

**MINUTES**  
**CITY OF JEFFERSON COMMON COUNCIL**  
**SEPTEMBER 21, 2004**

The Tuesday September 21, 2004, meeting of the City of Jefferson Common Council was called to order at 7:30 p.m. by Mayor Stevens. Members present were: Ald. Wagner, Ald. Bare, Ald. Olsen, Ald. McGrath, Ald. Benka, Ald. Gang and Ald. Stewart. Absent was: Ald. Coffman. Also present were: City Administrator Bierma, City Attorney Brantmeier, and City Clerk/Treasurer Stewart.

**PUBLIC PARTICIPATION**

Kathy Zimmerman, 425 North Stevens Avenue, addressed the Council regarding Wal-Mart. She stated that the Coalition for Better Jefferson has joined ACT (A Common Thread), a state-wide group fighting Wal-Marts all over the state. She encouraged residents and the Council to educate their family and friends about Wal-Mart and the true costs of their products.

Janet Werner, N4018 Highway Y, provided the Council with an update of Chamber activities. Ms. Werner stated that the food booth at Gemuetlichkeit was well attended and that the Chamber is now gearing up for their food booth during car show weekend. She stated that the Chamber has planned an Autumn Fest in the downtown area for October 2<sup>nd</sup>. She stated that she hoped that all would attend.

Nancy Haberman, 536 East North Street, addressed the Council regarding Wal-Mart. Ms. Haberman stated that she had attended the JDC Meeting this morning and had handed out an article/editorial from the Janesville Gazette, which stated that it is time for Wal-Mart. She then handed out materials to the Council. She stated that she feels it is time to move ahead with the issue.

Ron Zimmerman, 425 North Stevens Avenue, addressed the Council regarding Tyson. Mr. Zimmerman handed out a BusinessWeek article which titled Tyson as the Wal-Mart of meat processing. He stated that he hoped the Council would read the article and make the parallels between Tyson and Wal-Mart. He stated that the Council should vote their consciences.

Charlotte Goers-Nevin, 122 North Pleasant Avenue, addressed the Council regarding Wal-Mart. Ms. Goers-Nevin stated that a while back in the letters to the editor a citizen wrote about the crime that is spurred by Wal-Mart, the article specifically addressed Harrisonville, Utah. Ms. Goers-Nevin stated that she took it upon herself to call the Chamber by Harrisonville. The lady that she spoke with stated that Harrisonville is a small town (pop. 4167) with a very low crime rate. She stated that the incident that was addressed by the citizen who wrote the letter to the editor was isolated and was not attributable to Wal-Mart locating in the community. Ms. Goers-Nevin stated that you should not believe everything you read and encouraged the Council and others to investigate for themselves what is in print. She then provided the Council with a letter from the Chamber of Commerce in Rhinelander, Wisconsin regarding Wal-Mart.

**PRESENTATION: UPDATE ON WWTP AND OTHER SEWER UPDATES – TOWN AND COUNTRY ENGINEERING, GENE LASCHINGER**

Gene Laschinger of Town and Country Engineering then provided the Council with an overview of the plant reconstruction and an up-to-date rundown of the financial picture to date. Mr. Laschinger spoke about the contracts with Dorskocil and Friskies and how important those industry's were to the financing of the reconstruction project. He stated that by and large the project had run under budget and added that less than \$10,000 in change orders had been accumulated on the project.

He added that a few pieces of work still remain on the plant and therefore actual costs will not be know until 2005. He stated that things like O&M manuals and a closeout with the DNR are still to be done.

Rates of the plant were then briefly discussed.

Mr. Laschinger then spoke to a "problem" at the WWTP . He stated that one of the buildings inside seems to be experiencing some settling. He added that the building was built to specification, the soils were inspected (and compacted as required) as needed and the design was not substandard. However, possibly groundwater in the area of the facility is causing the sand base to be washed down through the crushed stone under the facility. He stated that they have preliminarily looked into fixes for the problem and at this time have come up with a remedy that would cost in the area of \$10,000. However, he added that they would be looking further into the problem.

Mr. Laschinger then entertained questions from the Council.

**GEMUETLICHKEIT DAYS FUNDING**

Ald. Gang stated that several meetings ago he had discussed the funding of Gemuetlichkeit Days. He stated that funds were not included in the 2004 budget and that he would like to see the City fund the event this year. He stated that so much volunteering goes into the event and that he would like to see a resolution on the next agenda for the Council to vote on.

Ald. Olsen stated that he agreed. He added that he felt funding the event was a good way for the City to say that we support the community and Gemuetlichkeit Days. He then asked Clerk/Treasurer Stewart if there were funds in the budget that could be used for this purpose. Stewart stated that a transfer from fund balance could be made.

Ald. Wagner stated that he too would support funding and felt that the monies should be budgeted for next year.

Ald. Gang stated that he would like to see the event funded this year, however, he added that he had received several comments from board members (of Gemuetlichkeit Days) that they could

live without the funds this year. Ald. Gang stated that he feels the event is of great value to the community and would like to see it funded in 2004 and 2005.

**ORDINANCE TO AMEND SECTION 8.01 OF THE CITY OF JEFFERSON  
MUNICIPAL CODE AMENDING THE OFFICIAL MAP**

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #11-04**

Removed from the agenda.

**AN ORDINANCE AMENDING THE COMPENSATION FOR THE MUNICIPAL  
JUDGE**

Ald. Bare introduced Ordinance #13-04 for its second reading.

**CITY OF JEFFERSON  
ORDINANCE #13-04**

An ordinance to amend Section 1.02(2) of the City of Jefferson Municipal Code relating to municipal judge. The Common Council of the City of Jefferson, Wisconsin, hereby ordains as follows:

**Section 1.** Section 1.02(2) is hereby amended to read as follows:

- a) Election term and salary. The municipal judge shall be elected in even numbered years for a term of four years commencing March 1, 2004.  
Effective March 1, 2002, the municipal judge shall be paid an annual salary of \$6,864.00.  
Effective March 1, 2004, the municipal judge shall be paid an annual salary of \$7,009.00.

**Section 2.** This ordinance shall take effect and be in full force after passage and publication as provided by law.

Ald. Wagner added that he feels that Municipal Judge Freeburg and Municipal Court Clerk White do a great job for the City.

Ald. Bare, seconded by Ald. Olsen moved to recommend Proposed Ordinance #13-04. On call of the roll, motion carried unanimously.

**CONSENT AGENDA**

Ald. Wagner introduced Resolution No. 54.

**CITY OF JEFFERSON  
RESOLUTION NO. 54**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for September 21, 2004 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for September 2004 in the amount of \$209,828.50 and Payroll Summary for September 3, 2004 in the amount of \$107,036.65.
- ◆ Council Minutes from September 7, 2004 Regular and Closed Session Meetings of the Common Council.
- ◆ Acceptance of Salt Bid from Cargill Salt, Inc. for \$35.77/ton.
- ◆ Licenses as Approved by the Regulatory Committee
  - ▣ Operator's Licenses
  - ▣ Special Class B Licenses

Ald. Olsen stated that he would like to make a motion to amend the September 7, 2004 Council minutes. Olsen stated that he would like the following statements added to the discussion pertaining to the Historical Society Lease (page 5):

- Ald. Olsen also thanked the Historical Society for their hard work.
- Ald. Olsen asked Atty. Brantmeier for guidance on whether or not he should be voting on the Lease because he is a Historical Society Member.

Ald. Gang seconded the motion. Motion carried on a voice vote.

Ald. Wagner, seconded by Ald. Benka moved to recommend Amended Resolution No. 54. On call of the roll, motion carried unanimously.

**RESOLUTION REQUESTING EXEMPTION FROM COUNTY LIBRARY TAX**

Ald. Stewart introduced Resolution No. 55.

**CITY OF JEFFERSON  
RESOLUTION NO. 55**

**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 2005, 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. Stewart, seconded by Ald. McGrath moved to recommend Resolution No. 55. On call of the roll, motion carried unanimously.

Ald. Wagner, seconded by Ald McGrath moved to adjourn to closed session pursuant to Section 19.85(c) and 19.85(1)(e) of the Wisconsin State Statutes to discuss employment and investment of public funds. On call of the roll, motion carried unanimously.

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

Ald. Gang, seconded by Ald. Bare moved to adjourn the September 21, 2004 meeting of the Common Council. Motion carried unanimously on a voice vote.

The minutes of the September 21, 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.

**Please Publish: ASAP**  
Need an affidavit  
Not in the legal section

