



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

**CITY COUNCIL MEETING
IN PERSON AND VIA ZOOM
TUESDAY, MAY 7, 2024 – 7:00 PM
CITY HALL – SECOND FLOOR**

MINUTES

1. Call meeting to order

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

2. Roll call

Present: Cm. Jaeckel, Cm. Johnson, Cm. Schultz and President Lescohier. Also present: City Manager, City Clerk/Treasurer, City Attorney, City Engineer, Public Works Superintendent, Fire Chief and Wastewater Superintendent.

Cm. Becker joined via zoom at 7:17 pm.

3. Public Hearings

None.

4. Public Comment

Ann Engelman, 428 Sherman Avenue E. Ann recognized April as Poetry Month and acknowledged upcoming events focusing on poetry and arts within our Community.

5. Consent Agenda

Cm. Jaeckel moved, seconded by Cm. Johnson to approve the Consent Agenda as presented. Motion carried.

- a. *Review and possible action relating to the **minutes of the April 16, 2024 regular City Council meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- b. *Review and possible action relating to the **minutes of the regular April 23, 2024 Plan Commission meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- c. *Review and possible action relating to the **minutes of the April 25, 2024 Police and Fire Commission** (Ebbert, Clerk/Treasurer/Finance Director)*
- d. *Review and possible action relating to **Citizen Appointments** to Committees, Commissions, and Boards (Houseman, City Manager)*
- e. *Review and possible action relating to **Council Appointments** to Committees, Commissions, and Boards (Lescohier, Council President)*

- f. Review and possible action on a **Special Event: Fort Youth Baseball Pre-Season Invite**, Saturday, May 18, 2024, from 6 a.m. to 8 p.m. and Sunday, May 19, 2024, from 12 to 8:00 p.m.
- g. Review and possible action on a **Special Event: Tour da Goose 2024**, Saturday, June 22, 2024, 9 a.m. to 2:30 p.m. (Ebbert, Clerk/Treasurer/Finance Director)
- h. Review and possible action on a **Special Event: Fort Atkinson Cruise Night – Fort Atkinson Generals**, the 2nd Monday of the month May – September, from 5:30-8:30 p.m.
- i. Review and possible action on a **Special Event: MATC Metal Mania**, May 18, 2024, 11 a.m. – 3 p.m. (Ebbert, Clerk/Treasurer/Finance Director)
- j. Review and possible action on a **Special Event: Hagerty Scott Spoerl Agency – Client Appreciation Car Show** June 1, 2024, 9 a.m. - 3 p.m.

6. Petitions, Requests, and Communications

- a. Review and possible action relating to a proclamation recognizing the **retirement of Debi Hayes** from the City of Fort Atkinson (Houseman, City Manager)
Cm. Schultz moved, seconded by Cm. Jaeckel to approve the Proclamation Recognizing the Retirement of Debi Hayes from the City of Fort Atkinson. Motion carried.
- b. Review and possible action relating to a Proclamation **Recognizing the 55th Annual Professional Municipal Clerks Week** (Houseman, City Manager)
Cm. Johnson moved, seconded by Cm. Jaeckel to approve the Proclamation Recognizing the 55th Annual Professional Municipal Clerks Week as May 5-11, 2024 in the City of Fort Atkinson. Motion carried.
- c. Review and possible action relating to a Proclamation **Recognizing Police Week May 12-18, 2024 and Peace Officers' Memorial Day May 15** (Houseman, City Manager)
Cm. Jaeckel moved, seconded by Cm. Johnson to approve the Proclamation Recognizing Police Week on May 12-18, 2024 and Peace Officer's Memorial Day on May 15 in the City of Fort Atkinson. Motion carried.
- d. Review and possible action on a proclamation recognizing **EMS Week May 19-25, 2024 and International Firefighters Day May 4** in the City of Fort Atkinson (Houseman, City Manager)
Cm. Schultz moved, seconded by Cm. Johnson to approve the Proclamation Recognizing EMS Week as May 19-25, 2024 and International Firefighters Day as May 4, 2024 in the City of Fort Atkinson. Motion carried.
- e. *Economic Development Presentation from Jefferson County Economic Development/ThriveED Executive Director Deb Reinbold*
JCEDC/ThriveEd Executive Director Deb Reinbold provided an Economic Development presentation. No action was taken.

7. Resolutions and Ordinances

None.

8. Reports of Officers, Boards, and Committees

- a. *City Manager's Report (Houseman, City Manager)*
No action was taken.
- b. *Public Works and Parks Operations Project Update (Williamson, Superintendent of Public Works)*
No action was taken.

9. Unfinished Business

None.

10. New Business

- a. *Review and possible action on a contract for **Planning Services for the Janesville Avenue and Downtown Main Street corridors** (Selle, Director of Public Works)*
Engineer Selle discussed that in June 2022, the City put forward two Planning Grant proposals for the Main Street / Downtown Corridor and the Janesville Avenue corridor. Both were awarded: Main Street for \$35,000 (with a \$7,000 City contribution); and Janesville Avenue for \$40,000 (with an \$8,000 City contribution). An RFP was issued in December 2023 for a consultant team to perform this work; and the City selected Vandewalle and Associates along with Strand and Associates. The project requires a 3-party contract between the City, WisDOT, and the Consultant. Drafts were presented to Council for review. The Janesville Avenue corridor is 2.8 miles long. The road section is 4 lanes, 2 in each direction. The ADT is between 6,000 and 10,000, well below the required 20,000 ADT threshold to consider a 4-lane road. The corridor includes parks, a greenway, industrial development, residential development and commercial development. Pedestrian facilities in the form of sidewalks are intermittent along the corridor. The Glacial River Trail runs parallel to the corridor on the west side – as close as 35 feet and as far as 900 feet. The 4-lane highway is not divided and includes intermittent sections of curb and gutter and a legacy rural section with gravel shoulder. The Main Street corridor encompasses the City's historic downtown district. The corridor is approximately 1/2 mile long and includes a block to each side of Main Street as part of the planning area. Main Street also accommodates US Highway 12 through Fort Atkinson and is a connecting highway. The road section is 2 lanes, 1 in each direction. The corridor includes the downtown business district with a blend of retail and office space. Pedestrian facilities in the form of sidewalks are within the corridor but are in need of attention. The corridor has several iterations of street improvements, including light poles, street trees, wayfinding signage, street signals, and other streetscape features that lack cohesion and function. Parking is allowed on both sides of the street. Side streets are in some cases one way and others are two way and include worn sidewalks and few infrastructure "tie-ins" to the

Main Street corridor. Pedestrians within the corridor do not have pedestrian-activated signals for crossing at the four controlled intersections, making Main Street difficult to cross, especially with turning traffic. The City is responsible for 20% of the total project cost, which is \$15,000 total for the two corridor plans. \$45,000 was allocated in the 2022 Capital Improvements Project budget for Janesville Avenue and Main Street corridor planning. The funds were part of the levy-supported CIP. The City Council authorized staff to carry over \$45,000 from 2022 to 2023 and then from 2023 to 2024 for this project. The initial allocation was determined prior to the notice of receipt of the grant funds. Any funds unused for this project at the end of 2024, unless carried over, will return to the General Fund fund balance.

Cm. Schultz moved, seconded by Cm. Johnson to approve the two contracts between WisDOT and Vandewalle and Associates in the amount of \$40,000 for Janesville Avenue and \$35,000 for Main Street, with the City responsible for \$15,000 of the two contracts. Motion carried 5-0.

b. *Review and possible action relating to a **pre-development agreement with Intrepid Investments LLC.** (Houseman, City Manager)*

Manager Houseman discussed the 75 acres of land owned by the City on the northwest side of the City along Banker Road. In January 2024, the Master Development Agreement between the City and Hoffman Development Group/Cedarprise expired. Since that time, several developers indicated they would like to work exclusively with the City during a due diligence period. Staff released a request for proposals in early April with a deadline of April 15th. Staff reviewed the proposal internally, and then met with the developers on April 29th to review and discuss the proposal. From that discussion, the representatives from Intrepid Investments prepared a pre-development agreement outlining a timeline and responsibilities during the pre-development phase of the project. The goal of the pre-development phase is to complete all due diligence relating to the site, and to begin work on one or more project development agreements. Those agreements would likely include requests for tax increment financing as a means to fill the financing gap for multifamily development. The City has borrowed funds through the NAN Series 2024B to construct three public roads, along with water and sewer infrastructure, in this area. The City has contracted with Quam Engineering to design said roads. However, the City does not intend to construct the infrastructure until such time that there is a project development agreement in place. The pre-development agreement does not have financial implications for the City, aside from the staff time necessary to work with the developer on the project. Any additional project development agreements with financial implications will be presented to the City Council for review in the future.

Cm. Jaeckel moved, seconded by Cm. Schultz to approve the Pre-Development Agreement between Intrepid Investments, LLC and the City of Fort Atkinson for the property on the west side of Banker Road and authorize the City Manager to execute. Motion carried 5-0.

c. *Review and possible action related to **Biosolids Storage Tank Cleaning, and Biosolids Disposal Proposals** (Christensen, Wastewater Utility Superintendent)*

Wastewater Superintendent Christensen discussed the A. O. Smith Harvestore biosolids storage tank was installed in 1983. It provides storage for up to 894,000 gallons of liquid biosolids. Two submersible mixers are mounted inside the tank to provide mixing. It was intended to provide primary storage for the biosolids after aerobic digestion. Today, it serves as a backup liquid storage capacity between the aerobic digestion system, and the centrifuge biosolids dewatering system. To maintain the storage tank and mixers, periodic draining and cleaning is required. The tank has a cathodic protection system that uses sacrificial anodes to prevent corrosion. This system needs regular inspection. Maintenance and replacement of the mixers is also much easier while the tank is drained. Four companies were contacted for proposals to clean the storage tank and dispose of the biosolids. Two companies returned proposals. One company visited the site to look at the project but could not perform the biosolids disposal portion of the job. The other company did not respond after several attempts.

Cm. Schultz moved, seconded by Cm. Jaeckel to authorize the cleaning of the biosolids storage tank proposal from Walter and Sons, of Darien, WI be accepted. Staff further recommends use of a pump installed through the top hatch at \$25,000 plus a contingency of \$3,000 to cover up to 20,000 gallons of extra biosolids to be removed, for a total cost of \$28,000. If the truck load out can be used, the actual cost will be less. Motion carried 5-0.

- d. *Review and possible action relating to **Change Order 1 of the Public Works and Parks Operations facility construction contract (Williamson, Superintendent of Public Works)***
Public Works Superintendent Williamson spoke on the January 4, 2024, regular meeting of the City Council when Gilbank Construction was awarded the contract for construction services to build the new Public Works and Parks Operations Facility. Prior to the January 4, 2024, meeting, the City Council approved funding for the construction of the proposed facility through the 2024 capital borrowing process. The January 4th Council approval included 5% (\$577,200) total building construction budget contingency to address items outside the original scope of the construction contract in the amount Change Order #1, included with this memorandum, documents seven items added, changed, or altered to improve the original intended design. Several of these additional items are the result of requested changes by the City to improve stormwater drainage, and to improve the original design to the salt shed. The standby power revisions were no charge to the contract and the extra sensors were a design oversight, added after award of the construction.

Cm. Becker moved, seconded by Cm. Johnson to approve Change Order #1 for the Public Works and Parks Operation Facility contract, in the amount not to exceed \$224,304.87. Motion carried 5-0.

- e. *Review and possible action on a 4.1% **Water Rate Increase Application to the Public Service Commission (Selle, Director of Public Works)***
Engineer Selle discussed that In November 2023, the Council heard a report from Trilogy Inc, tasked with a review of our three utility's rate structures under the expected future operations and capital expenses. The City Council approved increases at that meeting to

the Stormwater and Wastewater Utility rates. The Water Utility rate was suggested to be increased, but the PSC requires the assessment of the previous year's accounting to ensure a rate of return that qualifies the Utility for a simple rate increase. The utility-year-end financials do in fact indicate the Utility is eligible for a simple rate increase through the PSC. Their process requires a public notice, which will be posted on May 10 in the Daily Union and on the City's webpage. Following notice, the increase of 4.1% can be considered by the PSC and generally implemented within 45 days for the public notice posting. The increase will apply to all rates across the board, regardless of the meter size. A copy of the public notice is attached, with a schedule of current and proposed rates. The rate increase has a twofold impact. First, taking advantage of the simple increases staves off the need for significant jumps in rates down the road. Our last rates case was in 2020, approved in 2022. Prior to that it was 2010. The 2020 rate increase funded a dedicated, annual, water main replacement program, now its in third year we have replaced 14,100 LF of main, or just under 3 miles. The simple rate increase will adjust for increased costs in that program as well as operating expenses for the Utility.

Cm. Becker moved, seconded by Cm. Schultz to approve the simple rate case application to the PSC for an increase in water utility rates of 4.1 %. Motion carried 5-0.

*f. Review and possible action relating to approving an **offer to the Town of Ixonia to purchase a "Class B" Intoxicating Liquor License** (Ebbert, Clerk/Treasurer/Finance Director)*

lerk/Treasurer Ebbert referenced 2023 Wisconsin Act 73, which took effect May 1, 2024, amends the Reserve License transfer requirements. Before Act 73, a transfer of a Reserve between two municipalities must “be continuous with, or within two miles of” each other. In 2016, Council authorized the purchase of a Reserve license from Town of Koshkonong under the provisions of a continuous municipality. In 2022, the population increased to allow an additional Reserve license, providing a total of four to be issued. With the adoption of Act 73, the “continuous or two-mile” restriction is removed to allow a transfer between municipalities to be “located in whole or in part in the same county”. Staff reached out to municipalities within Jefferson County inquiring on any available Reserve “Class B” Intoxicating Liquor licenses. The Town of Ixonia confirmed they have a Reserve License that could be considered with approval of the sale of the license from their Town Board.

The purchase of the Reserve license from the Town of Ixonia could be \$10,000 which is not budgeted for 2024. This expense would be offset by the issuance of the Reserve License to an approved applicant for \$10,000. A Reserve license, upon issuance to a licensed facility, has a one-time fee of \$10,000, which is set by State Statute. The recipient of the license would also be required to pay pro-rated alcohol license fees for the remainder of the licensing period. The annual license fee for a “Class B” Intoxicating Liquor license is \$500. If the Town of Ixonia Town Board approves the sale of the license to the City, a process will be designated for those interested in applying for the license.

Cm. Becker moved, seconded by Cm. Schultz to adopt Resolution authorizing the City

Manager to extend an offer of purchase to the Town of Ixonia for a Reserve "Class B" Intoxicating Liquor License not to exceed \$10,000. Motion carried 5-0.

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. Schultz moved, seconded by Cm. Jaeckel to approve the list of Verified Claims and authorize payment. Motion carried 5-0.

13. Adjournment

Cm. Schultz moved, seconded by Cm. Becker to adjourn. Meeting adjourned at 9:23 pm.

Respectfully submitted
Michelle Ebbert
City Clerk/Treasurer/Finance Director

Respectfully submitted,
Michelle Ebbert
City Clerk/Treasurer