



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, APRIL 16, 2024 – 7:00 PM
CITY HALL – SECOND FLOOR**

MINUTES

1. Call meeting to order

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

2. Roll call

Present: Cm. Becker, Cm. Jaeckel, Cm. Leschier, Cm. Schultz and President Johnson. Also present: City Manager, City Clerk/Treasurer, City Attorney, City Engineer, Public Works Superintendent, Police Chief and Park & Recreation Director.

3. Public Hearings

None.

4. Public Comment

David Frigo, 409 Milo Street - He noted near the bike trail, he had seen a sleeping bag and pillow. He asked about an open meeting for immigrants.

Jodie Raddatz, 1245 Jeanette Street - Spoke on the bike path and river walk and mentioned money should be spent on roads and not on the path. She referenced the bike path on S. Main Street and a prior discussion on cost estimates.

John Hausz, 104 Jefferson Street - spoke on evasive species on the west side of town and the school near there. Riverside Drive repair, he stated he has not heard numbers and requested the rerouting of a bike trail. He also commented about stormwater and future sediment and his family marsh.

5. Consent Agenda

Cm. Schultz moved, seconded by Cm. Becker to approve the Consent Agenda items #5.a. through #5.g. as presented. Motion carried 5-0.

*a. Review and possible action relating to the **minutes of the March 19, 2024 Ordinance Committee** meeting (Ebbert, Clerk/Treasurer/Finance Director)*

*b. Review and possible action relating to the **minutes of the April 4, 2024 regular City Council***

meeting (Ebbert, Clerk/Treasurer/Finance Director)

- c. *Review and possible action relating to the **minutes of the April 9, 2024 regular Plan Commission meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- d. *Review and possible action relating to the **minutes of the April 10, 2024 Police and Fire Commission meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- e. *Review and possible action relating to **building, plumbing, and electrical permit report for March 2024** (Draeger, Building Inspector/Zoning Administrator)*
- f. *Review and possible action relating to the City Clerk-issued **License and Permit Report for March 2024** (Ebbert, Clerk/Treasurer/Finance Director)*
- g. *Review and possible action relating to **City Sewer, Water, and Stormwater Utility Financial Statements as of March 31, 2024** (Ebbert, Clerk/Treasurer/Finance Director)*

6. Petitions, Requests, and Communications

- a. **Presentation: Annual Stormwater Report** (Selle, Director of Public Works/City Engineer)
Engineer Selle reviewed the annual report as part of the City's Phase II MS4 Permit, that includes activities and accomplishments pursuant to the management of stormwater within the municipal boundaries of Fort Atkinson. The Report covers the City's activities in seven critical areas: Public Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Pollution Control, Post-construction Stormwater, Management, Pollution Prevention and Storm Sewer Mapping. Staff continues to make progress in ensuring the stormwater entering the Bark and Rock Rivers is as clean as possible. The City has come a long way since utilizing the river as a conduit for untreated sewage and waste in the early 1900s. Recreational use of the Rock and Bark Rivers continues to increase, and they are being viewed as an asset in our community which is a direct Page 24 of 80 result of City efforts and funding. Being a "River Community" is now touted as an important aspect of the quality of life in Fort Atkinson. No action was taken or required.
- b. *Review and possible action on a proclamation recognizing **Fair Housing Month** in the City of Fort Atkinson (Houseman, City Manager)*
Cm. Lescohier moved, seconded by Cm. Becker to recognize Fair Housing Month in the City of Fort Atkinson. Motion carried 5-0.
- c. *Review and possible action on a proclamation recognizing **National Library Week April 7-13, 2024** in the City of Fort Atkinson (Houseman, City Manager)*
Cm. Becker moved, seconded by Cm. Schultz to recognize National Library Week of April 7-13, 2024 in the City of Fort Atkinson. Motion carried 5-0.
- d. *Review and possible action on a proclamation recognizing **After School Professionals Appreciation Week April 22-26, 2024** (Houseman, City Manager)*
Cm. Schultz moved, seconded by Cm. Jaeckel to recognize After School Professionals Appreciation Week April 22 - 26, 2024 in the City of Fort Atkinson. Motion carried 5-0.

7. Resolutions and Ordinances

- a. *Review and Possible action on a resolution relating to “Less Mow May,” a temporary exception to Section 102-121(b)(1) of the City of Fort Atkinson Municipal Code* (Houseman, City Manager)

Manager Houseman discussed Section 102- 121(b)(1) of the City of Fort Atkinson Municipal Code, which would allow for grass to exceed the stated eight-inch maximum to facilitate promotion and education of habitat necessary for successful emergence and survival of pollinators in the month of May. This effort, previously known as "No Mow May" has been successfully implemented in the City since 2021. However, research in the last year has shown that mowing every 2-3 weeks is actually better for pollinators. As such, Heart of the City has requested that the City provide the same exception as in previous years but call the month "Less Mow May." This proposed exception would allow rear yards of residential properties and designated City-owned property to be exempt from enforcement of Section 102-121(b)(1) throughout the month of May 2024. The designated City-owned properties to be included in this exception are: Barrie Park near the playground on the corner, North Main St. and N Fourth St by the train tracks, a swatch near the electronic sign at Jones Park and Wilcox Park section.

Cm. Becker moved, seconded by Cm. Lescohier to adopt the attached Resolution allowing for Temporary Exception to Section 102-121(b)(1) from May 1, 2024 to May 31, 2024 and declare the month “Less Mow May” in the City of Fort Atkinson. Motion carried 5-0.

- b. *Second and possible third/final reading of an Ordinance amending Section 22-262 and 22-263 relating to Direct Sellers* (Ebbert, Clerk/Treasurer/Finance Director)

Clerk Ebbert provided the second reading of the Ordinance to amend Sections related to Direct Sellers.

Section 22-262 (e) - Staff proposes to remove the fee from the Ordinance and place it in the annual Fee Resolution adopted by the City Council during the budget process.

Section 22-262 (g) - Staff proposes to change the authority for revocation or suspension of this license from the Chief of Police to the City Manager or his/her designee.

Section 22-262 (j) - Staff proposes to add this section to set a maximum number of licenses per business per year, limited to 10.

Section 22-263 (1) - Staff proposes to change this to prohibiting the practice from 7:00 pm and 9:00 am. The City Council experienced the first reading at their April 4, 2024 meeting with recommendation for a second reading and no changes. Council may consider waiving the third reading and adopting.

The Ordinance Committee met on March 19, 2024 and recommended that staff bring this ordinance amendment before the full City Council for a first reading. The first reading was held April 2, 2024. Staff recommends that the City Council provide a second reading of the Ordinance, and if so desired, suspend the rules and offer a third reading and enact this ordinance amendment.

Cm. Jaeckel, seconded by Cm. Becker to suspend the rules and waive the third reading of the ordinance amending Section 22-262 and 22-263 relating to Direct Sellers. Motion carried on a roll call vote 5-0.

Cm. Jaeckel, seconded by Cm. Schultz to adopt the Ordinance amending Sections 22-262 and 22-263 relating to Direct Sellers. Motion carried 5-0.

8. Reports of Officers, Boards, and Committees

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

9. Unfinished Business

- a. Review and possible action relating to a **Certified Survey Map for Opportunities Inc.**, for the property located at 201 East Cramer Street (Selle, Director of Public Works)*
Engineer Selle reviewed the Plan Commission recommendation on April 9, 2024 for Opportunities Inc for approval of a CSM combining lots on a property at 201 E Cramer St. Plan Commission approved the CSM with conditions noted in the attached memo. Conditions for approval were largely related to stormwater infrastructure on site and the preservation of parking opportunities, both current and existing, for the building located both north and south of Cramer St that encompass the overall Opportunities campus. The Plan Commission reviewed this matter and recommended that the City Council approve the preliminary Certified Survey Map subject to the following conditions:
- Staff review of the permanent parking easement for the benefit of the 100 E Cramer parcel to be recorded with the CSM
 - The addition of stormwater easements on the CSM for the existing and proposed stormwater basins
 - The combining of the four parcels on the south side of Cramer St into two, as noted in the memo for Plan Commission.

Cm. Jaeckel moved, seconded by Cm. Leschier to approve the Certified Survey Map for Opportunities Inc., for the property located at 201 East Cramer Street subject to the conditions recommended by staff and the Plan Commission. Motion carried 5-0.

10. Claims, Appropriations and Contract Payments

- a. Review and possible action relating to the **Verified Claims for March 21-31, 2024** presented by the Director of Finance and authorization of payment (Ebbert, Clerk/Treasurer/Finance Director)*
Cm. Becker moved, seconded by Cm. Jaeckel to approve the Verified Claims for March 21 -

31, 2024 as presented. Motion carried on a roll call vote 5-0.

- b. *Review and possible action relating to the **Verified Claims for April 1-16, 2024** presented by the Director of Finance and authorization of payment (Ebbert, Clerk/Treasurer/Finance Director)*

Cm. Becker moved, seconded by Cm. Jaeckel to approve the Verified Claims for April 1 - 16, 2024 as presented. Motion carried on a roll call vote 5-0.

11. Adjournment

- a. ***The 2023-2024 City Council will adjourn – Sine Die***

Cm. Jaeckel moved, seconded by Cm. Becker to adjourn the final meeting of the 2023-2024 Fort Atkinson City Council Sine Die at 7:36 pm. Motion carried 5-0.

12. Oath of Office

- a. *The City Clerk will administer the **Oath of Office** to newly elected City Council Members (Ebbert, Clerk/Treasurer/Finance Director)*

Clerk Ebbert administered the Oath of Office to Cm. Johnson, Lescohier and Schultz.

13. Call meeting to order

- a. ***Call to order** the first meeting of the 2024-2025 Fort Atkinson City Council (Houseman, City Manager)*

Manager Houseman call the first meeting of 2024-2025 Fort Atkinson City Council to order at 7:37 pm.

- b. ***Roll Call***

Present: Cm. Becker, Cm. Jaeckel, Cm. Johnson, Cm. Lescohier and Cm. Schultz.

- c. ***Election of the President of the City Council for the term of April 16, 2024 – April 15, 2025 (Houseman, City Manager)***

Cm. Becker nominated Cm. Lescohier. Cm. Schultz seconded the motion. Cm. Lescohier accepted the nomination. No other nominations were made. Motion carried on a voice vote 5-0.

- d. ***Election of President Pro Tem by Council President for the term of April 16, 2024-April 15, 2025 (Council President)***

Cm. Jaeckel nominated Cm. Schultz as President Pro Tem. Seconded by Cm. Becker. Schultz accepted the nomination. No other nominations. Motion carried on a voice vote 5-0.

- e. *Review and possible confirmation of the City Manager's appointment of Eric Schultz to serve as the Council Representative on the **Plan Commission** (Houseman, City Manager)*

Cm. Becker moved, seconded by Cm. Johnson to confirm the appointment of Eric Schultz to serve as the Council Representative on the Plan Commission for the 2024-2025 year.

Motion carried 5-0.

- f. *Review and possible action to designate the **Daily Jefferson County Union as the Official City Newspaper** for purposes of publishing required legal notices (Ebbert, Clerk/Treasurer/Finance Director)*

Cm. Johnson moved, seconded by Cm. Jaeckel to designate the Daily Jefferson County Union as the Official City Newspaper for purposes of publishing required legal notices. Motion carried 5-0.

14. New Business

None.

15. Closed Session

- a. *The City Council may consider a motion to convene in closed session pursuant to State Stat. §19.85(1)(g) to **confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved [Koshkonong Estates].***

Cm. Becker moved, seconded by Cm. Johnson to convene in closed session pursuant to State Stats. Section 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation. Motion carried on a roll call vote 5-0.

16. Adjournment

Respectfully submitted,
Michelle Ebbert
City Clerk/Treasurer