

MINUTES
CITY OF JEFFERSON COMMON COUNCIL
AUGUST 5, 2003

The Tuesday, August 5, 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. Coffman, Ald. Wagner, Ald. Bare, Ald. Carnes, Ald. Gang, Ald. Stewart, Ald. McGrath and Ald. Stevens. Also present were, City Attorney Brantmeier and Dep. City Clerk/Treasurer Baumann.

PUBLIC PARTICIPATION

Dev Traver of Tyson Foods stated, in reference to Resolution No. 48, that Tyson is against doing anything further to slow down traffic flow. Tyson would like to keep traffic fluent. He said Tyson would not like to see traffic stopped there.

Nathan Bryant, Illinois, representing McClure Engineering asked the Council to consider access for the property on S. Highway 26. As the bypass is formulated, development will follow, it is a precursor to urban sprawl. A full signalized assess would enhance any economic center for the overall success of the community.

Michael Barkley, Merrill, WI, addressed the Council regarding Tyson. He urged the Council to help the Union workers if they could.

Keith Griep, 120 S. Highland Ave., would like to see the speed bumps installed to make the area safer for everyone and help business.

Margaret Atwood, 2058 Hickory Dr., is employed by Tyson and has crossed the picket lines. She does not favor speed bumps or any other device to slow traffic.

Scott Howard, 512 W. Racine St., stated that major corporations could make or break a community.

Ken Berg, Watertown, WI, feels Walmart is bad for Jefferson. He discouraged further discussion with Walmart. He said Walmart is a big bully. He stated that Jefferson has much going for it and Walmart will not fix any problems. He said we should look regionally, as in Watertown. Walmart will have significant impact on local business. He feels the construction of a Walmart in Jefferson is the wrong path to take. He offered his assistance in the Walmart issue to the people of Jefferson.

Patti Lorbecki, 714 Windsor Terrace, urged the Council to pass Resolution No. 47 without amendments. The DOT has gone on record saying no to stop and go lights. Do not petition the State for lights.

Dave Lorbecki, 714 Windsor Terrace, stated that \$34 million was spent on the infrastructure to build Walmart at Watertown. There is also TIF spending involved. Keep Resolution No. 47 as is.

Betty Spangler, 221 N. Marion Ave., asked the Council to please listen to Ken Berg and consider his comments.

Janet Werner, representing the Chamber of Commerce, reported on the success of Sommerschlussverkauf. We have a concert in the park Saturday, August 16th. She urged all to come and see!

Bob Mercer, 216 S. Whitewater Ave. brought up the concern of an excessive storm water problem that could be created with the construction of a Walmart and the large area under pavement. He stated that if there were 20 acres under pavement with 4" of rainwater—where would all the water go? Walmart should pay for this problem and not the taxpayers.

Chuck Moehling, N5286 Felsen Ridge Ct., Johnson Creek, stated that Walmart would bring only the \$7-\$9 per hours jobs to the area. He said they get the tax breaks. We do not need a bully in town. He spoke in favor of speed bumps. He stated that traffic does flow when there is an officer present, however in between shifts there is a problem when the officer is not present.

Nancy Habermann, 536 E. North St., inquired into what progress has been made to replace the City Administrator. She also said that with the many issues that are forthcoming to the City, efforts should be made as soon as possible to fill the position. City Council President Coffman said he would be scheduling a presentation to Council on the 19th.

Bill Koehler, N3881 Cth.K, stated Tyson should settle with strikers. In regard to the Walmart location, he stated that the location is not good, to cut into the hill by the water tower. He expressed concern about a snow problem on Hwy. K. Mr. Koehler distributed information from Stoughton about saying "no" to Walmart and also some Internet information.

MAYORAL APPOINTMENTS

Mayor Brawders made the following appointments to the Cable Commission.

CABLE COMMISSION

Dale Oppermann
David Pierce
Craig Schacht
David McGrath
David Carnes
John Foust (Ex-Officio Member)

It was moved by Ald. Coffman and seconded by Ald. Gang to approve the appointments.
Motion carried on voice vote.

The Mayor requested the following temporary appointment be made to fill the vacancy created by former City Administrator Schornack's departure.

JEFFERSON ECONOMIC DEVELOPMENT CONSORTIUM

Steve Lewis

The motion was made by Ald. Wagner and seconded by Ald. Bare to approve the recommendation. Motion carried unanimously on voice vote.

TEMPORARY AUTHORITY FOR ADMINISTRATIVE DUTIES

Ald. Coffman introduced Resolution No. 44.

**CITY OF JEFFERSON
RESOLUTION NO. 44**

BE IT RESOLVED, by the Common Council of the City of Jefferson that due to the vacancy created by the resignation of City Administrator Schornack that the following duties be temporarily reassigned: approval of timesheets and spending authority for budgeted purchases up to \$5,000

BE IT FURTHER RESOLVED that the above duties are hereby assigned to the position of Council President until an interim administrator is named.

BE IT FURTHER RESOLVED that in accordance with Section 3.07 of the City of Jefferson Municipal Code that municipal disbursements shall be valid when signed by the Mayor and the City Clerk/Treasurer.

Ald. Coffman, seconded by Ald. Stevens moved to recommend Resolution No. 44. On call of the roll, motion carried unanimously.

**PUBLIC HEARING ON A RESOLUTION TO PARTICIPATE IN THE WISCONSIN
COMMUNITY DEVELOPMENT BLOCK GRANT FOR ECONOMIC DEVELOPMENT
PROGRAM**

Mayor Brawders called the public hearing to order.

City Atty. Brantmeier read the notice of public hearing.

Atty. Brantmeier explained that Nestle is eligible for a block grant in the amount of \$506,000+. In order to get the grant, the City needs to hold the public hearing and adopt a resolution. The City's role after this is of the accounting nature, receiving the funds and administration of the program. The City will have mandated auditing expenses, and dependent upon when funds are expended, could be in the \$4,000 to \$6,000 range.

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

**RESOLUTION AUTHORIZING PARTICIPATION IN THE WISCONSIN
COMMUNITY DEVELOPMENT BLOCK GRANT FOR ECONOMIC DEVELOPMENT
PROGRAM.**

Ald. Stewart introduced Resolution No. 45.

**CITY OF JEFFERSON
RESOLUTION NO. 45**

BE IT RESOLVED, by the Common Council of the City of Jefferson that the Common Council hereby authorizes the City of Jefferson's participating in the Wisconsin Community Development Block Grant for Economic Development program.

WHEREAS, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Common Council has recommended that an application be submitted to the State of Wisconsin for the following projects:

**PURCHASE OF EQUIPMENT
TRAINING**

WHEREAS, it is necessary for the Common Council, to approve the preparation and filing of an application for the City to receive funds from this program; and

WHEREAS, the Common Council has reviewed the need for the proposed project(s) and the benefits(s) to be gained there from;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council does approve and authorize the preparation and filing of an application for the above-named project(s); and the Mayor is hereby authorized to sign all necessary documents on behalf of the City; and that authority is hereby granted to the City Engineer and City Clerk/Treasurer to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Discussion followed on the amount of audits that could be required. Some administration issues were discussed.

Motion was made by Ald. Stewart and seconded by Ald. McGrath to recommend Resolution No. 45. Motion carried unanimously.

**PUBLIC HEARING AND ACTION ON AN ORDINANCE TO AMEND SECTION
17.04(2)(B) OF THE CITY OF JEFFERSON MUNICIPAL CODE OF THE CITY OF
JEFFERSON RELATED TO REZONING**

Mayor Brawders called the public hearing to order.

City Attorney Brantmeier read the notice of public hearing.

Atty Brantmeier gave a brief explanation.

There being no public participation, Mayor Brawders closed the public hearing.

AN ORDINANCE TO AMEND SECTION 17.04(2)(B) OF THE CITY OF JEFFERSON MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING

Ald. Bare introduced Ordinance No. 10-03 for its second reading.

**CITY OF JEFFERSON
ORDINANCE #10-03**

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 R-1 (Single-Family Residential) to BHN (Highway Commercial):

Description: Part of the Southwest $\frac{1}{4}$ of Section 1, Town 6 North, Range 14 East, City of Jefferson, Jefferson County, Wisconsin, bounded and described as follows:

Commencing at the Southwest $\frac{1}{4}$ of said Section 1, Thence North along the West line of said $\frac{1}{4}$ Section, 220.50 feet to the Place of Beginning of the following description:

Thence continuing North along said West line, 43.00 feet to a point; Thence South $87^{\circ}45'17''$ East parallel to the South line of said Southwest $\frac{1}{4}$, 252.12 feet to a point; Thence South parallel to the West line of said Southwest $\frac{1}{4}$, 43.00 feet to a point; Thence North $87^{\circ}45'17''$ West parallel to the said South line, 252.12 feet to the Place of Beginning.

Excepting the West 25 feet for road purposes.

Parcel #: 241-06-14-01-33-081

Address: S43' of the parcel located at 128 North Dewey Avenue

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. McGrath requested a clarification of exactly which properties are involved.

It was moved by Ald. Bare and seconded by Ald. Gang to approve Ordinance No. 10-03. On call of the roll, motion carried unanimously.

PUBLIC HEARING AND ACTION ON AN ORDINANCE TO AMEND SECTION 17.04(2)(B) OF THE CITY OF JEFFERSON MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING

Mayor Brawders called the public hearing to order.

Atty. Brantmeier read the notice of public hearing.

City Atty. Brantmeier gave an explanation. The request is to rezone the property from BC (Central Commercial) to RM (Multi-family Residential).

Kurt Sheil, 314 N Main, was opposed to the change. He presented a petition of property owners in the vicinity who also opposed the rezoning.

George Dombrowski, 115 E. Ogden St., was wary of the parking situation created by a multi-family situation.

Diane Provanzano (who is requesting the rezoning) stated that they had no intentions to turn the property into a mega apartment complex. She pointed out that many surrounding properties are also multi-family. They intended to reside in the building as well, and operate their carpentry business from there.

Brian Erickson, 403 N. Center was hesitant to favor the rezoning.

With no additional discussion, Mayor Brawders concluded the public hearing.

ORDINANCE TO AMEND SECTION 17.04(2)(B) OF THE CITY OF JEFFERSON MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING

Ordinance No. 12-03 was introduced by Ald. Carnes for its second reading.

**CITY OF JEFFERSON
ORDINANCE #12-03**

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 BC (Central Commercial) to R-M (Multi-family Residential):

Description: Masonic Lodge, 316 North Main Street, Jefferson, WI, Lot 10, N 16FT of Lot 9, N 82FT of W ½ of Lot 5, Blk 7.

Parcel #: 06-14-02-43-024
Address: 316 North 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.

Mayor Brawders stated this rezoning was recommended by the Plan commission.

Atty Brantmeier said that presently the building is tax exempt and this action would put it back on the tax roll.

Ald. Bare discussed if there was any parking plan to view.

Ald. Coffman stated that with the amount of neighbors in opposition, present, he would not support the zoning change.

The motion was made by Ald. Carnes and seconded by Ald. Gang to recommend Proposed Ordinance No. 12-03. The motion was defeated unanimously on call of the roll.

APPROVAL OF FINAL DESIGN OF THE SENIOR CENTER REMODELING PROJECT AND AUTHORIZATION TO ENTER INTO THE BID PROCESS

Ald. Gang introduced Resolution No. 51.

**CITY OF JEFFERSON
RESOLUTION NO. 51**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the final design for the renovation of the Senior Center is hereby approved, and

BE IT FURTHER RESOLVED that the Architectural Firm is authorized to prepare final bid documents and begin the bid letting process for the remodeling of the Senior Center.

Mr. Craig Ellsworth, of The Architectural Firm, Jefferson, appeared to answer questions regarding the Senior Center. He explained as the use of the building was upgraded for 285 people, legal mandates also were added. 80% of the costs are not discretionary. State requirements mandate certain criteria. More exits have been added. The west wing will be used as an assembly hall, which could generate income. The kitchen will be a commercial kitchen. The east wing is the educational area and the south wing is designated for offices, nurses, etc. The building is ADA accessible. Hvac requirements have been updated for the number of people and the plumbing and electrical systems are redesigned.

Mr. Ellsworth talked about a complete roof replacement. This would include a tear off of the old shingles, reroof, reflash, and replace fascia in places. The roof replacement would be in the bid package.

Ald. Bare suggested a cost savings by eliminating the lighting system, possibly \$3000 to \$4000. He also suggested taking the roofing bid separately later.

Mr. Ellsworth stated that the roof replacement cost could be around \$25,000.

Ald. Wagner said that the anticipated cost of the center renovation was about \$300,000. Mr. Ellsworth stated the cost range of about \$349,000.

Ald. Stevens said that the Council was hoping for the \$300,000 range.

Ald. Gang said he would like to see the project go to bid, and make cost cuts at that time.

Ald. Wagner supported the statement.

The motion was made by Ald. Gang and seconded by Ald. Stevens to recommend Resolution No. 51. On call of the roll motion carried unanimously.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 46.

CITY OF JEFFERSON RESOLUTION NO. 46

BE IT RESOLVED by the Common Council of the City of Jefferson that the consent agenda for August 5, 2003 is hereby adopted.

The consent agenda for tonight includes:

- ❖ Vouchers Payable for August 2003 in the amount of \$270,618.58 and Payroll Summary for July 11 & 25, 2003 in the amounts of \$132,040.59 & 117,100.11.
- ❖ Council Minutes from the July 15, 2003 Regular & Closed Session Meetings of the Common Council.
- ❖ 2003 Fire Contracts
- ❖ Licenses as Approved by the Regulatory Committee
 - Operator's Licenses
 - Special Class B Licenses
 - Class A Liquor and Beer License – M&J Liquor & Sports Store

Mayor Brawders said that in the minutes, in regard to Resolution No. 36, the vote was 4-4 with Mayor Brawders breaking the tie to defeat the resolution.

Resolution No. 38, first paragraph, remove "immediate and meaningful". (That language was added in the amendment.)

Motion was made by Ald. Wagner and seconded by Ald. Bare to recommend Resolution No. 46. On call of the roll, motion carried unanimously.

RESOLUTION DIRECTING STAFF TO SUBMIT DOT RESPONSE TO MCCLURE ENGINEERING

Ald. McGrath introduced Resolution No. 47.

**CITY OF JEFFERSON
RESOLUTION NO. 47**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Engineer is directed to send McClure Engineering a copy of the Wisconsin Department of Transportation response regarding a break in access on South Highway 26.

Ald. Bare stated that he felt the engineering study is a waste of time, the next step in the process should be a rezoning request.

Ald. Coffman would like to have a traffic study that could be used for any business use in the future. The State is saying that if the property is developed for any business at present, they will allow access with right turn only and no straight to County Market. At County market, they will allow only a left turn to Jefferson. Until the bypass, property is off the market—the property is dead. For eight to ten years the property would be affected by this limited access.

Ald. Bare stated that the property is not located in the City of Jefferson.

Ald. Gang said that the traffic impact study is for a Super Walmart, not a regular Walmart. He disagreed that it would be dead.

Ald. McGrath favored that this resolution be passed and send the Dept. of Transportation response to McClure Engineering to enable them to make a formal presentation and ask for formal annexation.

Ald. Coffman stated that the building and preparation plans are in the City Engineer's office.

The motion was made by Ald. McGrath and seconded by Ald. Gang to recommend Resolution No. 47. On call of the roll, motion carried by a vote of 5-3, with Ald. Coffman, Ald. Stevens and Ald. Wagner voting nay.

AUTHORIZATION OF THE PLACEMENT OF STOP SIGNS ON WEST LINDEN DRIVE

Ald. Gang introduced Resolution No. 48.

**CITY OF JEFFERSON
RESOLUTION NO. 48**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Engineer is authorized to place a stop sign on the 100 block of West Linden Street.

BE IT FURTHER RESOLVED, that before such signage is placed a Traffic Engineering Study be completed to deem the necessity of the stop signs.

BE IT FURTHER RESOLVED, that the Council hereby authorizes Strand and Assoc. to enter into an agreement for a traffic engineering study in an amount not to exceed \$2000.

Discussion followed. Ald. Gang made note of the fact that an amendment was agreed upon by the streets committee.

The motion was made by Ald. Carnes and seconded by Ald. McGrath to amend Resolution No. 48 to state the traffic study should include "any traffic and pedestrian control devices" in place of "stop signs". On call of the roll, motion carried unanimously.

Ald. Bare made the amendment to authorize the City Engineer to do the traffic study at no cost to the City except for normal wages. Motion died for lack of a second.

The motion was made by Ald. Gang and seconded by Ald. Carnes to recommend Resolution No. 48 as amended. Motion carried unanimously on call of the roll.

BRAY ASSOCIATES ARCHITECTS FEE AGREEMENT

Ald. Stevens introduced Resolution No. 49.

**CITY OF JEFFERSON
RESOLUTION NO. 49**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the City is hereby authorized to sign an agreement with Bray Associates Architects dated July 1, 2003 authorizing the payment of additional architectural fees for the City Hall Remodeling Project.

Ald. Stewart felt that the City does not have any choice in the matter.

Ald. Bare will not support the resolution.

It was moved by Ald. Stevens and seconded by Ald. Gang to recommend Resolution No. 49. On call of the roll motion carried 7-1, Ald. Bare dissenting.

RESOLUTION NO. 50 WAS REMOVED FROM THE AGENDA BY THE FINANCE COMMITTEE

RESOLUTION SETTING TIME FOR HEARING TO VACATE A PUBLIC STREET – A PORTION OF SIEFERT AVENUE

Ald. Wagner introduced Resolution No. 52.

**CITY OF JEFFERSON
RESOLUTION NO. 52****RESOLUTION SETTING TIME FOR HEARING TO VACATE A PUBLIC STREET – A PORTION OF SOUTH SIEFERT AVENUE**

WHEREAS, the a portion of Siefert Avenue, (formerly known as Water Street and Mill Street)

AND WHEREAS, the legal description of said portion is as follows:

Commencing at the Railroad Spike that marks the NW corner of said NW ¼; Thence S88° 13'30"E, along the North line of said NW ¼, a distance of 1892.43 feet; Thence S01°46'30"W, a distance of 356.20 feet, to the Southerly Right of Way line of Milwaukee Street and to a Set Railroad Spike, and to the Point of Beginning of this description; Thence S04°56'51"W, a distance of 75.24 feet, to the Easterly Right of Way line of South Siefert Avenue (formerly Water Street and Mill Street); Thence N15°48'29"E, along said Easterly Right of Way line a distance of 77.24 feet, to the said Southerly Right of Way line of Milwaukee Street; Thence N87°28'20"W, along said Southerly Right of Way line, a distance of 14.57 feet, to the Point of Beginning. Containing 547 Sq. Ft. of land, more or less.

AND WHEREAS, it would be in the best interests of the City of Jefferson to vacate a portion of said alley,

AND WHEREAS, the procedures for vacating this alley will proceed under Section 66.1003 Wisconsin Statutes, and this Board will consider whether the public interest is best served and requires the vacation of said street.

NOW THEREFORE, BE IT RESOLVED, That a public hearing will be held on September 16, 2003 at the Jefferson City Hall to consider passing a resolution vacating the a portion of South Siefert Avenue as described above and as shown on the attached diagram.

BE IT FURTHER RESOLVED, that notice of said hearing be published in the DAILY JEFFERSON COUNTY UNION.

Ald. Bare questioned what is going in the portion of land being vacated. Mayor Brawders said that it was discussed at Plan Commission to make this vacation as a matter of housekeeping because the legal descriptions do no match and this is a matter of record clean up.

Atty. Brantmeier said this would still be an alley, moving it to the west.

The motion was made by Ald. Wagner and seconded by Ald. Gang to recommend Resolution No. 52. Motion carried unanimously on call of the roll.

RESOLUTION ACCEPTING DEDICATION OF LAND FROM MR. EDWARD SOLESKA

Ald. Carnes introduced Resolution No. 53.

**CITY OF JEFFERSON
RESOLUTION NO. 53**

BE IT RESOLVED by the Common Council of the City of Jefferson that the dedication of the following described property:

PARCEL B

Being a part of Lot 16, Block 3, of West Jefferson, located in the NE ¼ of the NW ¼ of Section 11 Township 6 North, Range 14 East, City of Jefferson, Jefferson County, Wisconsin, described as follows:

Commencing at the Railroad Spike that marks the NW corner of said NW ¼; Thence S88°13'30"E, along the North line of said NW ¼, a distance of 1892.43 feet; Thence S01°46'30"W, a distance of 356.20 feet, to the Southerly Right of Way line of Milwaukee Street and to a Set Railroad Spike; Thence S04°56'51"W, a distance of 75.24 feet, to the Point of Beginning of this description; Thence S04°56'51"W, a distance of 36.07 feet, to the Southerly line of said Lot 16; Thence S60°02'29"W, along the Southerly of said lot 16, a distance of 9.74 feet, to the Easterly Right of Way line of South Seifert Avenue (formerly Water Street and Mill Street); Thence N15°48'29"E, along said Easterly Right of Way line, a distance of 42.41 feet, to the Point of Beginning. Containing 144 Sq. Ft. of land, more or less.

Subject to all rights, reservation, restrictive covenants, and easements of record.

The intent of this description is to transfer a part of the Lot 16, Block 3 to the Right of Way of South Seifert Avenue.

PARCEL D

Being a part of the vacated Right of Way of South Seifert Avenue located in the NE ¼ of the NW ¼ of Section 11 Township 6 North, Range 14 East, City of Jefferson, Jefferson County, Wisconsin, described as follows:

Commencing at the Railroad Spike that marks the NW corner of said NW ¼; Thence S88°13'30"E, along the North line of said NW ¼, a distance of 1892.43 feet; Thence S01°46'30"W, a distance of 356.20 feet, to the Southerly Right of Way line of Milwaukee Street and to a Set Railroad Spike; Thence S04°56'51"W, a distance of 75.24 feet; Thence N70°56'37"W, a distance of 39.24 feet, to the Northeast corner of the lands described in Volume 1136 on Page 524, as Document Number 1031984, and to a Set 1 inch inside diameter Iron Pipe (Set I.P.), and to the Point of Beginning of this description; Thence S08°36'49"W, a distance of 84.42 feet, to a point on the Easterly line of the lands described in said Volume 1136, and to a Set I.P.; Thence N30°15'21"E, along said Easterly line a distance of 27.11 feet, to an angle point in said Easterly line; Thence N00°58'14"W, along said Easterly line, a distance of 60.06 feet, to the Point of Beginning. Containing 422 Sq. Ft. of land, more or less.

Subject to all rights, reservation, restrictive covenants, and easements of record.

The intent of this description is to transfer the above-described lands to the Right of Way of South Seifert Avenue, and is not intended to create a separate parcel of land.

is hereby accepted.

Atty. Brantmeier informed the Council that the notice of dedication was received and signed August 4, 2003.

It was moved by Ald. Carnes and seconded by Ald. Stevens to recommend Resolution No. 53. Motion carried unanimously on call of the roll.

APPROVAL OF FINAL PLAT FOR THE FIRST ADDITION TO CLARE COUNTRY ESTATES

Ald. McGrath introduced Resolution No. 55.

**CITY OF JEFFERSON
RESOLUTION NO. 55**

BE IT RESOLVED by the Common Council of the City of Jefferson that the City Clerk is authorized to sign the final plat for the 1st Addition to Clare Country Estates contingent upon receiving the parks fee and the developers agreement having been fully executed by both the City and MLG Real Estate 2002 LLC as well as a surety acceptable by the City Attorney.

City Attorney Brantmeier stated that we need surety for infrastructure and is confident, based on the developer's representations, that appropriate surety is forthcoming.

Mr. Brett Haney introduced himself on behalf of the developer.

Ald. Bare questioned whether the sewer laterals on S. Highland will be done shortly and before the first lift of blacktop is put down. Mr. Haney assured that it would be. They will hold off on the first lift until laterals are in place. The first lift will be paved before the snow arrives. Ald. Bare cautioned paving S. Highland until the laterals are in place. Mr. Haney assured the Council that the laterals on S. Highland would be in place the first part of November 2003.

Ald. McGrath, seconded by Ald. Stevens moved to recommend Resolution No. 55. On call of the roll, motion carried unanimously.

APPROVAL OF DEVELOPMENT AGREEMENT FOR THE 1st ADDITION TO CLARE COUNTRY ESTATES

Ald. Stevens introduced Resolution No. 54.

**CITY OF JEFFERSON
RESOLUTION NO. 54**

BE IT RESOLVED by the Common Council of the City of Jefferson that Mayor Brawders and City Clerk/Treasurer Stewart are hereby authorized to sign the development

agreement with MLG Real Estate 2002 LLC, for the development of the 1st Addition to Clare Country Estates, upon receiving a surety acceptable to the City Attorney.

Ald. Bare questioned placing sidewalks on private property. Atty. Brantmeier will ask the City engineer.

Motion was made by Ald. Stevens and seconded by Ald. McGrath to recommend Resolution No. 54. Motion carried unanimously on call of the roll.

The motion for adjournment was made by Ald. Carnes and seconded by Ald. Stevens. Motion carried on voice vote.

