TO OTHER FUNDS	#DIV/0!	#DIV/0!	\$ 2,484,991.36	\$ -	#DIV/0!	Treasurer's cash is stable and strong.
02-00-1001-2500	REPLACEMENT FUNDS	#DIV/0!	#DIV/0!	\$ 106,400.49	\$ -	#DIV/0!	Cash account used for replacement, majority occurred in 2020.
Revenues at 30% / Expenses at 13%							
FUND 3 - WATER UTILITY							
03-00-0001-0099	CASH ALLOCATED TO OTHER FUNDS	#DIV/0!	#DIV/0!	\$ 649,883.77	\$ -	#DIV/0!	Cash balance increasing.
Revenues at 22% / Expenses at 12%							

FIRST QUARTER FINANCIAL HIGHLIGHTS - 2021

		2019	2020	2021			Comments
		Percent of Budget	Percent of Budget	First Quarter 3/31/2021	Budget 12/31/2021	Percent of Budget	
FUND 4 - DEBT SERVICE							
Debt payments made timely.							
FUND 5 - TRANSPORTATION IMPROVEMENTS							
05-50-0041-1700	MOTOR VEHICLE REGIS FEE	19.1%	15.8%	\$ (33,799.00)	\$ (208,000.00)	16.2%	Municipal Vehicle Registration Fee
05-60-0064-3100	ROADWAY OF STREETS	0.4%	1.4%	\$ 7,296.51	\$ 708,000.00	1.0%	Budgeted 2021 street repair
FUND 6 - BUSINESS REVOLVING LOAN FUND		of Budget	of Budget	3/31/2021	12/31/2021	of Budget	
06-00-0001-3203	Long-Term Rec Blodgett Garden	#DIV/0!	#DIV/0!	\$ 80,488.43	\$ -	#DIV/0!	Loan payments made to date, timely.
06-00-0001-3205	Long-Term Rec Badger 47 LLC	#DIV/0!	#DIV/0!	\$ -	\$ -	#DIV/0!	Loan paid off February 2021.
06-00-0001-3206	Long-Term Rec Fort Investments	#DIV/0!	#DIV/0!	\$ 118,919.87	\$ -	#DIV/0!	Loan payments made to date, timely.
FUND 7 - EMS FUND							
07-44-0044-2300	EMS-Service Revenue	16.5%	39.1%	\$ (7,398.52)	\$ (10,000.00)	74.0%	Revenue exceeding expectations to date.
FUND 8 - LODGING ROOM TAX / CITY SCAPE							
08-41-0041-2200	LODGING ROOM TAX	0.0%	0.1%	\$ (7.34)	\$ (30,000.00)	0.0%	Most revenues received month following quarter end.
08-56-5636-0600	CITY SCAPE-Supplies	0.9%	3.8%	\$ 418.00	\$ 93,759.96	0.4%	Balance carries over to future year, no notable expenses to date.
FUND 10 - STORMWATER UTILITY							
10-00-0001-0099	CASH ALLOCATED TO OTHER FUNDS	#DIV/0!	#DIV/0!	\$ 93,228.21	\$ -	#DIV/0!	Used for repairs instead of borrowing.
Revenues at 25% / Expenses at 8%							
FUND 12 - R.L. KLEMENT BUS PARK - TIF #6							
12-40-0049-2300	TAX INCREMENT	103.9%	99.0%	\$ (136,417.36)	\$ (137,000.00)	99.6%	Tax increment slight increase over prior years.
FUND 13 - DOWNTOWN ECON DEV - TIF #7							
13-40-0049-2300	TAX INCREMENT	103.3%	98.6%	\$ (416,208.22)	\$ (420,000.00)	99.1%	\$6,000 Increase in increment from prior year.
FUND 14 - NORTHWEST CORRIDOR - TIF #8							
14-40-0049-2300	TAX INCREMENT	104.3%	101.7%	\$ (735,545.94)	\$ (740,000.00)	99.4%	\$100,000 Increase in increment from prior year.

FIRST QUARTER FINANCIAL HIGHLIGHTS - 2021

		2019	2020	2021			Comments
		Percent of Budget	Percent of Budget	First Quarter 3/31/2021	Budget 12/31/2021	Percent of Budget	
FUND 17 - SUBSIDIZED TAXI PROGRAM							
17-57-5770-3000	SUBSIDIZED TAXI SERVICE	10.4%	17.8%	\$ 186,461.83	\$ 93,056.83	200.4%	Five months from 2020 paid in 2021. Funds from 2020 carried over to 2021.
FUND 18 - CDBG CLOSE - LORMAN ST / OAK ST / HAKE ST							Accounts will be created in response to required reporting.
FUND 19 - CDBG CLOSE - WATER IMPROVEMENTS							Accounts will be created in response to required reporting.
FUND 20 - MUNICIPAL AIRPORT							
The accounts and transaction history was pulled from the General Fund.							
20-44-0044-4400	AIRPORT	4.8%	0.0%	\$ -	\$ (16,000.00)	0.0%	Revenue account for hangar rentals, due June / Nov
20-44-0044-4410	AIRPORT FUEL SALES	6.0%	3.6%	\$ (5,121.63)	\$ (75,000.00)	6.8%	Revenue for fuel sales to customers .
20-54-5453-1100	AIRPORT-Fuel for Resale	20.0%	15.7%	\$ 8,117.60	\$ 75,000.00	10.8%	Expense account for fuel purchase.
FUND 21 - CAPITAL CATALYST GRANT							
21-40-0050-1100	TRANS FROM F1 - MATCHING GRANT	#DIV/0!	#DIV/0!	\$ (300,000.00)	\$ -	#DIV/0!	Trans approved by EDC 07/15/2020, Council 07/21/2020