

**MINUTES**  
**CITY OF JEFFERSON COMMON COUNCIL**  
**JUNE 15, 2004**

The Tuesday, June 15, 2004, meeting of the City of Jefferson Common Council was called to order at 7:40 p.m. by Mayor Stevens. Members present were: Ald. Wagner, Ald. Coffman, Ald. Bare, Ald. Gang, Ald. Benka, Ald. McGrath, Ald. Olsen and Ald. Stewart. Also present were: City Attorney Brantmeier, City Engineer Ludwig and City Clerk/Treasurer Stewart

**PUBLIC PARTICIPATION**

Del Chimelewski, 709 South Main Street, addressed the Council regarding the water problem behind his property. He stated that he has taken steps to resolve this problem, but it has fallen and deaf ears. He stated that Arrow has in essence created a dam causing a water problem on his property and he is now looking to the Council for help.

Bill Koehler, Highway K, addressed the Council regarding another water problem. He showed the south side of town and how it flooded during a recent downpour. He stated that the area does not need another large parking lot and if it does get one, the storm water system in the entire area will need to be upgraded.

Janet Twist, 663 North Dewey Avenue, addressed the Council regarding microphones. She stated that she hopes the Council considers using them in the Council Chambers.

**CONSENT AGENDA**

Ald. Wagner introduced Resolution No. 24.

**CITY OF JEFFERSON**  
**RESOLUTION NO. 24**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for June 15, 2004 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for May and June 2004 in the amounts of \$12,918.00 and \$133,743. and Payroll Summary for May 28, 2004 in the amount of \$96,213.99.
- ◆ Council Minutes from June 1, 2004 Regular Session Meeting of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee
  - ▣ Operator's Licenses (New & Renewal)
  - ▣ Special Class B Licenses

Ald. Olsen then asked several questions regarding the website services. He gave an explanation for the benefit of the public.

Ald. Wagner, seconded by Ald. McGrath moved to recommend Resolution No. 24. On call of the roll, motion carried 7 to 0. Ald. Bare abstained.

**PUBLIC HEARING ON THE PROPOSED VACATION OF A PORTION OF SOUTH WHITEWATER AVENUE**

Mayor Stevens called the public hearing to order.

City Clerk/Treasurer Stewart read the Notice of Public Hearing.

City Engineer Dan Ludwig gave an explanation of the proposed vacation.

Mayor Stevens 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.

Jim Renz, 805 South Whitewater Avenue, addressed the Council regarding the vacation. Mr. Renz stated that he would like to speak about a couple issues. He stated that at an earlier meeting it was indicated that the property is an eyesore and that building on it would be an improvement. He stated that the City has rules and ordinances that prevent this, but they must be enforced. He stated that the property should be maintained. He stated that at the last meeting it was noted that multi-family is needed in this community. He stated that in a flyer last week there were six major apartment complexes advertising for openings, and he added that he knew of at least one more. He stated that it doesn't seem like there is a need for multi-family. He stated that he is not against building on the property he is just against these buildings on this property. Renz stated that the developer is just trying to bend all the rules to get these in. He stated that these buildings are just too big for this property. Renz concluded by stating that the developer knew the constraints before purchasing the property and now he is trying to go around them. He also questioned why the first 100' of the road was not being vacated. He added that if the Council wants to vacate, then vacate the entire thing. He also reminded the Council of a petition that he submitted at the last meeting he attended.

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

Ald. Bare introduced Resolution No. 25.

**CITY OF JEFFERSON  
RESOLUTION NO. 25**

**RESOLUTION SETTING TIME FOR HEARING TO VACATE /ALTER A PORTION  
OF SOUTH WHITEWATER AVENUE**

**WHEREAS**, the City Common Council of the City of Jefferson, Wisconsin at their meeting on May 4, 2004, adopted a Resolution setting the time and date to consider vacating/altering the unpaved portion of South Whitewater Avenue from County N south to the Rock River between Lot 1 of Certified Survey Map No. 3204 and Lot 1 of Certified Survey Map No. 3146, which runs southwest to the northerly right-of-way of Rockview Lane, and directing that notice thereof be published in the DAILY JEFFERSON COUNTY UNION;

**AND WHEREAS**, the Notice of a Public Hearing to be held on this date; namely June 15, 2004 at 7:30 p.m. at the City Hall in the City of Jefferson was published in the DAILY JEFFERSON COUNTY UNION;

**AND WHEREAS**, a public hearing on said petition was held on June 15, 2004,

**AND WHEREAS**, Notice of Pendency of the consideration to vacating/altering a portion of South Whitewater Avenue from County N south to the rock river between Lot 1 of Certified Survey Map No. 3204 and Lot 1 of Certified Survey Map No. 3146, which runs southwest to the northerly right-of-way of Rockview Lane was filed with the Register of Deeds for Jefferson County, Wisconsin, as required by Section 840.11 Wisconsin Statutes on May 4, 2004.

**AND WHEREAS**, all provisions of Section 66.1003 Wisconsin Statutes have been satisfied and complied with for the vacating/altering and discontinuance of said public street between Lot 1 of Certified Survey Map No. 3204 and Lot 1 of Certified Survey Map No. 3146, which runs southwest to the northerly right-of-way of Rockview Lane; the City will retain a use and maintenance easement for the utilities located within the public right-of-way, as well as, a 10' pedestrian walk path.

**AND WHEREAS**, it appears in the best interest of the City, and the public interest requires that the public right-of-way for a future street between Lot 1 of Certified Survey Map No. 3204 and Lot 1 of Certified Survey Map No. 3146, which runs southwest to the northerly right-of-way of Rockview Lane hereinafter described be vacated/altere and discontinued.

**NOW THEREFORE, IT IS HEREBY RESOLVED**, that the following described portion of the South Whitewater Avenue right-of-way from County N south to the Rock River between Lot 1 of Certified Survey Map No. 3204 and Lot 1 of Certified Survey Map No. 3146, which runs southwest to the northerly right-of-way of Rockview Lane located in the City of Jefferson, Jefferson County, Wisconsin, as depicted on the attached map, be and the same is hereby vacated/altere and discontinued.

The street is described as:

Being a part of the platted right of way of South Whitewater Avenue, located in the NW ¼ and SE ¼ of Section 11, T6N, R14E, City of Jefferson, Jefferson County Wisconsin, described as follows:

Commencing at the aluminum monument that marks the NE corner of the SE ¼ of said Section 11; Thence N86°12'00"W, along the North line of said SE ¼, a distance of 1960.69 feet, to the Easterly Right-of-Way (R.O.W.) line of South Whitewater Avenue; Thence S09°15'00"W, along said Easterly R.O.W. line, a distance of 96.14 feet, to the Point of Beginning of the R.O.W. to be vacated; Thence S09°15'00"W, along said Easterly R.O.W line, a distance of 196.13 feet, to the Northerly R.O.W. line of Rockview Lane extended; Thence N62°07'00"W, along the Northerly R.O.W. line of Rockview Lane extended, a distance of 69.65 feet, to the Westerly R.O.W. line of

South Whitewater Avenue; Thence N09°15'00"E, along said Westerly R.O.W. line, a distance of 167.58 feet; Thence S86°12'00"E, a distance of 66.30 feet, to the Point of Beginning, containing 12002 sq. ft. or 0.276 acres of land, more or less.

### **EASEMENTS RETAINED**

The City retains a maintenance and use easement to the property for its existing and future utilities as well as a pedestrian walk path (10' in center) for public use.

Ald. Bare moved to recommend Resolution No. 25. Motion died for a lack of a second.

### **RESOLUTION ACCEPTING PROPOSAL FOR FIREWORKS ON JULY 3**

Ald. McGrath introduced Resolution No. 26.

### **CITY OF JEFFERSON RESOLUTION NO. 26**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the Parks, Recreation and Forestry Director is hereby authorized to accept the proposal from Bartolotta Fireworks in the amount of \$4,500 for the services to provide a firework display on July 3 at Pitzner Parkway in the City of Jefferson.

Ald. Gang stated that Park & Recreation Commission does not have a recommendation. He stated that the Finance Committee also tabled action on the resolution.

Park, Recreation and Forestry Director Keller then explained the difficulties with using Riverfront Park for the fireworks display. She stated that it has been determined that Pitzner Parkway is the safest place to shoot the fireworks. She added that both fireworks company refused to shoot fireworks at Rotary Park and noted that she was now looking to the Council for their recommendation.

Ald. Gang stated that he felt the entire festival should be moved to the Jefferson County Fairgrounds and the City would pay for the rental as a good faith gesture. Ald. Gang stated that the flood is costing everyone money.

Ald. Stewart asked where everyone would park if the fireworks were shot from Pitzner Parkway.

Ald. Wagner asked if the Chamber would consider splitting the rental costs of the fairgrounds.

Ald. Bare questioned the horse fair that is taking place on the grounds and asked if that would be a problem. Director Keller stated that Roger from the Fair Park stated that he did not feel it would be a problem if the participants new in advance of the events.

The cost of the park rental was then discussed. Keller stated that she thought we could rent a portion of the park for about \$1,000? Ald. Gang stated that we need to find the funds for this.

Ald. Olsen questioned shooting the fireworks at the high school. Keller indicated that the area is now too heavily populated to shoot them off there.

Ald. Gang, seconded by Ald. McGrath made an amendment to rent the fairgrounds for the July 3<sup>rd</sup> celebration if we have the blessing of the Chamber. On call of the roll, motion carried by a vote of 7 to 1. Ald. Bare cast the dissenting vote.

Ald. Bare questioned about the legality of awarding the contract to firm other than the one that bid the display.

Ald. Gang, seconded, by Ald. Stewart made an amendment to allow that the fireworks display be rebid and allow the Acting Administrator to either accept the low bid or in the case of a tie, the ability to accept the bid which will provide the best display for the residents. On call of the roll, motion carried unanimously.

Ald. McGrath, seconded by Ald. Gang moved to approve Amended Resolution No. 26. On call of the roll, motion carried unanimously.

Ald. Olsen, seconded by Ald. McGrath moved to adjourn to closed session pursuant to Section 19.85(1)(c), 19.85(1)(g) and 19.85(1)(e) to Discuss Employment, Litigation and Sale of Public Property. On call of the roll, motion carried unanimously.

Ald. Coffman, seconded by Ald. Gang moved to reconvene to open session. On call of the roll, motion carried unanimously.

### **HIRE OF A LTE SENIOR CENTER COORDINATOR**

Ald. Coffman introduced Resolution No. 27.

### **CITY OF JEFFERSON RESOLUTION NO. 27**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the Acting City Administrator is hereby authorized to hire Shelia Frohmader at an hourly rate of \$14.21, 30 hours per week for the position of LTE Senior Center Coordinator.

**BE IT FURTHER RESOLVED**, that said employment will be in effect until August 3, 2004 at which time the employment will be reevaluated by the Common Council.

Ald. Wagner stated that he would not support the hire because of the pay rate and because her spouse also is employed by the City.

Ald. Coffman, seconded by Ald. Benka moved to recommend Resolution No. 27. On call of the roll, motion carried by a vote of 6 to 2. Ald. Wagner and Ald. McGrath cast the dissenting votes.

**POTENTIAL SALE OF COPELAND RYDER BUILDING**

Resolution No. 28 was removed from the agenda.

The minutes of the June 15, 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.