



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 18, 2026 – 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: Council members Huckabee, Johnson, Lescohier, Price and President Jaeckel. Also present: City Manager, Deputy Clerk, Director of Neighborhood and Building Services, Director of Public Works, Police Chief, Police Captain, City Electrician, Park & Recreation Director and Wastewater Superintendent.

3. Pledge of Allegiance

President Jaeckel led the Pledge of Allegiance.

4. Consent Agenda

Huckabee moved, seconded by Price to approve the Consent Agenda items 4.a through 4.g. Motion carried, 5-0.

- a. *Review and possible action relating to the **minutes of the August 4, 2026, City Council meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- b. *Review and possible action relating to the **minutes of the August 4, 2026 License Committee meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- c. *Review and possible action relating to the **minutes of the August 11, 2026, Plan Commission meeting** (Ebbert, Clerk/Treasurer/Finance Director)*
- d. *Review and possible action relating to **building, plumbing, and electrical permit report for July 2026** (Draeger, Director of Neighborhood and Building Services)*
- e. *Review and possible action relating to the City Clerk-issued **License and Permit Report for August** (Ebbert, Clerk/Treasurer/Finance Director)*
- f. *Review and possible action relating to **City Sewer, Water, and Stormwater Utility Financial Statements** as of July 31, 2026 (Ebbert, Clerk/Treasurer/Finance Director)*
- g. *Review and possible action relating to an **Alcohol Beverage License Application** for Rock River Heritage Inc. dba Fort Atkinson Club Community Center, for use at 211 S. Water Street East for a RESERVE "Class B" Intoxicating Liquor and Class "B" Fermented Malt*

Beverage license (Ebbert, Clerk/Treasurer/Finance Director)

5. Public Hearings

None.

6. Public Comment for Matters on the Agenda

Dan Scullin, 614 Monroe St., expressed concerns about e-bike safety, noting instances of riders unexpectedly entering the roadway and causing drivers to brake abruptly. He encouraged the City to address the issue to help prevent accidents and injuries. He also inquired whether e-bikes are permitted on the bike path, which is posted as prohibiting motorized vehicles.

Jean Brooks, via Zoom, 1113 Elsie St., stated that as an older adult who uses an electric bicycle, she would like to ensure that the ordinance considers her needs.

After three calls and no comments, the public hearing was closed at 7:07 p.m.

7. Petitions, Requests, and Communications

- a. A proclamation celebrating Jeff Armstrong on the occasion of his retirement and proclaiming August 18, 2026, as "Jeff Armstrong Day" in the City of Fort Atkinson (Navin, Director of Public Works)*

Lescohier moved, seconded by Johnson to approve the Proclamation celebrating Jeff Armstrong on the occasion of his retirement and proclaim August 18, 2026 as "Jeff Armstrong Day" in the City of Fort Atkinson. Motion carried, 5-0.

8. Resolutions and Ordinances

- a. First reading of an Ordinance to amend Section 58-148 of the City of Fort Atkinson Municipal Code **relating to the sale of tobacco, nicotine products, electronic smoking devices, and electronic smoking device paraphernalia** near certain locations (Bump, Police Chief)*

Chief Bump provided the main goal of section 58-148(d)(3) of the Fort Atkinson City ordinance is to reduce the availability and visibility of smoking products that include Tobacco, Vape, Electronic Smoking Devices, Electronic Smoking Device Paraphernalia, Pipes, Hookahs, Rolling Papers, and other miscellaneous nicotine consumables and smoke products to youth. In 2022, this ordinance was originally drafted as multiple new businesses were opening their doors next to the Fort Atkinson High School. At that time, insufficient attention was given to other locations where youth gather that should have been included in the distance restrictions.

Lescohier moved, seconded by Price, to perform the first reading of the Ordinance and direct the City Manager to prepare the Ordinance for a second reading on September 1, 2026.

Huckabee moved to amend the motion by striking out the section proposed in the redline draft in 58-148(D)3, and striking out the definition changes in (B), items 5 through 9, seconded by Johnson. Motion fails, 2-5.

Huckabee moved, seconded by Johnson, to amend the motion by striking out the addition of city parks in the proposed section redline draft in 58-148(D) item 3. Motion carries, 3-5.

President Jaekel called for a vote on the underlying motion to perform the first reading of the Ordinance and direct the City Manager to prepare the Ordinance for a second reading on September 1, 2026. Motion carries, 5-0

- b. *First reading of an Ordinance to amend **multiple sections of Chapter 62** of the City of Fort Atkinson Municipal Code of Ordinances relating to park regulations (Dayton, Director of Parks and Recreation)*

Director Dayton and the Recreation Advisory Board Rules and Ordinances Subcommittee conducted a focused review of Chapter 62, Articles I and II of the City's Codes and Ordinances. Additionally, the subcommittee investigated the addition of a new ordinance to prohibit the use of smoking, vaping, and e-cigarettes products within the City's park system. This ordinance does not reflect the sale of any products.

Huckabee moved, seconded by Johnson to amend the proposed text of Section 62-5 to strike the blanket prohibition and instead read as follows: Section 62-5. — Smoking and vaping restricted near park structures. It shall be unlawful for any person to smoke or vape tobacco, hemp, or THC products within a 25-foot radius of any designated park structure, playground, pavilion, athletic field, or permanent seating area within any city park. Except as provided herein, smoking and vaping are permitted on open park grounds and trails. Motion fails, 2-3.

Leschohier moved, seconded by Price to perform the first reading of the Ordinance and direct the City Manager to prepare the Ordinance for a second reading on September 1, 2026. Motion carried, 3-2.

- c. *Second reading of an Ordinance creating Sections 94-245 through 94-248 of the City of Fort Atkinson Code of Ordinances relating to **Off-Highway Motorcycles (OHM)** (Hefty, Police Captain)*

Capitan Hefty stated the proposed ordinance is a necessary step to address the surge in OHM and E-Moto usage in Fort Atkinson. By clearly defining OHMs, distinguishing them from legal E-bikes, and providing a tool for municipal citations, this ordinance will protect the community and empower local law enforcement to curb dangerous, unregulated riding. The Council held the first reading of the ordinance at a meeting on August 4, 2026

Leschohier stated that, based on his research, OHMs typically are not equipped with pedals and have more powerful motors. Hefty and Bump clarified that the presence or absence of

pedals is not always determinative, noting that modifying an e-bike to increase its motor power could cause it to be classified more appropriately as an OHM.

Lescohier moved, seconded by Price to perform the second reading of the Ordinance and direct the City Manager to prepare the Ordinance for a third/final reading on September 1, 2026. Motion carried, 5-0.

- d. *Second reading of an Ordinance to amend several Sections of Chapter 94 of the City of Fort Atkinson Code of General Ordinances relating to **Electric Bikes and Scooters** (Bump, Police Chief)*

Chief Bump shared the purpose of this memo is to serve as background on the draft updates to the ordinance for Bicycles and Scooters. Drafted additions and updates are specific to e-Bikes. Since the last update to this ordinance in 2019, the State of Wisconsin has made additional law changes pertaining to e-Bikes. This update incorporates these updates and adopts additional safety language focused on improving roadway safety. There is also the addition of parental responsibility as e-Bikes continue to gain popularity with youth. The Council held the first reading of the ordinance at a meeting on August 4, 2026.

Johnson inquired whether the Police Department is addressing the use of electric skateboards and expressed support for providing education to both youth and parents. Bump responded that the Department is researching the use of “electric play-toys” as new devices emerge and determining how existing laws apply to them.

Price moved, seconded by Huckabee to perform the second reading of the Ordinance and direct the City Manager to prepare the Ordinance for a third/final reading on September 1, 2026. Motion carried, 5-0.

- e. *Second reading of an **Ordinance Amending the City of Fort Atkinson Zoning Map** to change the zoning of the property located at 1911 Janesville Avenue from Rural Holding (RH-35) to Multifamily Residential (MRH-30) (Draeger, Director of Neighborhood and Building Services)*

Director Draeger stated the Plan Commission reviewed the Zoning Map Amendment at a meeting on July 28, 2026, and recommended approval by the City Council. Council held the first reading on July 18, 2026. The applicant is proposing to rezone the property from RH-35 to MRH-30, and to obtain a Conditional Use Permit for a Group Development to accommodate seven multifamily buildings totaling 112 units within two separate phases.

Huckabee moved, seconded by Johnson to perform the second reading of the Ordinance and direct the City Manager to prepare the Ordinance for a third/final reading on September 1, 2026. Motion carried, 5-0.

- f. *Review and possible action relating to a Resolution adopting the Project Plan and boundaries for **Tax Incremental District (TID) No. 12**, City of Fort Atkinson, Jefferson County, Wisconsin (Houseman, City Manager)*

Manager Houseman presented the proposal to create a new Tax Incremental District (TID) No. 12, generally located in the area around Main Street and primarily along Madison Avenue, West Sherman Avenue, and Riverside Drive, located within the City's limits. The project plan, maps, and notices are included with this memo for review by the City Council and the Public. TID 12 will be classified as a blighted district based on the identification and classification of the property proposed to be included within the district. The Plan Commission held a public hearing relating to TID No. 12 at the meeting on July 28, 2026.

Huckabee moved, seconded by Johnson to approve the Resolution adopting the Project Plan and boundaries for Tax Incremental District (TID) No. 12, City of Fort Atkinson, Jefferson County. Motion carried, 5-0.

- g. Review and possible action on a Resolution adopting the project plan and boundaries for **Tax Incremental District (TID) No. 13**, City of Fort Atkinson, Jefferson County, Wisconsin (Houseman, City Manager)*

Manager Houseman shared the proposal to create a new Tax Incremental District (TID) No. 13, generally located in the area around Main Street and primarily along Water Street, Milwaukee Avenue, and Third Street, located within the City's limits. The project plan, maps, and notices are included with this memo for review by the City Council and the Public. TID 13 will be classified as a blighted district based on the identification and classification of the property proposed to be included within the district. The Plan Commission held a public hearing at their meeting on July 28, 2026, relating to the project plan and boundaries for TID No. 13.

Huckabee moved, seconded by Johnson to approve the Resolution adopting the Project Plan and boundaries for Tax Incremental District (TID) No. 13, City of Fort Atkinson, Jefferson County. Motion carried, 5-0.

9. Reports of Officers, Boards, and Committees

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

10. Unfinished Business

None.

11. New Business

- a. Review and possible action relating to **Ridge View Estates** structural fill invoice from Gallitz Grading LLC in the amount of \$22,642 (Navin, Director of Public Works)*
Director Navin mentioned as part of building roads and installing utilities in the Ridge View Estates subdivision, the City's contractor removed structural fill from Lots 1 and 2. This

resulted in Lots 1 and 2 not being at the subdivision design elevation at the start of construction of the Ridge View Lofts apartment building located on the south side of Trillium Drive. The removal of fill from the lots was identified by the developer in January 2025 and required their contractor to truck in 5,100 yards of structural fill to get the lots graded per their original design.

Johnson moved, seconded by Price to approve the structural fill invoice for Ridge View Estates from Gallitz Grading, LLC, in an amount not to exceed \$22,642.00. Motion carried, 5-0.

*b. Review and possible action regarding **Ridge View Estates Development Change Order #9** (Navin, Director of Public Works)*

Director Navin shared that the Ridge View Estates subdivision infrastructure project includes an eight-foot wide asphalt path along the south side of Trillium Drive. The path extension and ADA curb ramp improvements identified in Change Order No. 9 were originally included as part of the Ridge View Estates Development contract. As the project neared completion this spring, staff removed this work from the contract through Change Order No. 8, so the overall project could be closed out on time. Items were removed or reduced in quantity due to changes in design during construction, deferral until lots within the development area are near full, or because they were not required to complete construction. Change Order 8 reduced the overall cost of the project. The change order includes two concrete ADA-compliant curb ramps and approximately 420 feet of asphalt path along the south side of Trillium Drive at a cost not to exceed \$29,605. This change order will be paid for using TID 9 funds.

Price moved, seconded by Lescohier to approve Ridge View Estates Development Change Order #9 for services completed to install the path connection before occupancy of the new apartment development. Motion carried, 5-0.

*c. Review and possible action related to the replacement of **Aerated Digester #2 Membrane** at the Wastewater Treatment Facility (Sweeney, Wastewater Utility Superintendent)*

Superintendent Sweeney discussed how the Wastewater Treatment Facility has three digesters that are part of the sludge treatment process. Digester #2 contains approximately 1,150 diffuser membranes. Following the unknown detachment of an air supply line, sludge gradually entered and accumulated within the digester diffuser grid. As a result, many of the diffuser membranes have become completely fouled. Due to the failed membranes and the current condition of the diffuser system, it is recommended to remove and replace all existing diffuser membranes to restore proper performance.

Lescohier moved, seconded by Price to approve the purchase and installation of the membranes from Rubicon Environment at a cost not to exceed \$16,200 to be paid for using Wastewater borrowed funds. Motion carried, 5-0.

*d. Review and possible action relating to a **Certified Survey Map for the property located at 815 Jefferson St.** (226-0614-3432 and 226-0614-3432-004) (Draeger, Director of*

Neighborhood and Building Services)

Director Draeger stated that property owner Opportunities Inc. has requested approval to combine two parcels into one to facilitate the development of an outdoor activities area on the combined properties as an accessory use to the primary structure. The accessory structures and project will require Site Plan Review and approval by the Plan Commission. That body is scheduled to review the matter on September 8th.

Huckabee moved, seconded by Price to approve the Certified Survey Map for the property located at 815 Jefferson Street. Motion carried, 5-0.

- e. *Review and possible action relating to a **Certified Survey Map for the property located on Mehta Lane** (parcels 226-0614-3231-000 and 226-0614-3242-001) (Draeger, Director of Neighborhood and Building Services)*

Director Draeger stated the proposed Certified Survey Map is planned to combine two existing parcels together and extend the public right-of-way for Mehta Lane and Commonwealth Drive into the subject property creating a new cul-de-sac at the end of each street. The Land Division and Development Code requires that the CSM be reviewed by the Plan Commission for consistency with all other ordinances, laws, rules, regulations, and plans.

City staff recommends the Plan Commission recommend the City Council approve the Certified Survey Map, subject to the following conditions:

- An easement shall be added to the CSM to identify the location of a watermain loop from Mehta Lane to Commonwealth Drive.
- All City Engineer comments are incorporated within a revised CSM and provided to City staff for review and approval.
- Subject to approval of the Conditional Use Permit by the Plan Commission.
- Any other recommendations of the City Council

Lescohier moved, seconded by Johnson to approve the Certified Survey Map for the property located at Mehta Lane subject to the conditions outlined in the staff report. Motion carried, 5-0.

- f. *Review and possible action relating to a **Certified Survey Map for a property located at 550 McMillen St.** (ZMA-SPR-2026-02) (Draeger, Director of Neighborhood and Building Services)*

Director Draeger stated the proposed Certified Survey Map is planned to combine two existing parcels together and extend the public right-of-way for Schumacher Way into the subject property. One small parcel (12,500 square feet) currently connects the large existing parking lot parcel (7.5 acres) to McMillen Street. The CSM is proposed to combine the parcels together for improved access. Additionally, a cul-de-sac shaped right-of-way extension is proposed at the eastern terminus of Schumacher Way to also improve long-term accessibility to the site. Finally, the CSM documents a series of easements that includes water and sewer connections between this property and Schumacher Way, in addition to stormwater areas needed to serve this property and the original development

of Schumacher Way.

Staff and the Plan Commission recommend approval of the preliminary Certified Survey Map for the property located at 550 McMillen St., subject to the following conditions:

- All City Engineer comments are incorporated within a revised CSM and provided to City staff for review and approval.
- Conditional Use Permit approved by Plan Commission.
- Any other recommendations of the City Council

Huckabee moved, seconded by Price to approve the Certified Survey Map for property located at 550 McMillen Street subject to the conditions outlined in the staff report.

Motion carried, 5-0.

12. Miscellaneous

None.

13. Public Comment for Matters Not on the Agenda

John Donohue, 1550 Raveen St, announced his candidacy for Representative to the Assembly District 46 for the General Election on November 3, 2026.

After three calls and no comments, the public hearing was closed at 9:0 p.m.

14. 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)*

Price moved, Huckabee seconded to approve the list of Verified Claims and authorize payment. Roll call vote, motion carried, 5-0.

15. Closed Session

- a. The City Council may adjourn into closed session under Wis. Stat. 19.85(1)(e) to conduct other specified business where competitive or bargaining purposes require a closed session [Review of Offer to Purchase Lot 1 in the Klement Business Park] (Houseman, City Manager)*

Huckabee moved, seconded by Johnson to adjourn into closed session under Wis. Stat. 19.85(1)(e) to conduct other specified business where competitive or bargaining purposes require a closed session [Review of Offer to Purchase Lot 1 in the Klement Business Park]. Roll call vote, motion carried, 5-0.

- b. The council may reconvene in open session and may take action on the Offer to Purchase Lot 1 in the Klement Business Park (Houseman, City Manager)*

Lescohier moved, seconded by Johnson to reconvene in open session. Roll call vote,

motion carries, 5-0.

Price motioned, seconded by Johnson to take action on the offer to purchase Lot 1 in the Klement Business Park. Motion carries, 5-0.

16. Adjournment

Johnson motioned, seconded by Huckabee to adjourn. Meeting adjourned at 9:15 p.m.

Respectfully submitted,
Courtney Thom
Deputy Clerk



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

MEMORANDUM

DATE: August 18, 2026

TO: Fort Atkinson City Council

FROM: Ben Dayton, Director of Parks and Recreation

RE: First reading of an Ordinance to amend multiple sections of Chapter 62 of the City of Fort Atkinson Municipal Code of Ordinances relating to park regulations (Dayton, Director of Parks and Recreation)

BACKGROUND

Parks and Recreation Director Dayton and the Recreation Advisory Board Rules and Ordinances Subcommittee conducted a focused review of Chapter 62, Articles I and II of the City's Codes and Ordinances. Additionally, the subcommittee investigated the addition of a new ordinance to prohibit the use of smoking, vaping, and e-cigarettes products within the City's park system.

DISCUSSION

Staff provided the subcommittee with a proposal adopting new ordinance to prohibit smoking, vaping, and the use of e-cigarettes within city parks and on public trails. Additionally, revisions were recommended to existing ordinances regarding pets on designated park property, protection of City property within the parks system, glass bottle restrictions, and park hours of operation. These amendments are intended to align current usage of park facilities with City ordinance.

The following recommendations and rationales are proposed:

ARTICLE I. - IN GENERAL

Sec. 62-1. - Animals on city park grounds:

Staff proposes extending this ordinance to include designated athletic fields and playgrounds. This restriction is intended to prevent damage to prepared ballfields and ensure playgrounds remain free of animal waste. Also, extending the ordinance to easily recognizable facilities without the need for additional posted signage.

Sec. 62-2. - Operation of vehicles, animals restricted; destruction of property.

Staff recommends adding language to specifically identify the unauthorized tampering with city property during activities such as geocaching and the use of metal detectors. While geocaching is recognized as an acceptable activity, the intent is to prevent the modification of or damage to facilities and property.

Sec. 62-4. - Possession, consumption of alcohol prohibited.

Staff recommendations include removing the prohibition of alcohol consumption in Bicentennial Park. The original ordinance was adopted when the park was located in a different area. Memorial Park will remain on the list due to its primary use as a youth sports facility. The ordinance will also be updated to include legal, hemp-derived THC beverage products and a citywide prohibition of glass bottles in parks to enhance public safety and reduce the risk of injury from broken glass.

Sec. 62-5. - Smoking, vaping, and e-cigarettes prohibited. (proposed new ordinance)

Staff recommends, with subcommittee support, the adoption of a new ordinance prohibiting the use of smoke or vapor producing products within park spaces. Aside from public health concerns, the intent is to remove smoking and vaping from public events, youth activities, and locations where the general public will congregate. Under the proposed rules, the use of these products would be restricted to areas within the public right-of-way.

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

Sec. 62-37. - Hours of operation.

Staff recommends that park hours mirror the weekend hours established by the citywide curfew ordinance (Section 58-197). This update also includes the removal of specific, outdated hours previously set for Bicentennial Park.

FINANCIAL ANALYSIS

Staff does not anticipate a significant financial impact associated with the recommended new ordinance and ordinance amendments.

RECOMMENDATION

Staff, the Parks and Recreation Advisory Board, and the Ordinance Committee recommend the Council hold the first reading of the Ordinance and direct the City Manager to prepare the ordinance for a second reading at the meeting on September 1, 2026.

ATTACHMENTS

1. Chapter_62___PARKS_AND_RECREATION
2. Ord No Parks and Recreation Section 62 DRAFT REDLINE