



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, AUGUST 5, 2025 – 7:00 PM
CITY HALL – SECOND FLOOR**

MINUTES

1. Call meeting to order

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

2. Roll call

Present: Councilpersons Huckabee, Johnson, Lescohier, Schultz and President Jaeckel. Also present: City Manager, City Clerk/Treasurer/Finance Director, City Attorney, Director of Public Works, Public Works Superintendent, Director of Neighborhood Services, Fire Chief and Park & Recreation Director

3. Public Hearings

None.

4. Public Comment

Jim Marousis, 94 Shirley Street - spoke on the Pledge of Allegiance and shared stories of local families that are making life changes that are difficult.

John Callan, 522 Robert Street - he is in support of a second comment section to be included on regular council meeting agendas.

Adam Thompson, 365 Ramesh Avenue - spoke on the Pledge of Allegiance. Does not support the pledge being on a Council Agenda.

Laurie Wohlgemuth, 307 E Milwaukee Avenue - spoke on the Pledge of Allegiance. Does support the pledge being on a Council Agenda.

John Hausz, 104 Jefferson Street - spoke on the Pledge of Allegiance. Does support the pledge being on a Council Agenda.

5. Consent Agenda

Lescohier moved, seconded by Schultz to approve the Consent Agenda as presented, items 5.a through 5.c. with a correction noting that Cm. Johnson was not present at the Fluoride Listening Session held on July 14, 2025. Motion carried with the correction.

- a. *Review and possible action relating to the **minutes of the July 15, 2025 City Council meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- b. *Review and possible action relating to the **minutes of the July 14, 2025 Community Fluoride Listening Session** (Ebbert, Clerk/Treasurer/Finance Director)*
- c. *Review and possible action relating to **Citizen Appointments** to Committees, Commissions, and Boards (Houseman, City Manager)*

6. **Petitions, Requests, and Communications**

None.

7. **Resolutions and Ordinances**

- a. *Review and possible action relating to Substitute Amendment #1: An Ordinance to amend Section 2-53 and Section 2-54(f) of the City of Fort Atkinson Code of General Ordinances relating to the **Order of Business and Rules and Bylaws for City Council meetings** (Houseman, City Manager)*

Manager Houseman stated that several members of the City Council have requested an amendment to Section 2-53 of the City's code of general ordinances relating to the Order of Business for City Council meetings to include the pledge of allegiance. The original proposed ordinance amendment made two changes to the order of business for City Council meetings: to add the pledge of allegiance and to codify the use of a consent agenda, which was implemented by the City Council in 2021. The Ordinance Committee met on June 5, 2025, and recommended that the City Council approve the original proposed ordinance to amend Section 2-53 relating to the Order of Business for City Council meetings by a vote of 3-0. The Council performed the first reading of the original proposed ordinance amendment at the meeting on June 17, 2025, and directed the City Manager to prepare it for a second reading at the meeting on July 1, 2025 by a vote of 3-2. The Council performed the second reading of this Ordinance at the meeting on July 1st. At the City Council meeting on July 1, 2025, the Council voted 4-1 to amend the original proposed ordinance to do the following: Move the general public comment period to the end of the agenda; and add a public comment period for matters on the agenda. The Council directed the City Manager to prepare the amended ordinance (Substitute Amendment #1) for a third reading at the meeting on July 15, 2025. Proposed Substitute Amendment #1 incorporates the changes from the meeting on July 1st as well as adding the pledge of allegiance and codifying the consent agenda.

The following motion was made on July 15, 2025, City Council meeting with no action taken. President Jaeckel called for a motion and vote.

Huckabee moved, seconded by Schultz, to split the sections of the Substitute Amendment #1, Section 1. (3) Pledge of Allegiance, Section 1 (4) Consent Agenda, Section 1 (6) Public comment on matters on the Agenda, Section 1 (13) General public comment and Section 1 (f) (2) Other that addresses the prohibited topics for the general public comment. Motion

carried 5-0.

Huckabee moved, seconded by Johnson to approve Section 1. (3) Pledge of Allegiance.

Discussion continued:

Schultz shared comments that did not support the Pledge being included on a City Council Agenda. Johnson shared comments to support the Pledge being included on a City Council Agenda. Lescohier shared comments that did not support the Pledge being included on a City Council Agenda. Huckabee shared comments to support the Pledge being included on a City Council Agenda. Following discussion, a roll call vote was taken. Motion carried 3-2, Schultz and Lescohier opposed.

Huckabee moved, seconded by Schultz to approve Section 1. (4) Consent Agenda, including approval of minutes of previous council meeting. Motion carried 5-0.

Huckabee moved, seconded by Schultz to approve Section 1. (6) Public comment for matters on the agenda. Motion carried 5-0

Lescohier moved, seconded by Schultz to approve Section 1. (13) General public comment. Motion carried 5-0.

Schultz moved, seconded by Huckabee to approve Section 2. (2) A. For general public comments, subject matter of speaker's comments is not limited to agenda items. For public comment for matters on the agenda, the subject matter of speaker's comment is limited to those agenda items. For any public comments, the following topics are prohibited.

Huckabee questioned Ordinance item Section 2. (2) a. 1. - Political topics (of any nature). She disagrees on restricting political topics for general public comment. Houseman stated the prohibited topics have existed in the Ordinance and are not being recommended for change, addition or deletion. Motion carried 5-0.

- b. *Second and possible third/final reading of an ordinance to amend Section 34-2 of the City of Fort Atkinson Code of General Ordinances relating to **Fire Inspection Records and Reporting** (Peterson, Fire Chief)*

Chief Peterson stated the Fort Atkinson Fire Department is responsible for conducting annual fire inspections for up to 700 occupancies each year. These inspections ensure compliance with the City's fire prevention code, which requires businesses to maintain fire protection systems—including fire alarms, sprinklers, extinguishers, and cooking hood suppression systems—through certified annual inspections. Currently, there is no formal requirement for businesses to submit documentation of these inspections or proof that cited fire code violations have been corrected. In many cases, violations noted during the department's annual inspections must be corrected by the business or its fire protection service provider, but confirmation of compliance is often delayed or incomplete. The proposed ordinance change grants the Fire Chief authority to require electronic submission of inspection documentation, along with evidence that any fire code violations identified— either by the department or a certified contractor—have been resolved. The

format and method of submission will be determined by the department, improving efficiency, recordkeeping, and accountability in the compliance process. The Ordinance Committee reviewed this ordinance amendment at the meeting on June 5, 2025 and recommended that staff present the ordinance to the City Council at a future meeting. The City Council performed a first reading of this ordinance at the meeting on July 15th and directed the City Manager to prepare it for a second and possible third/final reading on August 5th.

Huckabee move to suspend the rules and offer a third/final reading of this Ordinance. Motion seconded by Lescohier and carried 5-0.

Huckabee moved, seconded by Schultz to approve the ordinance amending Section 34-2 of the Municipal Code relating to fire inspection records and reporting. Motion carried 5-0.

- c. *Second and possible third/final reading of an ordinance to create Section 18-82 of the City of Fort Atkinson Code of General Ordinances relating to **Certificates of Occupancy for Changes of Use** (Draeger, Director of Neighborhood and Building Services)*

Director Draeger stated that the City of Fort Atkinson does not require a new Certificate of Occupancy when a building or tenant space undergoes a change in use—provided no construction is proposed. This has created challenges in verifying compliance with applicable codes, particularly when the new use differs significantly from the previous one in terms of zoning regulations, building code classifications, and fire safety standards. Without a formal review process, critical life safety and code compliance issues may go undetected. Requiring a Certificate of Occupancy for all changes of use would ensure that all applicable codes are reviewed and enforced prior to occupancy. This approach, common in many municipalities, not only helps safeguard public health and safety but also provides clarity for business owners by identifying zoning, building, and fire code requirements upfront. This can result in significant cost savings by avoiding unexpected upgrades or compliance issues after a location has been selected. The Ordinance Committee met on June 5, 2025, and supported the creation of Section 18-82 to require certificates of occupancy for changes of use. The City Council performed a first reading of the ordinance at the meeting on July 15, 2025, and directed the City Manager to prepare the ordinance for second and possible third/final reading at the meeting on August 5th.

Lescohier moved to suspend the rules and offer a third/final reading of this Ordinance. Seconded by Lescohier and motion carried 5-0.

Schultz moved, seconded by Lescohier to approve the ordinance amending Section 18-82 of the Municipal Code relating to certificates of occupancy. Motion carried 5-0.

- d. *Second and possible third/final reading of an ordinance to create Section 1-16 and amend various other sections of the City of Fort Atkinson Code of General Ordinances relating to **Fees for Procedures, Reinspections, and Permits** (Draeger, Director of Neighborhood and Building Services)*

Director Draeger discuss that the City of Fort Atkinson is currently limited in its ability to

recover the costs associated with code enforcement efforts. The primary enforcement mechanism available is through municipal citations, which are often perceived as aggressive and are difficult to collect. This results in a reactive and punitive system that does little to encourage voluntary compliance or provide flexibility in enforcement. Additionally, time-consuming enforcement activities disproportionately focus on a small number of properties that consistently fail to meet City codes. These properties, though few, consume an overwhelming share of staff resources across multiple departments, including Building/Zoning, Police, Fire, Public Works, and Municipal Court. The result is a significant expenditure of public resources directed at a small number of repeat violators, while the broader tax base bears the cost. Since 2018, the City has incurred a total of \$13,943 in unrecovered citation fines related to persistent code violations. These include \$7,168 for unsightly debris, \$925 for junk or abandoned vehicles, \$937 for residential land use violations, \$185 for off-street parking infractions, \$2,000 for excavation without a permit, and \$2,728 for failure to comply with tree trimming requirements. These outstanding fines represent both a financial loss to the City and a continued enforcement challenge, underscoring the need for strengthened compliance measures and collection efforts. The Ordinance Committee reviewed this ordinance at the meeting on June 5, 2025 and recommended that staff present the ordinance to the City Council at a future meeting. The City Council performed a first reading of this ordinance at the meeting on July 15th and directed the City Manager to prepare the ordinance for a second and possible third/final reading at the meeting on August 5, 2025.

Lescohier moved to suspend the rules and offer a third/final reading of this Ordinance. Seconded Johnson by and carried 5-0.

Lescohier moved, seconded by Schultz to approve the ordinance to create Section 1-16 and amend various other sections of the City of Fort Atkinson Code of General Ordinances relating to Fees for Procedures, Reinspections, and Permits. 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 proposals for **solid waste and recycling collection services** for the City of Fort Atkinson (Houseman, City Manager)*

Manager Houseman provided that the City of Fort Atkinson has an 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. In December 2024, the City Council approved a negotiated amendment to the agreement with GFL that increased the cost by 2% in 2025 and terminated the agreement as of December 31, 2025. In June 2025, staff requested authorization from the City Council to release a request for proposals ("RFP") for solid waste and recycling collection services starting in 2026. The RFP was sent to four known companies and posted on the City's website and other locations. Staff received two proposals by the deadline from John's Disposal Service, Inc. from Whitewater ("John's") and Waste Management from Beloit ("WM"). The proposals are included with this packet for review. Green For Life ("GFL"), the City's current service provider, did not submit a proposal. Staff also sent the RFP to Pellitteri Waste Systems but did not receive a response. Manager Houseman detailed the alternate bid options which varied among bulk and every other week recycling.

Johnson moved, seconded by Lescohier to direct the City Manager to execute a five-year contract with John's Disposal Services at the City's current level of service (Alternate 2) at an estimated total cost of \$914,529, or \$231.00 per customer, for year 1 with 3.5% annual increases. Motion carried 5-0.

- b. *Review and possible action relating to a **Proposals for Financial Auditing Services for the fiscal years ending 2025, 2026 and 2027** (Ebbert, Clerk/Treasurer/Finance Director)*
Clerk/Treasurer Ebbert stated that at the June 17, 2025 meeting, the City Council meeting authorized staff to request proposals from qualified auditing firms for a new three-year contract. RFPs are utilized to maintain fiscal responsibility and compliance with changing governmental financial standards and policies. Staff emailed the proposal to five firms and requested publication on the League of Wisconsin Municipalities and Wisconsin City/County Management Association websites. Four firms provided proposals by the July 10th deadline. Staff reviewed the four submitted proposals and found that one did not meet the requirements outlined in the RFP. The remaining three proposals were evaluated based on their methodology, experience with similarly sized clients engaged in borrowing, and expertise in areas such as TID openings and closures, as well as utility rate studies.

Staff has worked with Baker Tilly for over 20 years. While the partnership has been successful, staff is conscience of the additional duties performed by auditors and the increasing costs of services. Based on the long-standing partnership, robust proposal, vast experience, and the high-quality services received in the past, staff supports maintaining a contract with Baker Tilly.

Huckabee moved, seconded by Johnson move to approve the proposal from Baker Tilly for financial auditing services for the City of Fort Atkinson for the fiscal years ending in 2025, 2026 and 2027 and authorize the City Manager to execute the contract as provided. Motion carried 5-0.

- c. *Review and possible action relating to updated invoice from Aqualis for **2024 Sanitary & Storm water inspection services** (Navin, Director of Public Works)*

Director Navin provided that on October 15, 2024, Staff brought forward a recommendation to Council to approve a contract for Sanitary and Storm water utility inspection services. The City Council approved this contract for \$71,715. This work was completed in late 2024 and early 2025. Through this work, the vendor came across several sanitary and storm sewers that needed additional cleaning, which the City approved for heavy cleaning as the work needed to be done to plan appropriately for the 2025 road construction project. The attached invoice includes an additional \$36,480 for heavy cleaning of the pipes identified in the 2024 work. These costs will be assigned to the respective Wastewater (\$8,977.50) and Stormwater (\$27,502.50) Utility funds.

Schultz moved, seconded by Huckabee to approve the updated invoices from Aqualis for 2024 and 2025 Sanitary and Stormwater inspection services. 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)*

Schultz moved, seconded by Johnson to approve the list of Verified Claims as presented. Motion carried 5-0.

13. Adjournment

Johnson moved, seconded by Schultz to adjourned. Meeting adjourned at 8:26 pm.

Respectfully submitted,
Michelle Ebbert
City Clerk/Treasurer/Finance Director