

MINUTES
CITY OF JEFFERSON COMMON COUNCIL
FEBRUARY 3, 2004

The Tuesday, February 3, 2004, meeting of the City of Jefferson Common Council was called to order at 7:30 p.m. by Mayor Brawders. Members present were: Ald. Carnes, Ald. Wagner, Ald. Coffman, Ald. Gang, Ald. McGrath and Ald. Stewart. Absent was: Ald. Bare and Ald. Stevens. Also present was: City Attorney Brantmeier, City Engineer Ludwig and City Clerk/Treasurer Stewart.

PUBLIC PARTICIPATION

Charlotte Goers-Nevin, 122 North Pleasant Avenue, addressed the Council regarding Walmart. She stated that recently she spent some time in Menominee Wisconsin. She noted that a newspaper article indicated that Walmart paid \$190,000 in taxes to the City in 2003. Mrs. Goers-Nevin also added that the Library there had recently received a donation from Walmart.

Bill Koehler, Highway K, addressed the Council regarding Walmart. He stated that he revised one of the sheets of his petition to reflect what the Statutes actually stated. He also noted that he felt the Countyside development could be positive for the City and thought that it was a good thing for the County and City to be working together. He stated that he felt that the Master Plan should be revised and that the City should not look at Walmart until this has been done. He stated that he felt it was a good time for the City to look at a Smart Growth plan. Mr. Koehler concluded by stating that he understands that the area along Highway 26 is considered commercial zoning, but he stated that he favored housing along Highway K and small businesses along Highway 26 (once access is granted).

Patti Lorbecki, 714 Windsor Terrace, addressed the Council regarding Wal-Mart. Mrs. Lorbecki questioned if Wal-Mart is the right mix for Jefferson and asked if this is what we want for our community. She stated that Wal-Mart is unfair to their vendors. She added that Walmart is able to tell vendors what they will pay for a product, something which as a business owner she is not able to do—giving Wal-Mart and unfair advantage. Mrs. Lorbecki then provided the Council with a copy of an article in the Cap Times.

Dave Lorbecki, 714 Windsor Terrace, addressed the Council regarding Walmart. Mr. Lorbecki stated that he agreed with many of the statements already made. He added that Walmart is changing the landscape of Wisconsin and the proposed distribution center in Beaver Dam is scheduled to service another 100 SuperCenters.

Bill Pinnow, Highway K, addressed the Council regarding the potential Wal-Mart development in Jefferson. Mr. Pinnow stated that he is owner of 1 of the 20 acres that Wal-Mart may purchase if they choose to locate in Jefferson. He stated that the City currently has a Master Plan and that it calls for commercial development along Highway 26. He stated that he understands why the surrounding property owners signed the petition, but stated that you have to know that development may be in the future when you build or live just on the edge of town. He stated that the potential annexation of almost 600 acres of County property may be a nice compliment to a

Walmart. He stated that opponents of Wal-Mart state that they want to see stores unique to Jefferson...he questioned what type of stores are unique to Jefferson. Mr. Pinnow added that you cannot buy many things in Jefferson. He concluded by stating that many stores will follow Wal-Mart to Jefferson if they locate here.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 130.

CITY OF JEFFERSON RESOLUTION NO. 130

BE IT RESOLVED by the Common Council of the City of Jefferson that the consent agenda for February 3, 2004 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for December 2003 & January 2004 in the amounts of \$23,628.34, \$95,695.82 and \$89,956.07 and Payroll Summary for January 23, 2004 in the amounts of \$96,296.65.
- ◆ Council Minutes from the January 20, 2004 Regular & 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. 130. On call of the roll, motion carried unanimously.

RESOLUTION ACCEPTING PETITION FROM BILL KOEHLER

Ald. McGrath introduced Resolution No. 131.

CITY OF JEFFERSON RESOLUTION NO. 131

BE IT RESOLVED, by the Common Council of the City of Jefferson that the Common Council hereby accepts the petition from Mr. Bill Koehler and hereby directs the City Clerk to file the petition with other petitions or items of correspondence that the Council has received on the same issue.

Atty. Brantmeier gave an explanation of Mr. Koehler's petition. He stated that the petition that Mr. Koehler submitted referred to zoning rather than annexation. Brantmeier also added that the application is premature since the City has not received any petitions or the like from Wal-Mart.

Ald. McGrath, seconded by Ald. Stewart moved to recommend Resolution No. 131.

Ald. Wagner stated that as he understands the petition, it appears that the property owners in the area do not want any type of change. Including stores other than Wal-Mart. Wagner noted that the Master Plan calls for commercial development and zoning in this area. He stated that he favored tabling action on the resolution and give Wal-Mart the courtesy of speaking their part.

Ald. Wagner, seconded by Ald. Coffman moved to table the Resolution No. 131. On call of the roll, motion carried by a vote of 5 to 1. Ald. Stewart cast the dissenting vote.

RESOLUTION APPROVING CITY HALL CHANGE ORDERS

Ald. Gang introduced Resolution No. 132.

CITY OF JEFFERSON RESOLUTION NO. 132

BE IT RESOLVED, by the Common Council of the City of Jefferson that Change Order 3, Items PS11, PS18 & PS31 for the City Hall Remodeling Project, which result in a net increase of \$7,998.35 are hereby approved.

Ald. Coffman indicated that Resolution No. 132 was approved 2 to 1 at Finance Committee.

Ald. McGrath questioned why we were doing ductwork in the lower level, when we don't know how the space will be used. He also questioned why the doors did not come with glass and likened the purchased to buying a car without tires.

Darren Noak of Tri-North Construction stated that the ductwork was being done in the lower level to comply with code.

City Clerk/Treasurer Stewart noted that the exhaust fan and ductwork was removed per the Council's recommendation.

Mr. Noak then stated that two different contractors provide the doors and the windows. He stated that originally the specifications were drawn up for safety glass in the doors rather than fire rated glass. He stated that a portion of the change order was attributable to the change in glass.

Ald. McGrath questioned why the original specifications did not include fire glass. Mr. Noak stated that he figured that it was an oversight.

Ald. McGrath asked if it was an oversight of the architect. Mr. Noak stated that he believed it was.

Ald. Coffman then stated that he would like to bring back an item from the Consent Agenda. Coffman stated that he would like to remove the \$3,600 disbursement for Bray Associates Architects from the bill run.

Ald. Carnes questioned the legalities of not making the payment. He noted his concern due to the contract the City signed with Bray and Associates.

Atty. Brantmeier stated that it is a little unclear as to who is/should be responsible for the apparent oversights on the project. He stated that non-payment may be breach of contract.

Ald. Coffman, seconded by Ald. McGrath moved to remove the \$3,600 disbursement from Bray Associates Architects. On call of the roll motion carried unanimously.

Ald. Gang then questioned the total amount of the change orders to date. City Clerk/Treasurer Stewart stated that she estimated around \$40,000. Mr. Darren Noak of Tri-North Construction then provided the Council with a more precise amount of \$32,000.

Ald. Gang, seconded by Ald. Carnes moved to recommend Resolution No. 132. On call of the roll, motion carried by a vote of 5 to 1. Ald. Stewart cast the dissenting vote.

RESOLUTION ACCEPTING PROPOSAL FROM BT2

Ald. Carnes introduced Resolution No. 133.

CITY OF JEFFERSON RESOLUTION NO. 133

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin, that the Acting City Administrator is authorized to sign two proposals with BT2 to conduct on-site investigations of two underground contaminated areas at the Waste Water Treatment Plant for a total fee of \$28,472.

BE IT FURTHER RESOLVED that the sum of money borrowed from the Waste Water Treatment Plant to fund the investigation at the refueling station will be reimbursed through either proceeds from our insurance company or the City's general fund.

Ald. Gang stated that this proposal had been discussed at Streets Committee. He stated that the problem will not just go away, so we need to deal with it.

City Engineer Ludwig then provided the public with a brief explanation of the proposals.

Ald. Carnes, seconded by Ald. Gang, moved to recommend Resolution No.133. On call of the roll, motion carried unanimously.

AUTHORIZING PURCHASE OF 2004 SQUAD VEHICLE

Ald. Stewart introduced Resolution No. 134.

**CITY OF JEFFERSON
RESOLUTION NO. 134**

BE IT RESOLVED by the Common Council of the City of Jefferson that the City Administrator is hereby authorized to purchase a 2004 Ford Crown Victoria from Kayser Ford-Madison for an amount of \$19,988.

Ald. Stewart indicated that Resolution No. 134 was unanimous at Finance Committee.

Ald. Stewart, seconded by Ald. Gang moved to recommend Resolution No. 134. On call of the roll, motion carried unanimously.

AUTHORIZING BUDGET ADJUSTMENTS

Ald. Coffman introduced Resolution No. 135.

**CITY OF JEFFERSON
RESOLUTION NO. 135**

BE IT RESOLVED by the Common Council of the City of Jefferson that the following 2003 budget adjustments are hereby authorized:

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMNT	REVISED AMOUNT
<u>MUNICIPAL COURT</u>				
Wages	01-51210-10-113	\$28,121.00	\$200.00	\$28,321.00
<u>CITY HALL</u>				
Electric, Water & Sewer	01-51510-20-254	\$12,000.00	\$2,200.00	\$14,200.00
<u>INSURANCE</u>				
Workers Compensation	01-51710-20-287	\$50,634.00	\$32,500.00	\$83,134.00
Property Insurance	01-51710-20-282	\$8,000.00	\$32,500.00	\$40,500.00
<u>GENERAL MISC</u>				
Schweigers	01-51910-70-718	\$0.00	\$42,537.33	\$42,537.33
<u>POLICE DEPARTMENT</u>				
Wages-Regular Sworn	01-52110-10-111	\$596,510.00	\$11,000.00	\$607,510.00

AMBULANCE

Wages – Regular	01-52550-10-113	\$61,557.00	\$13,500.00	\$75,057.00
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RECREATION

Postage Expense	01-55210-20-251	\$800.00	\$600.00	\$1,400.00
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AQUATIC CENTER

Natural Gas	01-55230-20-256	\$3,000.00	\$8,100.00	\$11,100.00
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PARKS DEPARTMENT

Mat. To Maint. Land & Improv	01-55510-30-353	\$1,525.00	\$20,300.00	\$21,825.00
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		CURRENT	BUDGET	REVISED
BUDGET ITEM	ACCOUNT #	BUDGET	ADJUSTMENT	AMOUNT
Fund 10 – Rev Bnd Payment	10-50000-50-500	\$6,000.00	\$15,133.62	\$21,133.62
Fund 19 – Rev Bnd Payment	19-50000-50-500	\$0.00	\$962.86	\$962.86
Fund 20 – Mmbr Dues & Sub	20-50000-30-311	\$0.00	\$795.00	\$795.00
Fund 30 – Equipment	30-50000-40-415	\$0.00	\$1,790.00	\$1,790.00
Fund 40 – Sidewalk	40-50000-40-423	\$0.00	\$28,490.00	\$28,490.00
Fund 41 – Street Reconstrtn	41-50000-40-421	\$100,000.00	\$106,000.00	\$206,000.00
Fund 42 – North St Bridge	42-50000-40-447	\$36,633.00	\$40,150.00	\$76,783.00
Fund 55 – Eng Service	55-50000-20-210	\$1,500.00	\$255.00	\$1,755.00

BE IT FURTHER RESOLVED that the above budget adjustments are funded out of the respective fund balances.

Ald. Coffman, seconded by Ald. Stewart moved to recommend Resolution No. 135. On call of the roll, motion carried unanimously.

Ald. Wagner, seconded by Ald. Carnes moved to adjourn the February 3, 2004 meeting of the Jefferson Common Council. Motion to adjourn carried on a voice vote.

The minutes of the February 3, 2004, meeting of the Common Council are uncorrected. Any corrections made thereto will be noted in the proceedings at which time the minutes are approved.