



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, OCTOBER 1, 2024 – 7:00 PM
CITY HALL – SECOND FLOOR**

MINUTES

1. Call meeting to order

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

2. Roll call

Present: Cm. Becker, Cm. Jaeckel, Cm. Johnson, Cm. Schultz and President Lescohier. Also present: City Manager, City Attorney, City Clerk/Treasurer, Director of Public Works, Public Works Superintendent, Building Inspector, Museum Director, Park & Recreation Director, Fire Chief and Public Works Supervisor.

3. Public Hearings

None.

4. Public Comment

None.

5. Consent Agenda

Cm. Becker moved, seconded by Cm. Jaeckel to approve the Consent Agenda as listed. Motion carried 5-0.

- a. *Review and possible action relating to the **minutes of the September 11, 2024 Parks and Recreation Advisory Board meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- b. *Review and possible action relating to the **minutes of the September 17, 2024 City Council meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- c. *Review and possible action relating to the **minutes of the September 18, 2024 Sex Offender Residence Board meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- d. *Review and possible action relating to the **minutes of the September 24, 2024 Plan Commission meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- e. *Review and possible action relating to a **Temporary Retailer's License** for Rotary Club of Fort Atkinson Wine Walk, on October 11, 2024.*

6. Petitions, Requests, and Communications

None.

7. Resolutions and Ordinances

- a. *First reading of an **Ordinance annexing the territory addressed 1222 Van Buren Street** (to be addressed 113 Wilson Avenue) to the City of Fort Atkinson (Draeger, Building/Zoning Administrator)*

Inspector Draeger reviewed the submission from applicants John and Jane Anderson to annex property located at 1222 Van Buren Street due to a failed septic system. The applicants purchased the subject property located in the Town of Koshkonong in April 2023 and are petitioning to Annex the territory into the City. Due to the failed sewer and water, the property must be annexed by Ordinance when public utilities are available. Public Utilities are in place on Wilson Ave. Upon connection to the public utilities, the existing well will be abandoned. The property will be addressed 113 Wilson Avenue when annexed to the City. When a parcel is annexed by unanimous consent by the property owner, state statutes (66.0217(2)) require that the municipality to which the property is being annexed pay the government from which it is being detached a lump sum representing the lost taxes for the next five years. For this annexation, the City is required to pay the Town of Koshkonong a lump sum of \$2,715.95, representing five years of the Town's portion of the tax bill. Staff proposes to use funds from the Economic Development expenses account (01-56-5644-0600) for this payment. In 2024, \$5,000 was budgeted in this account, and that amount may be exceeded. It is difficult to predict expenses associated with annexation due to the unknown number of annexations annually as well as the unknown value of each parcel that may annex. The Fort Atkinson Plan Commission met on September 24, 2024, recommended the City Council approve the Preliminary CSM combining parcels depicted on the attached Preliminary CSM (later on the agenda), and recommended the City Council perform three readings and adopt the ordinance annexing the territory as depicted on the attached Preliminary Plat and Legal Description with a zoning classification of SR-7

Cm. Schultz moved, seconded by Cm. Johnson to approve the first reading of the Ordinance and direct the City Manager to prepare the ordinance for a second and possible third/final reading at the meeting on October 15, 2024. Motion carried 5-0.

8. Reports of Officers, Boards, and Committees

- a. *City Manager's Report (Houseman, City Manager)*
No action was taken.

9. Unfinished Business

None.

10. New Business

- a. *Review and possible action relating to **Change Order #3** for the Public Works and Parks Operations facility (Williamson, Public Works Superintendent)*

Superintendent Williamson discussed that at the January 4, 2024, regular meeting of the City Council, Gilbank Construction was awarded the contract for construction services to build the new Public Works and Parks Operations Facility. At that meeting, City Council provided for a 5% contingency in the amount of \$577,200. This request continues the process, known as Change Orders, to adjust the contract amount (both increase and decrease) that may affect this contingency. Change Order #3, documents ten (10) items added, changed, or altered to improve the original intended design. The various items associated with proposed change order #3 are the result of items missed during the design phase and requested items staff felt were needed to improve the facilities' performance, and to better suit the City's needs as the Public Works and Parks Operations Facility grows with the community into the future. The total request associated with this Change Order #3 is \$61,671.00.

Cm. Becker moved, seconded by Cm. Johnson to approve the Changer Order #3 for the Public Works and Parks Operations Facility construction contract at a cost not to exceed \$61,671. Motion carried 5-0.

- b. *Review and possible action relating to a **Certified Survey Map** for the property located at 1200 Whitewater Avenue (Draeger, Building and Zoning Administrator)*

Inspector Draeger presented the CSM that was reviewed by the Plan Commission and recommended for approval. The CSM represents the property owner's request to remove the western 14,691 square feet of parcel 226-0514-1023-037 ("east parcel") and to attach it to parcel 226-0514-1023-031 ("west parcel"). There is currently a building on the east side of the east parcel, and the applicants and owner believe a larger undeveloped west parcel will be attractive for higher density residential development. Staff does not anticipate an immediate financial impact. However, this land division creates a larger parcel with the UMU zoning district that could accommodate multi-family or commercial development, which would add value to the tax base and positively impact the community.

Cm. Johnson moved, seconded by Cm. Jaeckel to approve the Certified Survey Map for the property located at 1200 Whitewater Avenue. Motion carried 5-0.

- c. *Review and possible action relating to a **Certified Survey Map** for the property located at **1222 Van Buren Street** (to be addressed 113 Wilson Avenue) (Draeger, Building and Zoning Administrator)*

Inspector Draeger reviewed the CSM recommended for approval by Plan Commission on September 24th by applicants John and Jane Anderson who purchased the subject property located in the Town of Koshkonong in April 2023 and are Petitioning to Annex the territory into the City. The applicants have requested to hook up to city sewer and

water due to a failed septic system and by Ordinance must annex the property into the city when public utilities are available. Draeger added this is a unique situation as the parcels must be combined to allow for annexation and the approval of the CSM may not occur without the annexation. This conundrum is the reason for these two approvals being combined as part of this Petition to Annex. The new parcel created by the CSM meets most of the bulk regulations for the SR-7 Zoning. A Zoning Amendment will not be necessary as the parcel being used as access to Wilson Ave is currently Zoned SR-7 Single Family.

Cm. Schultz moved, seconded by Cm. Becker to approve the Preliminary CSM, combining parcels depicted on the attached Preliminary CSM, subject to the annexation of the property located at 1222 Van Buren Street (to be addressed 113 Wilson Avenue). Motion carried 5-0.

- d. *Review and possible action relating to the **elevator repair project at the Hoard Historical Museum** with Schumacher Elevator Company at a cost not to exceed \$93,876 in 2025 with a down payment of \$25,000 in 2024 (Lee, Museum Director)*

Director Lee discussed the Hoard Historical Museum's public areas that are comprised of three floors, all of which are accessible via the elevator. The elevator is slated for significant mechanical replacement in 2025. Schumacher Elevator Company, the company performing the repairs, has submitted the attached proposal to make these substantial repairs in 2025. The project was included in the 2025-2029 CIP approved by the City Council along with the 2024 Budget in November 2023. Likewise, this project will be included in the 2025 CIP when it is presented to the City Council on October 9, 2024. However, in order to be placed on the schedule in 2025, Schumacher Elevator Company has requested a down payment of \$25,000 for the project be remitted in 2024. The total cost of the project is \$93,876 per the attached proposal. The repairs are necessary because the elevator's internal components, aside from the elevator car, are obsolete, and replacement parts cannot be found. At any given time, the elevator could stop working, and the Museum would be without an elevator until Schumacher could perform these proposed repairs. The elevator already includes Schumacher's propriety equipment, so proposals from other firms were not sought. All museum CIP budget expenditures are funded from the City's Museum trust fund. The initial \$25,000 would be paid for by the City's general fund, which would later be reimbursed later from the City's Museum trust fund. The total project cost of \$93,876 will be paid for through the City's Museum Trust. The balance in the City's Museum Trust is currently \$793,727.

Cm. Jaeckel moved, seconded by Cm. Johnson to approve the proposal from Schumacher Elevator Company for repairs in 2025 for \$93,876 with a down payment of \$25,000 in 2024 to be paid for through the general fund and reimbursed through the City's Museum Trust. Motion carried 5-0.

- e. *Review and possible action on a **storm sewer lining contract** for Roosevelt Street with Visu-Sewer at a cost not to exceed \$32,436. (Selle, Director of Public Works/City Engineer)*
Director Selle stated that aging storm and sanitary sewer within the City can either be dug

up and replaced or lined in place using a structural plastic liner. A 320' section of storm sewer in Roosevelt Street just south of Madison Avenue is in need of repair. This section of storm sewer is broken, and there is a sinkhole forming around the manhole in the street. Staff attempted to fix the hole in the pipe two years ago, but it was just a temporary solution. In order to proceed with a more permanent solution and avoid the danger of a sinkhole and additional damage to the road and infrastructure in the right-of-way, staff sought proposals from three firms to perform this storm sewer lining work. Three companies provided proposals after several months of follow-up calls, due to the small size of the project. The proposals included a significant spread in estimated costs at \$32K, \$51K, and \$125K. The lowest bid was from Visu Sewer, which has completed similar work in the City in the past, at \$32,436.

Cm. Becker moved, seconded by Cm. Jaeckel to approve a contract with Visu-Sewer in the amount of \$32,436 for the sewer lining services on Roosevelt Street. Motion carried 5-0.

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

12. Miscellaneous

- a. *The City Council may consider a motion to convene in closed session pursuant to State Stat. Section 19.85(1)(e) to conduct other specified business where competitive or bargaining reasons require a closed session (FAPPA Union Memorandum of Understanding) (Houseman, City Manager)*

Cm. Becker moved, seconded by Cm. Johnson to convene into closed session pursuant to State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session ie negotiating the purchasing of public properties and FAPPA Union Memorandum of Understanding. Motion carried 5-0.

Cm. Jaeckel moved, seconded by Cm. Becker to reconvene into open session. Motion carried 5-0.

Cm. Becker moved, seconded by Cm. Jaeckel to approve the Memorandum of Understanding between the City of Fort Atkinson and the Fort Atkinson Professional Police Association. Motion carried 5-0.

- b. *The City Council will remain in closed session pursuant to State Stat. §19.85(1)(e) to **deliberate or negotiate the purchasing of public properties**, where competitive or bargaining reasons require a closed session (Houseman, City Manager)*

- c. *Review and possible action relating to a **Memorandum of Understanding** between the City of Fort Atkinson and the Fort Atkinson Professional Police Association (Houseman, City Manager)*

13. Adjournment

Cm. Jaeckel moved, seconded by Cm. Becker to adjourn. Meeting adjourned at 8:20 pm.

Respectfully submitted,

Michelle Ebbert

City Clerk/Treasurer/Finance Director