

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

The Tuesday, October 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. Coffman, Ald. Wagner, Ald. Bare, Ald. Gang, Ald. McGrath, Ald. Stewart and Ald. Stevens. Absent was Ald. Carnes. Also present were: City Attorney Brantmeier, City Engineer Ludwig and City Clerk/Treasurer Stewart.

PUBLIC PARTICIPATION

Bill Koehler, Highway K, addressed the Council regarding Walmart. He stated that several meetings ago, the Council took action based upon a petition (former Masonic Lodge rezoning). Mr. Koehler then presented a petition from the majority of residents who own property along Highway K, who are in opposition to Walmart locating between Highway K and Highway 26. Mr. Koehler then stated then made reference to State Statutes regarding potential annexations. He also indicated that a meeting to discuss Big Box development was held in Dane County last week—one of the main themes being that big box development does not add to a community.

Ald. Wagner questioned if the individuals on the petition were all from the township. Mr. Koehler stated yes. Wagner stated that the Council's job was to represent the people of the City of Jefferson. He added that we (the Mayor and Council) were voted in by the City of Jefferson resident, not to represent the township. Mr. Koehler added that these individuals were in the City of Jefferson's extraterritorial area.

Patti Lorbecki, 714 Windsor Terrace, addressed the Council regarding Walmart. Ms. Lorbecki then addressed the traffic issue on Highway 26. She stated that Walmart had stated that if they were not able to get stop & go lights at the Ryan Road intersection, they may look elsewhere. Ms. Lorbecki stated that through a recent open records request, e-mails regarding a potential break in access were gained. Lorbecki recited an e-mail between the DOT and Engineer Ludwig which discussed a potential traffic study review. Lorbecki then went through several documents obtained through the request which outlined the requests of McClure Engineering and the City's response. Ms. Lorbecki stated that the Council has gone on record as to a potential break in access. She questioned if the Council would stick to limited access or if they would buckle under. Lorbecki stated that she hope you (the Council) would remember what they had already voted on. Ms. Lorbecki then provided a handout to the Council members regarding an article that questioned if Walmart is too powerful.

Ald. Bare, 217 Meadow Court, addressed the Council regarding Walmart. He urged the Plan Commission to discuss updating the City's Master Plan.

Nancy Haberman, 536 East North Street, addressed the Council on several issues. She stated that she is excited about improvements to the Puerner Block Building and proud of the contribution to Credit Union is making to the community. She reiterated that she hoped the Council would move ahead with the process to replace the City Administrator. She noted that

she truly believes that the community is not asking for a change to take place (referring to a change in the form of government). Haberman concluded by stating that she was eager to see the process to hire a new Administrator progress.

APPOINTMENTS: HISTORIC PRESERVATION COMMITTEE AND CABLE COMMISSION

Ald. Wagner, seconded by Ald. Coffman moved to recommend the following appointments to the Historic Preservation Committee and the Cable Commission:

Historic Preservation Committee: Jackie Myers (Realtor)
Cable Commission: John Orcutt (School Representative)

Motion carried unanimously on a voice vote.

PRESENTATION AND DISCUSSION: REFINANCING OF GENERAL OBLIGATION DEBT – DAVID WAGNER OF EHLERS AND ASSOCIATES

David Wagner from Ehlers & Associates then provided the Council with information regarding a potential refinancing/paying off of some of the City's existing bond issues. He noted that there are three areas that could be refinanced at this time. The first is the 1997 and 1998 GO Notes. He stated that the City would not see a huge amount of savings—around \$13,000. Wagner noted that the payment could be restructured for more savings in the first year. Wagner indicated that this item was put on hold by the Council in June due to the State's Legislatures actions on the proposed levy freeze.

The second area of potential savings is the unfunded pension liability. Wagner stated that initially the payoff was figured with a 6% interest payoff. Mr. Wagner stated that since that time economics have changed and the City could expect an additional $\frac{3}{4}\%$ drop. Mr. Wagner stated that the State charges the City 8% each year, which equates to about \$40,000 a year in interest. Wagner noted that the City pays off the interest by a surcharge on the benefit contribution each year. He stated that if the City "refinanced" the debt, the surcharge would go away. Wagner also indicated that the State of Wisconsin is also "refinancing" its pension debt too, he added that many municipalities, school districts and counties have chosen to do this because of the favorable interest rates. He stated that, making certain financial assumptions, the City could save about \$10,000 in interest for the next 20 years and pay off the principal debt.

Ald. Bare questioned if under the present program we were only paying interest? Mr. Wagner indicated that this is true. Ald. Bare then clarified that if we refinance the debt we will no longer have the liability. Wagner stated that for the moment that is true. However, the actuarial staff at the WRS could review their current assumptions and determine that a new liability for the participants in the WRS system. Wagner added that many entities have refinanced the debt under the assumption that adjustments would not happen anytime in the foreseeable future. could be created. It was also noted that Jefferson County has also taken the same action. Ald. Bare stated that with regards to future adjustments—who ultimately determines that? He questioned if state legislators were also beneficiaries? Mr. Wagner stated that he believed that

the legislators may be beneficiaries and they are ultimately responsible for the approval of any adjustments. Ald. Bare felt that there in lies the problem.

Ald. Gang then asked for a clarification on the savings to the City if the payrolls did not increase the “assumed 4 ½%”. Mr. Wagner indicated that even if the payroll for next year did not grow, the City would still be at about the breakeven point or a little better...and we would be paying down on the principal.

Ald. Bare stated that he would like to see someone from the Wisconsin Retirement System come out and explain why five years ago they didn’t calculate correctly and now the municipality has to pay. Mr. Wagner stated that that is a valid question asked by many entities and added that he felt the system would be reluctant at best to send someone out to discuss this. He stated that if they did that once, they would need to do it for everyone.

Ald. Gang clarified that the existing debt is from a lot of years ago and created from inequities in the City’s pension account as well as many other municipality’s inequities.

Mr. Wagner stated that most governmental units in Wisconsin have basically been in the same boat. Everyone, pretty much, was doing the same thing by paying just the interest. Wagner added that now with the low interest rates we can now make a difference.

Ald. Gang stated that no matter who we get in front of the Council to discuss the debt, we are obligated to pay this debt nevertheless.

Ald. Bare stated that he felt the WRS should be spoke to to eliminate problems in the future. Ald. Bare indicated that he felt they shouldn’t come back to the municipalities and say their assumptions were wrong and now you have to pay.

Mayor Brawders then summarized the way the pension draws work at the state.

Mr. Wagner stated that once you are in the system (or any pension program), the only way to get out is to buy it out. He stated that he was not sure how that would be done for current employees—or if it was even possible.

Mr. Wagner stated that the third area of potential savings does not effect the City’s budget, but the utilities can save funds. He stated that even though there are not direct effects to the City budget, eventually utility bills could be affected by the refinancing.

Ald. Gang stated that he felt we should follow the recommendations offered by Ehlers and Associates.

After discussion, it was the consensus of the Committee to proceed with the refinancing process for the first two options Mr. Wagner had discussed. It was agreed by the Council that formal resolutions adopting the refinancing would be brought to future Council meetings (November). However, the Council was aware that a consensus of the Council would allow staff and Ehlers to

proceed with preliminary legwork associated with any formal actions the Council may wish to proceed with.

The Council also expressed an interest in passing on the information related to the Utility refinancing to the Utility Commission for their recommendations.

DISCUSSION: CITY ADMINISTRATOR POSITION

The Council then discussed the City Administrator position.

Ald. Coffman indicated that he had spoke with Mr. Ed Henschel (President of the WCMA) regarding the best way to advertise for the position. Specifically, whether or not the Milwaukee Sentinel and Wisconsin State Journal were worth the money for the publication. He stated that he felt the City may benefit greater by advertising in the professional journals of the trade. Mr. Henschel had provided Ald. Coffman with a listing of the sources he would suggest: WCMA, ICMA and The Municipality. Ald. Coffman also added that the City Clerk/Treasurer also indicated that she would look in those publications before the Journal and Sentinel if she was seeking employment in the field.

Ald. Wagner asked the rest of the Council if they were interested in two-year appointment.

Mayor Brawdgers stated that he did not think that would need to be put in the job ad. He added that he did not think that at this time this is what the Council needed to talk about.

Ald. McGrath questioned if the ad needed to state "three years of experience". Ald. Coffman stated that "green may be good". It was then stated that they would not have problem hiring a recent college graduate.

Ald. McGrath then offered a revision of the job ad that was in the packet.

Ald. McGrath questioned if we had to put the salary in. The consensus was no.

The Council then decided to advertise in the ICMA, WMCA publications and the League Publication for two consecutive months. It was noted that the advertisement should read as revised by Ald. McGrath.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 86.

CITY OF JEFFERSON RESOLUTION NO. 86

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

The consent agenda for tonight includes:

- ◆ Vouchers Payable for October 2003 and September 2003 in the amount of \$258,353.16 and \$89.84 and Payroll Summary for October 7, 2003 in the amount of \$95,798.39.
- ◆ Council Minutes from the October 7, 2003 Regular and Closed Session Meetings of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee
 - ▣ Operator's Licenses
 - ▣ Special Class B Licenses

Ald. Wagner, seconded by Ald. McGrath moved to recommend Resolution No. 86. On call of the roll, motion carried unanimously.

RESOLUTION REQUESTING EXEMPTION FROM COUNTY LIBRARY TAX

Ald. Stevens introduced Resolution No. 87.

CITY OF JEFFERSON RESOLUTION NO. 87

WHEREAS, the Jefferson County Board has established a county library and levies a county library tax as authorized under Section 43.57(3) of the Wisconsin Statutes, and

WHEREAS, Section 43.64(2)(b) of the Wisconsin Statutes provides that a village or city which levies a tax for public library service and appropriates and expends for a library fund as defined by s.43.52(1) during the year for which the county tax levy is made a sum at least equal to the county tax rate in the prior year multiplied by the equalized valuation of the property in the city of village for the current year is exempt from the county library tax and

WHEREAS, the City of Jefferson will in 2004, appropriate and expend an amount in excess of that calculated above,

NOW THEREFORE BE IT RESOLVED, that the City of Jefferson hereby requests of the Jefferson County Board of Supervisors that the City of Jefferson be exempted from the payment of any tax for the support of the County Library Service as provided in Section 43.64(2).

BE IT FURTHER RESOLVED, that copies of the resolution be forwarded by the City Clerk to the following parties.

ADMINISTRATOR
Jefferson County Library Council
Dwight Foster Public Library
102 East Milwaukee Avenue
Fort Atkinson, WI 53538

COUNTY CLERK
320 South Main Street, Room 109
Jefferson, WI 53549

Ald. Bare questioned where we get this huge credit.

Library Director Lorenz stated that it is not issued as a credit, rather a different tax rate than used for those municipalities in the County that do not have their own library.

Ald. Stevens, seconded by Ald. Stewart moved to recommend Resolution No. 87. On call of the roll, motion carried unanimously.

INCREASE IN EMS BASE RATE

Ald. Gang introduced Resolution No. 88.

CITY OF JEFFERSON RESOLUTION NO. 88

BE IT RESOLVED, by the Common Council of Jefferson that the Resident Base Rate for EMS Services is hereby increased to \$375 and the Non Resident Base Rate is hereby increased to \$475 effective November 1, 2003.

Ald. Gang, seconded by Ald. McGrath moved to recommend Resolution No. 88. On call of the roll, motion carried unanimously.

RESOLUTION EXTENDING SYMPATHY TO FAMILY OF THE LATE VICTOR BUELOW

Ald. Wagner introduced Resolution No. 89.

CITY OF JEFFERSON RESOLUTION NO. 89

WHEREAS, God in his infinite wisdom and mercy, has chosen to call from his life, Victor Buelow., and

WHEREAS, Victor was a trusted and loyal citizen of the City of Jefferson.

WHEREAS, Victor served the City of Jefferson as a member of the American Legion Band for 74 years, 72 of those as Director.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Jefferson, by this Resolution extends its sympathy to the family of the late Victor Buelow and that a copy of this resolution be sent to the bereaved family.

Ald. Wagner, seconded by Ald. Stevens moved to recommend Resolution No. 89. The Council stood for a moment of silence in respect and unanimous approval of the resolution.

Ald. Stevens, seconded by Ald. Gang moved to adjourn to Closed Session of the Wisconsin State Statutes Pursuant to Section 19.85(1)(g) to discuss litigation. On call of the roll, motion carried unanimously.

Ald. Stevens, seconded by Ald. Gang moved to reconvene to Open Session. On call of the roll, motion carried unanimously.

RESOLUTION TO HIRE LEGAL COUNSEL

Ald. Stevens introduced Resolution No. 90—moved from action in closed session.

CITY OF JEFFERSON RESOLUTION NO. 90

BE IT RESOLVED, by the Common Council of the City of Jefferson that the City Clerk is hereby authorized to retain Kelly Centofanti at a 1/3 contingency with expenses to proceed on an action to recoup damages from the breach of contract action filed by Curtis Ambulance.

Ald. Stevens, seconded by Ald. Gang moved to approve Resolution No. 90. On call of the roll, motion carried unanimously.

Ald. Stevens, seconded by Ald. McGrath moved to adjourn the October 21, 2003 meeting of the Jefferson Common Council. Motion to adjourn carried on a voice vote.

The minutes of the October 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.