



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

**CITY COUNCIL MEETING  
REMOTE VIA PHONE USING ZOOM  
TUESDAY, AUGUST 17, 2021 – 7:00 PM**

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**1. CALL MEETING TO ORDER**

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

**2. ROLL CALL**

Present: Cm. Becker, Cm. Hartwick, Cm. Housley, Cm. Johnson and President Scherer. Also present: City Manager, City Attorney, City Engineer, City Clerk/Treasurer, Police Chief, Library Director, Public Works Superintendent, Fire Chief and Park & Recreation Director.

**3. PUBLIC HEARINGS – NONE**

**4. PUBLIC COMMENT:**

Ann Engelman, 428 Sherman Ave E spoke in favor of the Plan Commission action to approve a mural of a poem

Cynthia Ficenec, 414 Maple Street provided support for the City Departments from the Oak Street fire that occurred on August 10<sup>th</sup>. She had concerns for the cause of the fire and had questions in regard to the property.

**5. CONSENT AGENDA:**

- a) Review and possible action relating to the minutes of the August 3, 2021 Ordinance Committee meeting (Ebbert)*
- b) Review and possible action relating to the minutes of the August 3, 2021 regular City Council meeting (Ebbert)*
- c) Review and possible action relating to the minutes of the August 10, 2021 Plan Commission meeting (Ebbert)*
- d) City Sewer, Water, and Stormwater Utility Financial Statements as of July 30, 2021 (Ebbert)*
- e) Review and possible action relating to building, plumbing, and electrical permit report for July, 2021 (Juarez)*
- f) Review and possible action relating to the City Clerk-issued License and Permit Report for July 2021 (Ebbert)*
- g) Review and possible action relating to the Appointment of Jeanne Delacruz-Raub to the Police and Fire Commission for the remainder of a five-year term expiring in 2026 (LeMire)*
- h) Review and possible action relating to the Police Chief's recommendations for Trick or Treat hours (10/31/21 1:00–4:00 p.m.) and Trunk or Treat hours (10/31/21 6:00–8:00 p.m. at Jones Park) (Bump)*

- i) Review and possible action relating to Special Event: Trunk or Treat on October 31, 2021 at Jones Park (Ebbert)*
- j) Review and possible action relating to a Temporary Class "B"/"Class B" Retailer's License for the Fort Atkinson Club Summer Patio Concert on August 20, 2021 (Ebbert)*
- k) Review and possible action relating to a request to extend the licensed premise of Café Carpe for outdoor consumption of alcohol during Rhythm Remix event, August 21, 2021 (Ebbert)*

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

## **6. PETITIONS, REQUESTS, AND COMMUNICATIONS**

*a) Notice of Intent to meet in-person and via Zoom (hybrid) for City Council meetings starting September 7, 2021 (LeMire)*

No action was required.

## **7. RESOLUTIONS AND ORDINANCES:**

*a) First reading of an Ordinance to amend Sections 2-52(c) and 15.10.13(2) and to create Section 2-3 of the City of Fort Atkinson Municipal Code relating to allowing electronic participation at meetings by members of the City Council, Boards, Commissions, and Committees (LeMire)*

Cm. Hartwick moved, seconded by Cm. Becker to direct the City Manager to prepare this Ordinance for a second reading at the meeting on September 7, 2021. Motion carried.

*b) Second reading of an Ordinance to Amend the Official Zoning Map of the City of Fort Atkinson for the property located at 520 Edward Street/509 Clarence Street, from MI, Medium Industrial, and TF-10, Two-Flat Residential, to I, Institutional Zoning District, to accommodate the redevelopment of the site for the Badgerland After School Enrichment (BASE) Program (ZMA-2021-03) (Selle)*

Cm. Becker moved, seconded by Cm. Johnson to direct the City Manager to prepare this Ordinance for a third reading at the meeting on September 7, 2021. Motion carried.

*c) Final reading of an Ordinance to create Section 58-76 (d) of the City of Fort Atkinson Municipal Code relating to alcohol prohibitions on streets, sidewalks, and public rights-of-way (LeMire/Bump)*

The Council discussed the Ordinance in depth with varying opinions for and against the approval. Cm. Hartwick and Cm. Johnson surveyed members of the Community that suggested to not approve the Ordinance or set a timeframe to disallow open intoxicants between certain hours.

Cm. Becker moved, seconded by Cm. Housley to adopt the Ordinance creating Section 58-76 (d) of the City of Fort Atkinson Municipal Code relating to alcohol prohibition on streets, sidewalks, and

public rights-of-way. Motion carried with Becker, Housley and Scherer voted in favor. Hartwick and Johnson voted against.

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

*a) City Manager's Report (LeMire)*

No action was required.

*b) Report from the Fire Chief – Update on 700 Oak Street Fire (Rausch)*

No action was required.

**9. UNFINISHED BUSINESS – NONE**

**10. NEW BUSINESS:**

*a) Review and possible action relating to Fire Station Change Order #8 in the amount of \$8,221.00 (Rausch)*

No action was required as this item was not discussed.

*b) Review and possible action relating to the selection of a Design Engineer for the 2022 CDBG Water Main Replacement Project (Selle)*

Engineer Selle stated that five firms provided RFP for the large project to replace water mains in 2022. This will be funded by the grant and budgeted funds from the water and streets.

Cm. Hartwick moved, seconded by Cm. Johnson to enter into a Contract with Ruekert-Mielke for the design work, Geotech, and bid services for the 2022 CDBG Water Main Replacement Project in an amount not to exceed \$56,230, to be funded through the CDBG-Close Grant. Motion carried.

*c) Review and possible action relating to a one-lot Certified Survey Map for the Kwik Trip project located at 1680 Janesville Avenue (Selle)*

Cm. Hartwick moved, seconded by Cm. Becker to approve a one-lot CSM for the Kwik Trip project located at 1680 Janesville Avenue. Motion carried.

*d) Review and possible action relating to a Development Agreement between the City of Fort Atkinson and Kwik Trip, Inc. for the project located at 1680 Janesville Avenue (Selle)*

Engineer Selle stated this is the last of the approvals for Kwik Trip. Major commitments include a turning lane on Janesville Avenue, future improvements with Comprehensive Plan corridor and utility easements as noted on the CSM.

Cm. Becker moved, seconded by Cm. Johnson to approve a Development Agreement between the City of Fort Atkinson and Kwik Trip, Inc. for the project located at 1680 Janesville Avenue. Motion carried.

*e) Review and possible action relating to a three-lot Certified Survey Map for the True*

*Storage project located at 1425 Janesville Avenue (Selle)*

Engineer Selle provided the recommendation from Plan Commission for the CSM.

Cm. Hartwick moved, seconded by Cm. Becker to approve a three-lot CSM for the True Storage project located at 1425 Janesville Avenue. Motion carried

*f) Review and possible action relating to Development Agreement between the City of Fort Atkinson and True Storage for the project located at 1425 Janesville Avenue (Selle)*

Cm. Becker moved, seconded by Cm. Johnson to approve a Development Agreement between the City of Fort Atkinson and True Storage for the project located at 1425 Janesville Avenue. Motion carried.

#### **11. MISCELLANEOUS – NONE**

#### **12. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS:**

*a) Review and possible action relating to the Verified Claims presented by the Director of Finance and authorization of payment (Ebbert)*

Cm. Becker moved, seconded by Cm. Johnson to approve the list of verified claims and authorize payment. Motion carried.

#### **13. THE CITY COUNCIL MAY CONSIDER A MOTION TO CONVENE IN CLOSED SESSION PURSUANT TO STATE STAT. §19.85(1)(C) TO CONSIDER EMPLOYMENT, PROMOTION, COMPENSATION, OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY [6-MONTH REVIEW OF THE CITY MANAGER]**

Cm. Hartwick moved, seconded by Cm. Becker to adjourn into closed session pursuant to State Stat. §19.85(1)(c) to consider employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for the 6-month review of the City Manager. Motion carried unanimously.

#### **14. ADJOURNMENT**

Cm. Hartwick moved, seconded by Cm. Becker to adjourn. Meeting adjourned at 8:54 pm.

Respectfully submitted  
Michelle Ebbert  
City Clerk/Treasurer