

Present: P. Schmitt, Leuenberger, Glass, Schroeder, and K. Schmitt. Absent: None
Mayor Paul Herold called the meeting to order at 7:00 p.m.

Myles Kupka advised Council the Museum on Wheels is available on Friday or Sunday of Rendezvous weekend, and there is no cost to have it come to town. K. Schmitt offered to look at the schedule for the weekend and contact them with best time. Kupka also asked about collecting local donations to show support for the money the DNR is allocating to make repairs to the Fort grounds. Mayor Herold advised the Friends of Fort have been working with Northeast Iowa RC&D, and have Ernst money in for the initial study. K. Schmitt is also working on a display for Rendezvous Days to showcase the plans and collect donations.

Ron Franzen advised someone is looking for a 5,000 square foot building to showcase his woodcarvings. After some discussion, Council does not believe there is anything available in town. Franzen also asked about a sign posting where Oak Hill Cemetery is, as people come to his business looking for it. Herold will check with the 9-1-1 Board. Leuenberger will also bring up at the next cemetery board meeting. Two firemen have their physicals done at Gehling Chiropractic, and another scheduled mid-July. His question is still why are we mandated by ICAP to do the physicals, but other fire departments are not.

Maxwell Krivachek requested to be on the agenda, but was not in attendance. His question submitted was "Does the city's insurance cover the non licensed/non insured recyclers endorsed in the city nuisance letter in case a matter of liability would be created by one of them?" Council does not need to cover the insurance on them as we did not hire them, they simply were stated as "if you need assistance, the following have advised they pick up junk vehicles". Greg Barta asked Your Car Dealer if they were interested in being listed also prior to sending out the letters, and they told him no.

Gerald Krivachek submitted a request to be on the Agenda, but was not in attendance. His question was as follows: "In Case 20FC:0110 Iowa Public Information Board formal inquiry into the City Fort Atkinson, The City of Fort Atkinson hired an attorney to defend the withholding of "handwritten minutes of the Council. The city eventually released the information before the state convened the board's official hearing

1. Why did the city withhold the information. Response: The city was not withholding information. Just asked for clarification from our city attorney as this is not a usual request of public records. All minutes are typed and published in the Calmar Courier, as well as posted on the Fort Atkinson website. The request was for the handwritten notes taken at the council meeting, which we needed clarification if that is also considered a public record. The City Attorney requested an Advisory Opinion from IPIB.
2. Why was this formal representation of the city to a state board not recorded in the minutes. Response: The request came through city clerk email requesting public records, which would be a duty of the city clerk, and not an item needed to be on a council agenda.
3. What was the official cost of this temporary withholding of information in unnecessary attorney fees. Response: The information was not being withheld, we were simply clarifying with the city attorney if handwritten notes were considered a public record, and the City Attorney requested further clarification from the IPIB board. Any advice needed from legal counsel is not an unnecessary expense, and the City Attorney is hired to assist how and when we deem necessary, which in this case, was needed. To date, we have paid \$1,367.50 in attorney fees related to the requests made from Your Car Dealer, and FY21 total paid to Anderson, Wilmarth Law Office is \$2,011.25.
4. How was city council made aware of this complaint. How was it concluded legal representation was necessary. Where was this discussed since it is not recorded in the minutes. Response: The City Clerk received the request via email, and asked for clarification from the City Attorney and Mayor. Again, legal counsel is available as we feel necessary. The Mayor and Council have been provided copies of Krivachek's questions and IPIB's response in this agenda packet.

Isaac Schmitt requested to be on the agenda to request a recycler's license at 101 Grove Street. Schmitt was not in attendance. Council advised he does not live in town, and requested City Clerk to respond with a letter.

Greg Barta did not have any reports for council.

Motion was made by K. Schmitt, seconded by Schroeder, to approve June 9th, 2021 and June 30th, 2021 Minutes, June Clerk Reports and Monthly bills as presented. All Aye. Carried.

SEH is about 2 weeks away from final plans to review on the Lagoon Project. Herold asked if the current lagoons could be filled for future use for the City since they are out of the floodplain. Tom Madden will put numbers together for us to review. Current plans are to demolish and level.

We will have to submit the 2nd Well Project to CDBG in October as the DNR report did not get completed by the July 1st deadline that UERPC needed to submit the application.

The nuisances sited within the community were given until 6/26/2021 to abate. Some have been cleaned up, but there are a few left yet. Motion was made by K. Schmitt, seconded by Schroeder, to set August 1st, 2021 as final deadline, and abatement if not cleaned up will be \$500. If not paid in 30 days, amount will be assessed to taxes. Letters will be sent certified to confirm receipt. All Aye. Carried.

No building permits were submitted.

Motion was made by Glass, seconded by P. Schmitt, to set the Public Hearing on the Facilities Project for August 4th, 2021 at 7:00 p.m. at the Fort Atkinson Community Center. All Aye. Carried.

Motion was then made by Schroeder, seconded by Glass, to approve Resolution 323 Approving Mayor and City Clerk to sign the documents for the Facilities Project Grant. All Aye. Carried.

Motion was made by K. Schmitt, seconded by P. Schmitt, to approve the FY21 Transfers of \$2,945 from Emergency to General, and \$29,500 Local Option Tax to Capital to purchase mower. All Aye. Carried.

Fayette County Fair sent an email asking if Fort Atkinson would like to be a sponsor at the upcoming fair. Council declined as they do not donate to other fairs in the area.

Next meeting will be **August 4, 2021** at 7pm in the Community Center. Motion to adjourn was made by Leuenberger, seconded by Glass. All Aye. Carried. Meeting adjourned at 8:15 p.m.

Attest: _____
City Clerk

Mayor

Acentek – Phone	\$272.89
Albertson Constr – Curb/Gutter	\$5,458.75
Alliant – Electric	\$1,630.88
Amie Johansen – Campground Envelopes	\$166.26
Anderson Law – Legal Services	\$202.50
Badger Meter – Fees	\$46.32
Baker & Taylor – Books	\$639.88
Bank Iowa – HSA Contribution	\$200.00
Bodensteiner-Mower Parts	\$111.67
Bruening Rock – Rock	\$961.04
Calmar Courier – Publishing	\$242.33
Capital One – Posts, Swings	\$311.96
FED/FICA Taxes	\$1,757.61
Consumer Reports – Subscription	\$30.00
Core & Main – Hydrant	\$3,625.00
Country – Subscription	\$15.00
Country Living – Subscription	\$32.07
Croell – Block	\$150.00
Dan Gerleman – Down Pymt	\$3,000.00
Farmers Union Coop – Supplies	\$246.97
Franzen Sales – Supplies	\$84.55
Good Housekeeping – Subscription	\$15.97
Greg Barta – Diesel	\$15.85
Hawkeye Sanitation – Garbage	\$4,967.82
Hawkins – Chemicals	\$549.44
Huber’s – Supplies	\$229.29
ICAP – Insurance	\$13,474.00
Iowa Dept of Revenue-Sales Tax	\$848.71
IPERS -	\$1,240.90
John Deere – Air Compressor	\$1,440.30

Keystone – Testing	\$72.80
Krivachek Janitorial – Supplies	\$46.68
Laura Thomas – Supplies	\$20.10
Lee’s Repair – Repairs	\$463.50
Lezley Johansen – Contract	\$186.00
Lickety Split – Fuel	\$2,784.95
Marv Smith – Repairs	\$74.79
Mediacom – Internet	\$75.16
Napa – Repairs	\$43.47
NEIA Backhoe – Property Maint.	\$2,830.00
NEIA MetalWorks – Pipe	\$85.60
Post Office – Postage	\$72.00
Riha Auto Repair – Repairs	\$39.59
Storey Kenworthy – Office Supplies	\$37.49
Total Tree Care – Take Trees Down	\$600.00
Treas. St of Iowa – Sate Taxes	\$626.00
US Cellular – Phone	\$104.61
Utility Equip – Supplies	\$1,312.01
Wellmark – Insurance	\$518.80
Payroll	\$6,614.98
Totals	\$58,576.49

Funds:	Expenses:	Revenue:
General	\$ 36,429.82	\$ 7,033.31
Museum	\$	\$
Road Use	\$ 11,539.80	\$ 0
Employee Benefits	\$ 718.80	\$ 204.01
Capital Proj	\$	\$ 0
Emergency	\$	\$ 21.81
Local Opt.	\$	\$ 0
Water	\$ 4,538.52	\$ 7,121.42
2 nd Well	\$ 3,073.76	\$
Sewer	\$ 2,275.79	\$ 7,883.03
Lagoon	\$ 0	\$
Library	\$ 0	\$
Total	\$ 58,576.49	\$ 22,263.58