



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, DECEMBER 17, 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. Becker, Cm. Jaeckel, Cm. Schultz and President Lescohier. Excused Absence: Cm. Johnson. Also present: City Manager, City Attorney, Clerk/Treasurer/Finance Director, Director of Public Works, Public Works Superintendent, Building Inspector, Fire Chief, Police Chief and Director of Parks & Recreation.

3. Public Hearings

a. Public Hearing relating the *petition to discontinue Trillium Drive in the City of Fort Atkinson, Jefferson County, Wisconsin*

Director Selle stated, Trillium Dr was platted in early 2024 using a Certified Survey Map, approved by the Plan Commission and City Council. The boundaries of the right of way reflect a previous design for the development that is no longer appropriate. The right of way will be re-established in functionally the same area by the review (and expected) approval of a preliminary plat for all the roads in the planned subdivision west of Banker Road. The process for discontinuance of a right of way is covered in state statute 66.1003. The statute indicates that proceedings to consider the discontinuance may be initiated by a petition for such by all adjacent property owners.

The public hearing was opened at 7:02 pm.

The public hearing was closed at 7:03 pm without comments.

4. Public Comment

None.

5. Consent Agenda

Jaeckel moved, seconded by Becker to approve the Consent Agenda items 5.a. to 5.g. as presented. Motion carried.

- a. Review and possible action relating to the **minutes of the December 3, 2024 City Council meeting** (Ebbert, Clerk/Treasurer/Finance Director)
- b. Review and possible action relating to the **minutes of the December 10, 2024 Plan Commission meeting** (Ebbert, Clerk/Treasurer/Finance Director)
- c. Review and possible action relating to the **minutes of the December 11, 2024 Economic Development Commission meeting** (Ebbert/Clerk/Treasurer/Finance Director)
- d. Review and possible action relating to the **minutes of the December 12, 2024 Transportation and Traffic Review Commission meeting** (Ebbert/Clerk/Treasurer/Finance Director)
- e. Review and possible action relating to **building, plumbing, and electrical permit report for November 2024** (Draeger, Building Inspector/Zoning Administrator)
- f. Review and possible action relating to the City Clerk-issued **License and Permit Report for November 2024** (Ebbert, Clerk/Treasurer/Finance Director)
- g. Review and possible action relating to **City Sewer, Water, and Stormwater Utility Financial Statements** as of November 30, 2024 (Ebbert, Clerk/Treasurer/Finance Director)

6. Petitions, Requests, and Communications

None.

7. Resolutions and Ordinances

- a. Review and possible action on a resolution to **Discontinue Trillium Drive** in the City of Fort Atkinson (Selle, Director of Public Works)

Director Selle stated this was recommended for approval by the Plan Commission with a Public Hearing held earlier this Agenda.

Becker moved, seconded by Schultz to approve the resolution to discontinue Trillium Drive in the City of Fort Atkinson. Motion carried.

- b. Review and possible action relating to a Resolution **Defederalizing American Rescue Plan Act (ARPA)** funds in the City of Fort Atkinson, Jefferson County, Wisconsin (Houseman, City Manager)

Manager Houseman stated the City of Fort Atkinson received \$1,300,192.78 through the American Rescue Act (ARPA) in 2021 and 2022 as supplemental funding through the federal government to address revenue loss and other needs due to the Coronavirus pandemic (COVID-19). ARPA regulations require that the funds be "allocated" by the end of 2024 and spent by the end of 2026. Over the last several months, the City Manager and Finance Director have attended webinars, read regulations, and sought advice from auditors, financial advisors, and colleagues relating to how best to "allocate" the remaining ARPA funds by the end of 2024 so that they can continue to be used for one-time projects and purchases.

Staff recommends that the City Council adopt the Resolution Defederalizing American Rescue Plan Act funds, which takes the following actions:

1. Uses the remaining \$865,783.51 of ARPA funds for general fund - general government purposes in 2024.
2. Transfers \$865,783.51 plus any interest income to the general revenue account 01-41-0041-0022 (Transfer in from ARPA fund) by the end of 2024.
3. Transfers \$494,818.47 to the Assigned Fund Balance - ARPA account by January 31, 2025.

Becker moved, seconded by Jaeckel to approve a resolution defederalizing American Rescue Plan Act (ARPA) funds in the City of Fort Atkinson, Jefferson County Wisconsin. Motion carried.

- c. *Review and possible action relating to a Resolution **amending the 2024 Annual City of Fort Atkinson Budget** relating to a transfer of funds between Tax Increment Districts (Houseman, City Manager)*

Manager Houseman reviewed the expenditure period for TID #8 ended in September 2024, and the City was not able to sign a contract for the construction of the infrastructure prior to the closure of the expenditure period. Because the funds budgeted for street improvements in 2024 can no longer be used for that purpose, staff is recommending that the City Council reallocate those funds as a donation to TID #6 through this budget amendment. If the budget amendment is adopted by the City Council, there will be approximately \$539,314.71 remaining owed to the general fund from advances and for debt service within TID #6. In addition to regular operating revenue and expenditures, all final debt is anticipated to be paid off in 2025, which will also facilitate closure of TID #6 in 2026 per the TID #6-8 Affordable Housing Extension and Closure Timelines plan presented at the TID Workshop.

Schultz moved, seconded by Becker to adopt the Resolution amending the 2024 annual City of Fort Atkinson Budget relating to a transfer between Tax Increment Districts; direct the City Clerk/Treasurer/Finance Director to publish the change on the City's website and transfer the additional \$811,262.91 by December 31, 2024. Motion carried.

- d. *Second and possible third/final reading of an ordinance relating to a **Zoning Map Amendment** to change the zoning district for the property located at 211 Memorial Drive (parcel number 226-0514-0312-050), from Single Family Residential (SR-5) to Institutional (I) (ZMA-2024-02) (Draeger, Building Inspector/Zoning Administrator)*

Director Selle presented the third reading of the Ordinance to rezone property located at 211 Memorial Drive. No comments have been received by Staff.

Becker moved, seconded by Jaeckel to suspend the rules and waive the third reading of the Zoning Map Amendment ordinance.

Becker moved, seconded by Schultz to adopt the ordinance relating to a Zoning Map Amendment to change the zoning district for the property located at 211 Memorial Drive,

from Single Family Residential (SR-5) to Institutional (I). Motion carried.

8. Reports of Officers, Boards, and Committees

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

No action was taken.

9. Unfinished Business

a. *Review and possible action relating to a Development Agreement between the City of Fort Atkinson and Intrepid Investments for the **Ridge View Estates Subdivision** (Houseman, City Manager)*

Manager Houseman stated that City staff has been working with Intrepid Investments on a draft development agreement since the Pre-Development Agreement was approved by the City Council in May 2024. The City Council reviewed an earlier draft of this Agreement at the meeting on December 3rd. The Economic Development Commission reviewed the Agreement on December 11th and recommended that the City Council approve it subject to any final minor edits by City staff and the Developer. The City is offering a pay-go tax increment financing package including a total of \$3,342,640 in returned tax increment between 2027 and 2041. This is based on a minimum of \$14,000,000 in added value in TID #9. If the assessed value of the multi-family project is in excess of that amount, the payback will be accelerated, but not more than the total incentive. Additionally, if the Developer builds another multi-family building, which the site will allow, they will have an opportunity to negotiate an amendment with the City for additional TIF incentives. There will be no incentive on the owner-occupied portion of the project (north of Trillium Drive). The Developer has committed to paying the City \$18,000 per residential unit to repay the debt service for the public infrastructure.

Jaeckel moved, seconded by Schultz to approve the development agreement between the City of Fort Atkinson and Intrepid Investments, LLC for the Ridge View Estates Subdivision subject to any final minor edits or exhibit updates by City Staff and the Developer. Motion carried.

b. *Review and possible action relating to proposals for **recruitment services for the Public Works Director** position (Houseman, City Manager)*

Manager Houseman discussed that at the November 19, 2024 City Council meeting, the Council authorized the City Manager to release a request for proposals (RFP) for recruitment services for the Public Works Director position. Staff reviewed all proposals using cost, process, timeline, additional materials submitted, and recruitment guarantees as criteria. In addition to those criteria, staff reviewed each firm's experience with the public sector, within the field of public works, and within the Wisconsin and/or Midwest network. The top four proposals are included in this packet for review by the City Council. The remaining four proposals are included in the summary table and are available for review upon request.

Becker moved, seconded by Schultz to accept the proposal from Public Administration Associates, LLC for recruitment services for the public works director position for \$13,400, and authorize the City Manager to execute the contract and begin the recruitment process. Motion carried.

10. New Business

- a. *Review and possible action relating to the **repair of the 2020 Dodge Grand Caravan for the Taxi Program** at a cost of \$22,476.78 from Shepy's Autobody with a 10% contingency (Selle, Director of Public Works)*

Engineer Selle stated that on September 11, 2024, the City's 2020 Dodge Grand Caravan taxi (1007) from the Shared Ride

Taxi Program, operated by Brown Cab, was involved in a crash with no injuries reported. The cost to repair the 2020 van is quoted by the insurance company at \$21,132.22. The insurance company opted to total the van. Staff has determined the best course of action is to repair the van. The salvage price the insurance company will give the City is \$23,965.48. The \$22,476.78 can be recorded as a program expense, according to DOT staff. This expense will be offset by the \$23,965.48 from the insurance company. For 2024, taxi revenues appear to be on track to exceed the required portion of the contract and may be able to cover additional repair costs. Given the potential to find damage that could not be seen on the vehicle, staff request a 10% contingency with this contract to cover any such situations. The total potential cost of the repair will not exceed \$24,724.46 without additional City Council review.

Schultz moved, seconded by Jaeckel to approve the repair of the 2020 Dodge Grand Caravan for the Taxi Program at a cost of \$22,476 from Shepy's Autobody with a 10% contingency to be managed by the City Staff. Motion carried.

- b. *Review and possible action to authorize the City Manager to execute the **2025 Joint Powers Agreement** with Jefferson County for the County 911 Emergency System (Houseman, City Manager)*

Manager Houseman discussed the annual agreement for the County Emergency System. The Agreement states that 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.

Jaeckel moved, seconded by Becker to authorize the City Manager to execute the 2025 Joint Powers Agreement with Jefferson County for the County 911 Emergency System. Motion carried.

- c. *Review and possible action relating to an Amendment to the Agreement for **Solid Waste and Recyclable Collection and Disposal** between the City of Fort Atkinson and GFL Solid Waste Midwest, LLC (Houseman, City Manager)*

Manager Houseman referenced the City of Fort Atkinson's agreement for the collection of solid waste and recyclable materials with GFL Solid Waste Midwest LLC ("GFL"). The original agreement was made in August 1998 with Superior Services, Inc. and has been assigned multiple times to other solid waste and recycling collection companies. 1. The Agreement will terminate on December 31, 2025. City staff intends to prepare a Request for Proposals for collection services in spring 2025 with the goal of having a new contract in place starting on January 1, 2026. Note that nothing in this agreement or amendment disallows GFL from providing a proposal for services for 2026 and beyond. 2. Bulk pick up is limited to 1 unit, and residents must call and schedule the pick up with GFL customer service. The current contract allows for two units or items to be picked up and does not require that the customer call and schedule the pick up. This change will reduce the pressure on GFL and will reduce the number of complaints relating to items left on the terrace for weeks at a time. 3. GFL will provide distributable materials detailing the definition of "bulk items" and will assist in communication to City residents. Communication relating to this topic will be very important as it is a significant change from the current practice. 4. The 2025 cost of the contract will increase by 2%. Per the current contract, this increase would be 1.3%, based on the 2.6% CPI. A 2% increase was included in the 2025 budget during the budgeting process, as staff did not know the exact CPI number during the budget process.

Becker moved, seconded by Schultz to approve the amendment to the agreement for solid waste and recyclable collection and disposal between the City of Fort Atkinson and GFL Solid Waste Midwest, LLC. and authorize the City Manager to execute the contract on behalf of the City. Motion carried.

d. *Review and possible action relating to an **Agreement between the City of Fort Atkinson and the Fort Atkinson Firefighters - Local 580** for 2025 (Peterson, Fire Chief)*

Chief Peterson stated that on March 13, 2024, the Fort Atkinson Firefighters requested to join the Janesville Professional Firefighters, Local 580, which is affiliated with the International Association of Firefighters. A voluntary recognition agreement was signed by the City of Fort Atkinson and Local 580 on March 22, 2024. This agreement stipulated that the first contract negotiations would begin in August 2024 and that the initial contract would cover one year, with wage adjustments limited to the annual cost-of-living adjustment scheduled for January 1, 2025. The proposed contract maintains the established practices of the Fort Atkinson Fire Department since its transition to a full-time fire and EMS department. Key changes and highlights include: paid time off, sick time adjustments, Captain wage disparity, operational control, union membership scope, recognition of prior employees and job performance requirements and testing.

Schultz moved, seconded by Becker to approve the agreement between the City of Fort Atkinson and the Fort Atkinson Firefighters – Local 580 for 2025 subject to ratification of the contract in its entirety by the Fort Atkinson Firefighters Local 580. Motion carried.

e. *Review and possible action relating to Police Department **equipment and upfitting order for 2025 squad car purchase** (Bump, Police Chief)*

Chief Bump stated that at the meeting on December 3rd, the City Council authorized the purchase of two police vehicles from Griffin Ford for a total of \$90,989.52. These vehicles are scheduled to arrive in 2025. Funds were established in the 2025 Budget under the Police Outlay Account in the amount of \$138,000.00 to cover the purchase of the two squads and the equipment, graphics and upfitting required for final set up. Staff recommends the City Council approve the pre-order through 10-33 Vehicle Services for the squad car equipment and labor for two vehicles for a total of \$41,992.42. This order will lock in 2024 prices on equipment and allow the department to complete the entire squad transition process with the budgeted funds with the understanding that no purchases, equipment acquisition, or spending will occur until after January 2, 2025. Total Funds used from the Outlay Account for the Squad and equipment will not exceed the \$138,000 budget set in the 2025 CIP.

Becker moved, seconded by Schultz to approve the Police Department equipment and upfitting order for the 2025 squad car purchase at a cost not to exceed \$41,992.42 from the outlay account for squad car and equipment. Motion carried.

- f. *Review and possible action on **seven construction package contracts for the Haumerson's Pond Garage/Shelter** in an amount not to exceed \$292,939.66 (Dayton, Director of Parks and Recreation)*

Director Dayton reminded the Council that the Haumerson's Pond Garage/Shelter building received a grant from the Wisconsin DNR in January 2025. Per the grant requirements, contracts over \$25,000 must have a Class II Public Bid notice. The Class II notice was published twice in the Daily Union on September 19, 2024 and October 4, 2024. The bid must be awarded to the lowest "responsible bidder." Funds include \$55,000 Friends of Haumerson's Pond Initial Donation, \$45,000 Community Foundation and \$100,000 DNR Grant. Note that the total of \$325,733.63, which includes contingency and gas and electric estimates, will be the responsibility of the Friends of Haumerson's Pond through grants, donations, and fundraising.

Becker moved, seconded by Schultz to approve seven construction package contracts for the Haumerson's Pond Garage/Shelter in an amount not to exceed \$292,939.66. Motion carried 3-0-1 with Jaeckel abstaining.

- g. *Review and possible action relating to 2025 Capital Outlay **Purchase of a 2025 F150 Truck including Tommy Gate Liftgate and Safety Light** for the Parks and Recreation Department (Dayton, Parks and Recreation Director)*

Director Dayton discussed the department budget that includes \$43,500 through the 2024-25 borrowing for the F-150 purchase. Since then, vehicle prices have increased more than the original borrowed funds. Staff has confirmed that additional funds from the 2024-25 borrowing are available to offset the price difference. Staff sought quotes from Griffin Ford Fort Atkinson and Ewald Automotive Group of Hartford with Griffin providing a comparative quote.

Jaeckel moved, seconded by Becker to approve the purchase of a 2025 F150 Truck

including Tommy Gate Liftgate and Safety Light for the Parks and Recreation Department at a cost not to exceed \$45,582 from the 2024-25 borrowed funds. Motion carried.

- h. *Review and possible action relating to the purchase of **Furniture and Fixtures for the Public Works and Parks Operations Facility Project** (Williamson, Superintendent Public Works)*

Superintendent Williamson referenced the Public Works and Parks Operations Facility Project that was approved for construction by the City Council in the spring of 2024. Overall facility construction commenced in March 2024 and has now been slated for building completion in February 2025. As a result, the design architect and staff felt it was necessary to commit to the purchase and contract installation of the necessary furniture, shelving and racking required to properly outfit the new facility in anticipation of a fast approaching move in date.

Becker moved, seconded by Jaeckel to approve the purchase of furniture and fixtures for the Public Works and Parks Operations Facility project at a cost not to exceed \$83,153.40 from Emmon's Business Group for items included in their proposal per the 2024 Public Works and Parks Operations Facility project borrowing. Motion carried.

- i. *Review and possible action relating to the purchase of **service shop equipment for the new Public Works and Parks Operations Facility** (Williamson, Superintendent Public Works)*

Superintendent Williamson reviewed the items required to outfit the mechanics shop. These items include heavy-duty mobile vehicle lifts and associated attachments, a 50 ton floor press to replace a 60-year-old failed press, a heavy-duty drain oil hauler, and a floor scrubbing machine to keep the shop and parking areas clean. He also noted that at the November 19th meeting, staff presented a memo to the Council requesting to replace our failed tire changer with a new unit from Snap-On for the amount of \$8,618.40. Shortly after placing the order and receiving the new unit, staff were informed of a misinterpretation of the proposal from Snap-On. Staff reached out to Snap-On explaining the situation and noting the lack of clarity in their proposal leading to the mistake. They were unable to allow any further cost reductions. The amount that should have been addressed with the Council in November is \$11,901.60 (a difference of \$3,283.20).

Becker moved, seconded by Schultz to approve the purchase of service shop equipment to Midwest Equipment Specialist for the new Public Works and Parks Operations Facility at a cost not to exceed \$138,853.92 and approve the \$3,283.20 increase to the previously approved purchase of a tire changer using funds from the 2024 Public Works and Parks Operations Facility project borrowing. Motion carried.

- j. *Review and possible action relating to a **contract for Fiber Optic Cable and Splicing Installation Services from Koch Telecommunications** at a cost not to exceed \$9,011.32 (Williamson, Superintendent Public Works)*

Superintendent Williamson noted that in anticipation of the move-in deadline, the Public Works Department contacted Koch Telecommunications, the installation contractor that performed the all city-owned fiber optic installation and splicing several years ago. Koch Telecommunications responded with the attached proposal for services in two parts. First,

the installation and simultaneous connection of the new facility with continued use of the existing facility, with all necessary cabling, cabinets, and splicing, in the amount of \$7,961.32. The second portion of the proposal includes the removal of the slicing from the hand hole to the old facility office and permanent splicing for the new facility and West Shed, in the amount of \$1,050.00. Placing the total amount proposed for the work at \$9,011.32.

Becker moved, seconded by Schultz to approve the contract for Fiber Optic Cable and Splicing Installation Services from Koch Telecommunications at a cost not to exceed \$9,011.32 using funds from the 2024 Public Works and Parks Operations Facility Project borrowing. Motion carried.

- k. *Review and possible action authorizing an **Environment and Planning Study** to support the airport lighting and navigation upgrades from Mead and Hunt in an amount not to exceed \$20,000 (Selle, Director of Public Works)*

Director Selle noted that the City has \$159,000 in Bipartisan Infrastructure Law (BIL) funding available to it from 2022. The availability of that funding expires at the end of this federal fiscal year, which means it must be obligated in a grant prior to September 30, 2025. Fort Atkinson's 61C Capital Improvement Plan (attached) shows the project to replace the airfields lighting, navigational aids, and signage. The BOA and City staff have selected Mead and Hunt to develop the Environmental and Planning Report, and ultimately the project design, upon approval of the grant request to FAA. Given that the project is within our existing airport plan, there is little chance the project will not be approved. Discussions with Mead and Hunt indicate this document will not exceed \$20,000, but the full scope and budget for the effort will not be complete prior to the December 17, 2024 Council meeting. Staff is requesting Council authorize an expenditure not to exceed \$20,000, which will be reimbursed and/or deducted from the City's share of the design costs (estimated at \$6,600) and construction cost (estimated at \$38,000).

Becker moved, seconded by Jaeckel to authorize negotiation of a contract for the Environmental and Planning Study to support the airport lighting and navigation upgrades with Mead and Hunt in an amount not to exceed \$20,000 using CARES act funds from the airport fund balance. 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, Clerk/Treasurer/Finance Director)*

Jaeckel moved, seconded by Schultz to approve the list of Verified Claims as presented. Motion carried.

13. Adjournment

Jaeckel moved, seconded by Becker to adjourn. Meeting adjourned at 9:14 pm.

Respectfully submitted

Michelle Ebbert

City Clerk/Treasurer/Finance Director