



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

**CITY COUNCIL MEETING
IN PERSON AND VIA ZOOM
TUESDAY, NOVEMBER 21, 2023 – 7:00 PM
CITY HALL – SECOND FLOOR**

1. CALL MEETING TO ORDER

President Pro-Tem Schultz called the meeting to order at 7:00 pm.

2. ROLL CALL

Present: Cm. Becker, Cm. Jaeckel, Cm. Lescohier and President Pro-Tem Cm. Schultz. Also present: City Manager, City Clerk/Treasurer, City Attorney, City Engineer, Park & Recreation Director, Water Supervisor and Wastewater Supervisor.

Excused absence: President Johnson.

3. PUBLIC HEARINGS – NONE

4. PUBLIC COMMENT:

Mary Kay Weston, 1003 Madison Avenue – stated she was a 2023 local government academy participant. Spoke on allowing public comment at Plan Commission meetings, specifically the meeting held on November 14th; and encourages public participation.

Tony Gulig, 106 S. 6th Street – spoke on proposed CSM and site plan for Dollar Tree that was reviewed by Plan Commission at their November 14th meeting.

Pete Weston, 1003 Madison Avenue – spoke on the proposed Dollar Tree site plan reviewed by the Plan Commission at their November 14th meeting. He would like the aesthetics of the proposed building be reviewed.

Dean Trost, 1315 Montclair Place – thanked the Council for passing the Ordinance allowing ATV/UTV in the City. He inquired on ATV/UTV usage in reference to the Holiday Parade.

5. CONSENT AGENDA:

- a) Review and possible action relating to the minutes of the November 7, 2023 regular City Council meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- b) Review and possible action relating to the minutes of the November 13, 2023 Transportation and Traffic Review Committee meeting (Selle, City Engineer/Director of Public Works)*
- c) Review and possible action relating to the minutes of the November 14, 2023 regular Plan Commission meeting (Ebbert, Clerk/Treasurer/Finance Director)*

- d) Review and possible action relating to the minutes of the November 14, 2023 License Committee meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- e) Review and possible action relating to building, plumbing, and electrical permit report for October 2023 (Draeger, Building Inspector/Zoning Administrator)*
- f) Review and possible action relating to the City Clerk-issued License and Permit Report for October 2023 (Ebbert, Clerk/Treasurer/Finance Director)*
- g) City Sewer, Water, and Stormwater Utility Financial Statements as of October 31, 2023 (Ebbert, Clerk/Treasurer/Finance Director)*
- h) Review and possible action relating to Alcohol Beverage License Agent Change for Handyspot 105, LLC, 303 S. Main Street (Ebbert, Clerk/Treasurer/Finance Director)*
- i) Review and possible action relating to Special Event: Badger Bank Horse Drawn Wagon Rides and Santa visit, December 2, 10 a.m.-1 p.m., located at Badger Bank, 220 Grant Street and surrounding blocks (Ebbert, Clerk/Treasurer/Finance Director)*

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

6. PETITIONS, REQUESTS, AND COMMUNICATIONS:

- a) Presentation from Trilogy Consulting, LLC. relating to the City's Stormwater Utility, Water Utility, and Wastewater Utility (Selle, City Engineer/Director of Public Works)*

Engineer Selle and Trilogy Consulting reviewed the analyses of the three utilities with plans to increase rates to accommodate growth, infrastructure enhancements and debt management. Selle provided the summary for each utility:

STORMWATER UTILITY

- A lack of rate increases over the last 3 years will end in 2024 with an increase of \$13.13 / ERU for a total of \$65.63 annually (25%).
- ERU = Equivalent Residential Unit = 3,096 Square feet of impervious surface on a parcel.
- Residential bills include a single ERU, Non-residential properties have their impervious surface (ERUs) measured specifically for their site.
- The Utility is projected to require several rate increases in coming years to meet major project needs including TMDL projects, borrowing costs for the Public Works and Parks Facility, and maintenance and replacement of existing stormwater infrastructure.
- This projected increase, at present, still places our Utility rates below those of our peer communities in the Rock River Basin.

WATER UTILITY

- Our analysis in support of the successful rate case in 2020-2021 has held true except that the cost of hydrants, services, and road surface replacement have been increasing faster than anticipated.
- All of these increased costs can be managed by utilizing the Simple Rate Case procedure allowed through the PSC annually to increase utility revenues slightly without a detailed case study.
- Staff will learn in spring 2024 whether the financial results of 2023 allow the Utility to qualify for this Simple Rate Case increase, the allowed amount (percentage) will also be

noted at that time by PSC. If the Utility is eligible, staff will bring the request for the simplified rate case to the City Council for action.

WASTEWATER UTILITY

- The analysis from 2020 in support of the \$13M dollar plant improvements was re-examined. That analysis recommended, and Council implemented, a 3 year schedule of rate increases that ended in 2023.
- Results of the analysis indicated a very slight decrease in revenues that was unexpected, but overall the Utility remains on solid financial footing.
- The recommendation for a 3% increase in rates moving into 2024 is included.

7. RESOLUTIONS AND ORDINANCES:

a) *Review and possible action relating to a Resolution Adopting the 2024 Stormwater Utility Rate (Selle, City Engineer/Director of Public Works)*

Cm. Becker moved, seconded by Cm. Lescohier to approve the Resolution Adopting the 2024 Stormwater Utility Rate. Motion carried unanimously.

b) *Review and possible action relating to a Resolution Adopting the 2024 Wastewater Utility Rates (Selle, City Engineer/Director of Public Works)*

Cm. Lescohier moved, seconded by Cm. Jaeckel to approve the Resolution Adopting the 2024 Wastewater Utility Rates. Motion carried unanimously.

c) *Review and possible action relating to a Resolution Adopting the 2024 Annual Budget and Setting the Property Tax Levy for the City of Fort Atkinson, Jefferson County, Wisconsin (Houseman, City Manager)*

Manager Houseman provided a 2024 budget presentation including any changes from the draft presented on November 7, 2023 City Council public hearing.

Cm. Jaeckel moved, seconded by Cm. Lescohier to approve the Resolution Adopting the 2024 Annual Budget and Setting the Property Tax Levy for the City of Fort Atkinson. Motion carried unanimously.

d) *Review and possible action relating to a Resolution Confirming the Total Levy for Taxing Jurisdictions in the City of Fort Atkinson and Determining the Mill Rate (Houseman, City Manager)*

Cm. Lescohier moved, seconded by Cm. Jaeckel to approve the Resolution Confirming the Total Levy for Taxing Jurisdictions in the City of Fort Atkinson and Determining the Mill Rate. Motion carried unanimously.

e) *Review and possible action relating to a Resolution establishing the 2024 Schedule of Fees for the City of Fort Atkinson, Jefferson County (Houseman, City Manager)*

Cm. Becker moved, seconded by Cm. Jaeckel to approve the Resolution establishing the 2024 Schedule of Fees for the City of Fort Atkinson. Motion carried unanimously.

f) First reading of an Ordinance Annexing the territory addressed N2696 Banker Road to the City of Fort Atkinson (Selle, City Engineer/Director of Public Works)

Engineer Selle reviewed the submission from the applicant and property owners; Josh and Somer Majewski as they have requested the annexation of the property located at N2696 Banker Road from the Town of Koshkonong to the City of Fort Atkinson. City utilities will be installed to the parcel. A deferred assessment is on the parcel in the amount of \$22,748.88. Repayment is governed by the attached annexation agreement. The property owners have requested that the property be in the City's SR-2, single-family residential zoning district.

Cm. Lescohier moved, seconded by Cm. Becker to direct the City Manager to prepare this Ordinance for a second reading at the December 5, 2023 City Council meeting. Motion carried unanimously.

8. REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:

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

No action taken.

9. UNFINISHED BUSINESS – NONE

10. NEW BUSINESS:

a) Review and possible action to authorize the City Manager to execute the 2024 Joint Powers Agreement with Jefferson County for the County 911 Emergency System (Houseman, City Manager)

Manager Houseman reviewed the annual agreement with Jefferson County that states if an emergency services vehicle is dispatched in response to a 911 call for service through the County's dispatch system, that vehicle and its personnel will render aid to the persons needing such aid or services, regardless of whether the vehicle is operating inside or outside the vehicle's normal jurisdictional boundaries.

Cm. Becker moved, seconded by Cm. Jaeckel to authorize the City Manager to execute the 2024 Joint Powers Agreement with Jefferson County for the County 911 Emergency System. Motion carried unanimously.

b) Review and possible action relating to Original Alcohol Beverage License Application for Wiereal, LLC dba Fat Boyz, for use at 219 S. Main Street for the licensing period of November 30, 2023 through June 30, 2024 (Ebbert, Clerk/Treasurer/Finance Director)

Clerk Ebbert presented the application submitted by Wiereal, LLC for use at 219 S. Main Street. Fat Boyz Inc, John Dawson is selling the business with closing scheduled for November 30, 2023. Wiereal, LLC will operate as Fat Boyz. Successful backgrounds check were performed and the Wisconsin Seller's Permit number was provided.

Cm. Jaeckel moved, seconded by Cm. Lescohier to approve the Original Alcohol Beverage license application for the licensing period of November 30, 2023, to June 30, 2024, for Wiereal,

LLC, dba Fat Boyz, for use at 219 S. Main Street, contingent upon all monies owned to the City are paid prior to license issuance by the City Clerk. Motion carried unanimously.

c) Review and possible action to authorize the City Manager to enter into a five-year contract with Running, Inc. for Shared-Ride Taxi Service from 2024-2028 (Selle, City Engineer/Director of Public Works)

Engineer Selle discussed the current shared-ride taxi service contract with Running, Inc was through 2023. Staff put out an RFP requesting 8,000 hours of service with one response from Running Inc. Running provided a proposal at the current rate for 2023.

Cm. Lescohier moved, seconded by Cm. Jaeckel to authorize the City Manager to enter into a five-year contract with Running, Inc for shared-ride taxi service from 2024-2028. Motion carried unanimously.

d) Review and possible action relating to a Certified Survey Map for the Dollar Tree project to be located at 1111 Madison Avenue (Draeger, Building Inspector/Zoning Administrator)

Engineer Selle reviewed the CSM recommended by the Plan Commission. The proposed development includes the creation of one new 1.15-acre parcel on the east side of the existing 3.1-acre parcel to accommodate a proposed new 9,827 square foot, standalone commercial building for Dollar Tree. The development is proposed to utilize existing vacant property on the site to accommodate the new development but continue to maintain the existing driveway and parking area near Madison Avenue and cross access to adjacent properties to the east. At the meeting on November 14, 2023, the Plan Commission reviewed this matter and recommended that the City Council approve the preliminary Certified Survey Map contingent on the inclusion of the following:

- Require the applicant to provide and record cross access easements from Lot 1 to Lot 2 and show such on the CSM
- Require the applicant to show the existing access easement to the parcel to the east on the CSM

Cm. Becker moved, seconded by Cm. Jaeckel to approve the two-lot Certified Survey Map for the property located at 1111 Madison Avenue, subject to the inclusion of the cross access and parking easements between lots 1 and 2 and the existing access easement on lot 2 that provides access to the parcel to the east. Motion carried unanimously.

11. MISCELLANEOUS – NONE

12. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS:

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

Cm. Becker moved, seconded by Cm. Lescohier to approve the list of Verified Claims presented by the Director of Finance and authorize payment. Motion carried unanimously.

13. ADJOURNMENT

Cm. Jackel moved, seconded to Cm. Becker adjourn. Meeting adjourned at 8:25 pm.

Respectfully submitted,

Michelle Ebbert

City Clerk/Treasurer/Finance Director