

**MINUTES**  
**CITY OF JEFFERSON COMMON COUNCIL**  
**JANUARY 21, 2003**

The Tuesday, January 21, 2003, meeting of the City of Jefferson Common Council was called to order at 7:30 p.m. by Mayor Brawders. Members present were: Ald. Wagner, Ald. Oppermann, Ald. Carnes, Ald. Gang, Ald. Stewart Ald. Johann and Ald. Coffman. Also present were City Administrator Schornack, City Attorney Brantmeier, City Engineer Ludwig and City Clerk/Treasurer Stewart. Absent was: Ald. Stevens.

**PUBLIC PARTICIPATION**

Paul Biersach, 508 Collins Road, Apt. 1, addressed the Council regarding the possibility of hosting a fireworks convention. Mr. Biersach stated that he is a member of PGI; and that each year they host a seven-day long convention. He noted that Jefferson may be a suitable location to hold the event. He noted that participants would fill up local hotels and camping areas. He stated that everyday, fireworks would be shot off from 8 a.m to 1 a.m. and he promised that this would be the largest firework display anyone has ever seen in this area. It was noted that the Pyrotechnics Guild provides for their own safety, providing for fire, ems and medical services; which would essentially alleviate the City from any liability. Mr. Biersach did stated that he has heard that the group is extremely picky and would pull out at a moments notice if they did not like what was happening. He noted that the revenue to town and county would be enormous. However, a lot of legwork would be required to bring the event to the community.

*Janet Werner, Chamber of Commerce Director, noted that she had checked into the possibility of hosing this conference. She stated that there is an entire website dedicated to the organization. She noted that they have booked communities up to 2014, but still have several "unhosted" years inbetween. Werner noted that the next available year is 2006 and that this would be a huge asset for the community. She noted that average attendance is in the 80,000 range and that it is held the second week in August.*

Robert Mau, 227 East Racine Street, addressed the Council on a variety of issues. Mr. Mau stated that he opposes Walmart entering the community. He stated that he does not feel it consistent with the type of life that he personally wants in Jefferson. Mr. Mau stated that he had attended the Mr. Norman presentation and that he had addressed the City's Master Plan. Mr. Mau stated that he had had a chance to read the Plan and commented that the plan is not anti- or pro Walmart, but according to the plan, there is a problem with the proposed location. Mr. Mau stated that there needs to be some type of reconciliation between Walmart and the Master Plan. He also noted that he was disappointed that the Council meetings were not going to be televised. Mau noted that he was already paying fee for televising in his cable bill and felt it was a great idea to work together with the School District. He stated that he was sad to see that it didn't work out.

Joe Sanfilippo, 940 Parkridge, owner of County Market, addressed the Council regarding Walmart. Mr. Sanfilippo stated that the majority of Mr. Norman presentation directly addressed the community and how Walmart does/does not fit into the Master Plan. He then addressed a recent letter to the editor. Mr. Sanfilippo stated that he has extra copies of presentation and would be happy to make copies if needed. He encouraged the development of a moratorium

committee made up of a variety of members. He then noted that the “Coalition for a Better Jefferson” is made up of a variety of businesspeople and concerned citizens. He stated that the Committee should gather information and use the Master Plan to make a good decision for Jefferson.

Tim Bare, 217 Meadow Court, addressed the Council on a variety of issues. He stated that the Council needs to uphold the zoning code. He stated that the code was put in place to protect certain areas. He questioned putting bedrooms in next to an ammonia plant. He noted his concern over a possible leak. Mr. Bare then questioned who would be paying for the proposed sidewalk along Wisconsin Drive. He stated that if they are installed, the property owners should not be assessed, but the entire burden placed on the tax roll. He added that sidewalk does not benefit property owners. He then spoke about adjusting zoning ordinances for Walmart, he noted that the Council should take action and get more information on the company.

Bill Koehler, Highway K, addressed the Council regarding Walmart. He stated that he read a recent article in Time about how Walmart is growing and how they are taking over global domination of the retail world. He stated that small towns have to stop this. He concluded by stating that we have enough Walmarts in the area.

Janet Twist, 663 North Dewey, addressed the Council regarding the televising of Council/Committee meetings. Ms. Twist stated that she was saddened that Cable Access was not being pursued. She felt that it was a good way to keep the public up to date all the time. Put back on the agenda.

Ald. Oppermann, 1117 Hillebrand Drive, addressed the Council regarding Walmart. Oppermann stated that he attended Mr. Norman’s presentation and that he many good points. He also raised many questions to which the City must find answers for. He encouraged the Mayor to set up a committee comprised of members of the City Council, Plan Commission and Zoning Board of Appeals. He also stated that this Committee should consider input from the representative of the Jefferson and Aztalan Townships and the Jefferson School District as well as the Jefferson County Zoning Administrator. Ald. Oppermann stated that the committee should review the City Comprehensive Master Plan, update the City zoning codes, propose zoning restrictions, establish design standards, establish developer responsibility for impact studies and propose updates to the Master Plan as needed. Oppermann also stated that he would support a public referendum on a proposal to limit the size of retail building in the City of Jefferson.

Bill Pinnow, N4043 Highway K, addressed the Council regarding Walmart. He stated that everyone is saying that both sides need to be heard and explored. He questioned why petitions and signs against Walmart are all around, but none for those who support Walmart locating in the community.

Patty Lorbecki, 714 Windsor Terrace, addressed the Council regarding Walmart. She stated that the coalition felt that the “other” side needed to be explained and that is why Mr. Norman was invited to the community. Mrs. Lorbecki noted that Mr. Norman took time to look through the City’s Master Plan and took a hard look at the master plan and how to look at the issue to make a good decision.

**MAYORAL APPOINTMENT TO JEFFERSON DEVELOPMENT COMMISSION**

Mayor Brawders has requested that the following Mayoral Appointment be approved.

Jefferson Development Commission.....Andrew Gonzales

Ald. Oppermann, seconded by Ald. Gang moved to recommend the appointment to the Jefferson Development Commission. Motion carried by a voice vote.

**PUBLIC HEARING ON AN ORDINANCE TO AMEND SECTION 17.04(2)(B) OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO THE REZONING OF PARCEL #241-06-14-11-13-050 FROM MULTI-FAMILY RESIDENTIAL (RM) TO HIGHWAY COMMERCIAL (BHN)**

Mayor Brawders called the public hearing to order.

City Administrator Schornack read the Notice of Public Hearing.

City Engineer Dan Ludwig gave an explanation of the proposed amendment to the official map.

Mayor Brawders then announced that if any citizen wished to address the Common Council on this issue, they could stand and give their name and address and address the Council at this time.

Hearing from no one, Mayor Brawders closed the public hearing.

Ald. Stewart introduced Ordinance #1-03 for its second reading.

**CITY OF JEFFERSON  
ORDINANCE #1-03**

An ordinance to amend Section 17.04(2)(b) of the Municipal Code of the City of Jefferson related to rezoning.

The Common Council of the City of Jefferson Wisconsin, do ordain as follows:

**Section 1.** Section 17.04(2)(b) of the zoning map, City of Jefferson, Wisconsin, which is herein made a part, is amended to change district boundaries by deleting the following area from RM (Multi-Family Residential) to BHN (Highway Commercial):

**Description:** S60 ft of Lot 5, Blk 39, Orig. Plat.

**Parcel #:** 241-06-14-11-13-050

**Address:** 726 South Main Street

**Section 2.** This ordinance shall take effect and be in full force after passage and publication as provided by law and notification and attestation of the district boundary changes incorporated herein the zoning map, City of Jefferson.

Ald. Stewart, seconded by Ald. Carnes moved to recommend Proposed Ordinance #1-03. On call of the roll, motion carried unanimously.

### **CONSENT AGENDA**

Ald. Wagner introduced Resolution No. 126.

#### **CITY OF JEFFERSON RESOLUTION NO. 126**

**BE IT RESOLVED** by the Common Council of the City of Jefferson that the consent agenda for January 21, 2003 is hereby adopted.

The consent agenda for tonight includes:

- ❖ Vouchers Payable December 2002 and January 2003 in the amounts of \$129,836.46 and \$45,638.04 respectively and Payroll Summary for January 10, 2003 in the amount of \$93,151.11. In addition, the Finance Committee had approved the following changes to the vouchers: A reduction of \$631 for a push mower from Mt. Horeb Implement and an increase for funding for an advertisement in Corporate Report Wisconsin (Trails Media Group in the amount of \$720.
- ❖ Council Minutes from the January 7, 2003 Regular Session Meeting of the Common Council.
- ❖ Licenses as Approved by the Regulatory Committee
  - Operator's Licenses
  - Special Class B Licenses
  - Junk Dealer's Premises/Vehicle License – Aumann's Service
  - Taxi-Cab License – Brown Cab Service, Inc.

Ald. Wagner, seconded by Ald. Gang moved to recommend Resolution No.126. On call of the roll, motion carried unanimously. Ald. Johann abstained from the approval of the Council minutes of the January 7, 2003 meeting due to her absence.

### **RESOLUTION EXTENDING SIDEWALK ALONG WISCONSIN DRIVE FROM STATE STREET TO HICKORY DRIVE**

Ald. Oppermann introduced Resolution No. 127.

#### **CITY OF JEFFERSON RESOLUTION NO. 127**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin, that the City Engineer is authorized to extend the sidewalk along Wisconsin Drive from State Street to Hickory Drive along the west side of the roadway.

Ald. Oppermann, seconded by Ald. Carnes moved to renew Resolution No. 127.

Ald. Oppermann stated that this was brought back by unanimous approval of the Streets Committee. The Streets Committee felt it would be prudent at this time to bring this issue back. It was noted that the project (Wisconsin Drive) is still not finished and it makes sense to take another look at adding sidewalk while we still can receive funding. Oppermann also indicated that if this project was completed, we would/could have sidewalk out to the Countryside Home. Ald. Oppermann added that since the project would be "co-funded" the property owners would not need to be special assessed.

Ald. Carnes stated that he agreed with Ald. Oppermann that it is a good idea to take advantage of state funds. He stated that he also believes that sidewalks benefit everyone and the cost should not be borne on just the property owners but the entire tax base. He stated that he looks at this as a good opportunity to not special assess property owners and add a public improvement at the same time.

Ald. Wagner stated that he felt that the second block of proposed sidewalk is a problem. Wagner indicated that nobody on that block wants sidewalk and that he would not support the resolution.

Ald. Coffman questioned where the money would come from. City Administrator Schornack noted that we would need to temporarily borrow \$20,000 to complete this project until state funds came in. Schornack stated that we have money to do complete the sidewalk if the Council wants to do this.

Ald. Coffman stated that it was his recollection that many residents of this area had spoke out against additional sidewalk. He questioned if the residents had been renotified that this item was back on the agenda. City Administrator Schornack noted that since this was not a public hearing, residents had not been notified.

Ald. Gang stated that he has spoken with most owners and that none of them want the sidewalk. Gang noted that the residents that attended the previous Council meetings stated that they were not interested in the sidewalk and that they want to keep their yards the way they are. Ald. Gang also stated that due to the grade of the area, installation would also create some safety issues. He noted that it was his understanding that we would be reimbursed the cost of sidewalk, not the retaining walls, safety rails, etc. Ald. Gang stated that he would not support resolution.

Ald. Oppermann stated that he felt that many good points had been raised and that some misinformation had been given. He noted that not everyone opposes the sidewalk installation and that some assumptions about retaining walls, etc. had also been made. He stated that he felt it was a good idea to table the resolution and then notify the potential affected landowners for a subsequent meeting.

Ald. Johann questioned if property owners knew exactly how their properties would be affected? City Engineer Ludwig stated that they did not know that at this time. He did add that there is some difficult terrain to work with in the area and would involve some "destruction" of yards.

Ald. Oppermann, seconded by Ald. Johann moved to table the Resolution. On call of the roll, motion carried by a voice vote.

**RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT WITH  
JEFFERSON TOWERS LLC AND PROVIDING FOR THE ISSUANCE OF A TAX  
INCREMENT PROJECT REVENUE BOND**

Ald. Johann introduced Resolution No.128.

**CITY OF JEFFERSON  
RESOLUTION NO. 128**

*(In lieu of publishing the entire text of this Resolution, a copy is on file in the Office of the City Clerk and may be viewed Monday through Friday 8 a.m. to 5 p.m.)*

Jeff Illies, then addressed the Council. He stated that he is the “hopeful developer” of the old Schweiger Building located at the Washington Street site. He stated that the current plan calls for twenty-two, two bedroom condo units with attached garages. Mr. Illies then provided the Council with a small presentation including schematics of the building. He indicated that the formal entrance to the complex would be moved from Washington Street (due to semi-traffic to Tyson Foods) and would be relocated to Green Street. He also stated that noise concerns will be partially addressed through the addition of landscaping. He noted that it is their intention to use white pine or blue spruce trees to act as a sound barrier and give the owners “something better to look at”.

The possibility of ammonia leak was then discussed and the type of air handling systems which would be used was also talked about.

Ald. Oppermann asked if the TIF agreement was crucial to the development of the property. Mr. Illies stated yes and that there is not a lot of profit in the project without it. He noted that the majority of the structure is wood columns on dirt and therefore would be a substantial cost to replace. Ald. Oppermann also stated that another concern the public has had is that the units would be rentals. It was confirmed that units will be sold as condominiums. He noted that the estimated selling price would be in the neighborhood of \$125-140,000 and that each unit would be between 1,000-2,000 sq. ft.. The amount of increment was then discussed.

Ald. Gang questioned the TIF setup and if the City could afford to do this. City Administrator Schornack noted that this property is in the downtown TIF District. He noted that the Council had considered substantially “subsidizing” 3 or 4 cornerstone projects in the district to get certain buildings/areas in need of great repair renovated. Schornack noted that the project is a “pay as you go TIF”, which means that when Jeff pays his taxes, we have 60 days to pay him up to 90% of his increment. Therefore the City is never putting out money it does not have. A general discussion was then held regarding the “pay as you go” TIFs that the City currently has. City Administrator Schornack noted that the City would not want to give out anymore increment than we need to, but just enough to secure the projects completion.

Ald. Wagner stated that he calculated that the City would loose \$125,000 over the life of the district. Ald. Coffman stated that he feared that without a TIF agreement, nothing may happen to

the property. City Administrator Schornack noted that the City would also collect connection fees and park fees.

Ald. Coffman stated that he personally does not see anything being done with the property unless the TIF agreement is approved. He stated that he felt \$125,000 was a “small” price to pay to get the area renovated. He added that stretched over a period of years it makes the project a good deal.

Ald. Wagner asked what the Finance Committee had recommended. Ald. Carnes stated that Finance Committee had forwarded the resolution without a recommendation.

Ald. Oppermann agreed with Ald. Coffman that we need to work with the developer. He felt that this agreement was a step in the right direction.

Ald. Gang stated that he is not opposed to the agreement, but was concerned about protecting the City’s financial interest. He stated that he felt that it may be time to let up on the 90% increment share. City Administrator Schornack agreed that we are about done with the “big ones” and now the Council should focus on adding to the general TIF tax base.

Ald. Coffman added that we are also about done with properties needing MAJOR renovation.

Tim Bare questioned if the developer would need to pay the connection and park fees. City Administrator Schornack stated yes.

Ald. Johann, seconded by Ald. Oppermann moved to recommend Resolution No. 128. On call of the roll, motion carried unanimously.

Ald. Carnes and seconded by Ald. Johann moved to adjourn. On call of the roll, motion carried unanimously.

The minutes of the January 21, 2003, meeting of the Common Council are uncorrected. Any corrections made thereto will be noted in the proceedings at which time the minutes are approved.

**Please Publish: ASAP**  
**need an affidavit**  
not in the legal section