

**MINUTES**  
**CITY OF JEFFERSON COMMON COUNCIL**  
**FEBRUARY 1, 2005**

The Tuesday February 1, 2005, 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, Ald. Coffman and Ald. Stewart. Also present were: City Administrator Bierma, City Attorney Brantmeier, City Engineer Ludwig, and City Clerk/Treasurer Stewart.

**PUBLIC PARTICIPATION**

John Powell, 111 North High Avenue, addressed the Council regarding Resolution No. 102. Chief Powell stated that some of the Council had run on the promise that they were not going to raise taxes and now are looking at other ways of raising revenue to help meet the City's budget. Powell stated that the proposed fee is just another way of taxing the public. Powell indicated the successes of the Fire Department and the commitment of the department's volunteers that save the City a lot of money. Powell indicated his opposition to the proposed Resolution and stated that if we are going to pay one way or another, just raise taxes. Powell questioned if these funds would be specifically earmarked for fire protection. He added that if the original funding schedule had been followed by the Council that these types of measures would not be necessary. He stated that the quality of the service provided to the public is too important to sacrifice and that if a tax increase is needed to support Fire Protection services, most individuals would understand this. He concluded by asking the Council to not support Resolution No. 102.

Charlotte Goers-Nevin, 122 North Pleasant Avenue, addressed the Council regarding Resolution No. 101. Ms. Goers-Nevin encouraged the Council to reject Resolution No. 101. She stated that she did not feel that a wheel tax was the right idea for Jefferson. She added that it is just a diversion from taxes and would hit the wrong groups the hardest.

**AN ORDINANCE TO CREATE SECTION OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO NATURAL LANDSCAPING**

Ald. McGrath introduced Proposed Ordinance #1-05 for its second reading.

**CITY OF JEFFERSON**  
**PROPOSED ORDINANCE #1-05**

An Ordinance to Create Section 12.19 of the City of Jefferson Municipal Code Establishing Prairies within the City's Municipal Boundary.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO  
ORDAIN AS FOLLOWS:**

**Section 1.** Section 12.19 is hereby created to allow Natural Landscaping within the City of Jefferson City Limits.

## **12.19 NATURAL LANDSCAPE MANAGEMENT PERMIT.**

(1) **Definitions.** Natural landscape as used in this Section shall include common species of grass and wild flowers native to Wisconsin and/or ornamental plantings, which are designed and purposely cultivated to exceed eight (8) inches in height. Specifically excluded in natural landscapes are the noxious grasses and weeds identified in this ordinance and in the "Public Nuisances Affecting Health, Section 10.03(6)(b) of this ordinance. The growth of natural landscapes in excess of eight (8) inches in height shall be prohibited within the City, unless a natural landscape management plan is approved and a permit is issued by the City as set forth in this Section.

### **(2) Natural Landscape Management Plan Defined.**

(a) Natural Landscape Management Plan as used in this Section shall mean a written plan relating to the management and maintenance of a landscape which meets the following requirements:

1. Proposed natural landscape is being requested.
2. A statement of intent and purpose for the landscape.
3. A detailed description of the types of plants and plant succession involved.
4. Specific management and maintenance techniques to be employed.
5. Proposed landscaping is to be confined to property owned by the applicant according to current City Assessor's Records.
6. Natural landscaping on any City owned property within any street right of way, is strictly prohibited. This shall include the property between the sidewalk and street and not less than ten (10) feet adjacent to the street where there is no sidewalk.
7. Natural landscapes shall not be permitted within three (3) feet of the abutting property unless waived in writing by the abutting property owner on the side or sides affected. Such waiver shall be affixed to the landscape management plan.
8. The property owner shall submit to the Planning Commission a drawing, plot plan and/or survey which will show the location of the natural landscape area on the applicant's property.
9. In addition to those identified in Section 10.03(6)(b) of this ordinance,

the following noxious grasses or weeds will not be allowed in a natural landscape area:

<b>COMMON NAME(S)</b>	<b>LATIN NAME(S)</b>
Buckthorn	Rhamnus Cathartica Rhamnus Frangula
Burdock (Yellowdock)	Artium Lappa
Field Bindweed (Wild Morning Glory)	Convolvulus Arvensis
Garlic Mustard	Alliaria Petiolata
Goatsbeard (Oyster Plant, Salsify)	Tragopogon Porrifolius
Leafy Spurge	Euphorbia Esula
Marijuana	Cannabis Sativa
Nettle	Urtica Dioica
Oxeye Daisy	Chrysanthemum Leucanthemu
Pigweed (Lambs Quarters)	Chenopodium Album
Pigweed (Amaranth)	Amaranthus Retroflexus
Poison Ivy	Rhus Radicans
Purple Loosestrife	Lythrum Salicaria
Quackgrass	Bromus Brizaeformis
Ragweed (Common)	Ambrosia Artemisifolia
Ragweed (Great)	Ambrosia Trifida
Spotted Knapweed	Centaurea Maculosa
Thistle Bull	Cirsium Vulgare
Thistle Canada	Cirsium Arbense
Thistle Musk or Nodding	Carduus Nutans
Thistle Star (Caltrops)	Centaurea Calicitraba
Thistle Sow (Field)	Sonchus Arvensis
Thistle Sow (Common)	Sonchus Oleraceus
Thistle Sow (Spiny Leaved)	Sonchus Asper
Sweet Clover (Yellow)	Melilotus Officinalis
Sweet Clover (White)	Melilotus Alba
Yellow Mustard (Yellow Rocket Winter Cress)	Barbarea Vulgaris
Japanese Bamboo	
Wild Mustard	

- (b) All Property Owners who currently have natural landscapes must file for a permit and submit a plan as to be covered by this ordinance.
- (c) Natural Landscapes may constitute a fire or safety hazard, due to weather conditions or other conditions. Street Department, Weed Commissioner may order natural landscapes cut due to such conditions. As a condition of receiving approval of the natural landscape permit, the property owner shall

be required to cut the natural landscape within three (3) days upon receiving a written letter from the City of Jefferson's Weed Commissioner.

(3) **Landscape Committee.** The Mayor, subject to the approval of the Common Council, shall appoint a landscape committee consisting of three (3) persons who have expertise in the area of natural landscapes. The initial committee members shall be appointed for one, two and three year terms respectively, and thereafter all committee persons shall be selected to serve for a three year term.

(4) **Application for Natural Landscape Permit.** Property Owners interested in applying for a natural landscape permit shall submit a natural landscape management plan to the Street Department, Attention Weed Commissioner. All plans received will be reviewed by the Weed Commissioner and the Landscape Committee for permit approval. The property owner will be notified in writing by the City of Jefferson of approval or denial. If no notification is received within forty-five (45) days of property owners initial submittal, the plans shall be deemed approved. The plan, permit and letter of notification will remain on file at the Street Department Weed Commissioner's Office for future reference.

(5) **Application for Appeal.** The property owner may appeal a decision to deny or revoke the natural landscape permit request to the Board of Appeals at an open meeting. All applications for appeal shall be submitted within fifteen (15) calendar days of the notice of denial of the natural landscape management plan. The decision rendered by the Board of Appeals shall be final and binding.

(6) **Penalty.** Enforcement will be upon written complaint by at least one adjoining owner and filed with the Jefferson Weed Commissioner. Upon receipt of a written complaint, the permitted property will be inspected by the Landscape Committee. If permitted property is determined to be in violation of the Natural Landscape Ordinance, the property owner shall be notified by the Landscape Committee and City of Jefferson Weed Commissioner by written notice to correct specific violations within fifteen (15) days upon receipt of letter. If the property owner does not correct the violations described in the written notice, the City of Jefferson shall order the property mowed and property owner will be billed, at the current rate for every hour worked, and the permit shall be revoked.

*(Note: This ordinance is substantially taken from Sec. 9.09(d) of the City of Watertown's Municipal Ordinance.)*

**Section 2.** This ordinance shall take effect upon passage and publication as required by law.

Ald. Gang asked for background on this ordinance.

City Administrator Bierma indicated that Countryside Home would like to plant some ornamental grasses at the Collins Road property and the City needs some guidelines for them to follow.

City Attorney Brantmeier indicated that the Proposed Ordinance will also have other applications as the City looks at the potential annexation of the Countryside property. He added that the current plan calls for a large area of green space.

Ald. Wagner questioned who would head this up, Dan? City Administrator Bierma stated that the Weed Commissioner is listed as the responsible party.

Ald. McGrath, seconded by Ald. Bare moved to recommend Proposed Ordinance #1-05. On call of the roll, motion carried unanimously.

**AN ORDINANCE TO RECREATE SECTION 1.04(14) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE COMPOSITION OF THE CABLE TELEVISION LOCAL ACCESS COMMISSION**

Ald. Benka introduced Proposed Ordinance #2-05 for its second reading.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #2-05**

An Ordinance to Recreate Section 1.04(14) of the City of Jefferson Municipal Code Related to the Composition of the Cable Television Local Access Commission.

The Common Council of the City of Jefferson do ordain as follows:

**Section 1.** Section 1.04(14) is hereby recreated as follows:

**1.04 (14) CABLE TELEVISION LOCAL ACCESS COMMISSION.** (Cr. #15-01) (Rcr. #2-05) (a) Composition. The Cable Television Local Access Commission shall be comprised of seven (7) members. Two members of the Commission shall be members of the Jefferson School Board or the Board's designee. The Jefferson School District Technology Director and the manager of the local access system shall service as ex-officio members. Two members of the commission will be members of the Common Council. Three members will be appointed by the Mayor and confirmed by the Common Council.

**Section 2.** This ordinance shall take effect upon passage and publication as required by law.

Ald. Benka, seconded by Ald. McGrath moved to recommend Proposed Ordinance #2-05. On call of the roll, motion carried unanimously.

**AN ORDINANCE TO CREATE SECTION 10.03(8)(B) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO PUBLIC NUISANCES – NOXIOUS ODORS**

Ald. Bare introduced Proposed Ordinance #3-05 for its second reading.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #3-05**

An Ordinance to Create Section 10.03(8)(b) of the City of Jefferson Municipal Code Related to Public Nuisances—Noxious Odors.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO  
ORDAIN AS FOLLOWS:**

**Section 1.** Section 10.03(8)(b) is hereby created to clarify Noxious Odors, etc.

(8) NOXIOUS ODORS, ETC. (a) Any use of property, substances, or things within the City emitting or causing any foul, offensive, noisome, nauseous or disagreeable odors, gases, effluvia or stench extremely repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons within the City.

**(b) The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly-ash, industrial dust or other atmospheric pollutants within the City limits in such quantities as to endanger the health of persons of ordinary sensibilities or to threaten or cause substantial injury to property in the City. All industrial plants shall install smoke eradicators, which shall be in use during the hours of operation.**

**Section 2.** This ordinance shall take effect upon passage and publication as required by law.

Ald. Bare, seconded by Ald. Gang moved to recommend Proposed Ordinance #3-05.

Ald. McGrath questioned why we would need this ordinance if the EPA currently governs this. He questioned if fireplaces would also be prohibited and noted his concern over the use of smoke eradicators and the impact on the City's industries.

Ald. Gang stated that he didn't think that we even had any outside woodburners in the City.

City Attorney Brantmeier noted that he agreed with Ald. McGrath's statements and noted that the EPA does monitor these type of emissions. He added that this ordinance was drafted due to concerns raised to Plan Commission members.

Ald. McGrath stated his concern over the industries again and the ambiguity of the ordinance. He added that even though there may not be smoke emitted from the stacks at Tyson and Friskies, they may still emit a smell. He questioned how this ordinance would be enforced and who would be doing the enforcement. He also questioned the penalty.

Ald. Benka stated that he felt the ordinance needed to be more specific and enforcement information should be added.

Atty. Brantmeier explained that this is a section of our Public Nuisance Ordinance and that the enforcement and penalty would be handled as such.

Ald. Olsen, seconded by Ald. Wagner moved to recommend the tabling of Ordinance #3-05. On call of the roll, motion to table carried by a vote of 7 to 1. Ald. Bare cast the dissenting vote.

### **AN ORDINANCE TO PROHIBIT DOMESTIC ANIMALS WITHIN CITY PARK BOUNDARIES**

Ald. Gang introduced Proposed Ordinance #4-05 for its first reading.

#### **CITY OF JEFFERSON PROPOSED ORDINANCE #4-05**

An Ordinance to Create Section 9.34 of the City of Jefferson Municipal Code Related to Domestic Animals within City Park Boundaries.

**The Common Council of the City of Jefferson, Wisconsin Do Ordain as follows:**

**Section 1.** Section 9.34 is hereby created to allow only service animals under a person's control in City Parks, recreation areas, and any other properties under the jurisdiction of the city

#### **9.34 CONTROLLED ANIMALS WITHIN PARK BOUNDARIES**

- (1) It shall be unlawful for any person in a park, recreation area or any other properties under the jurisdiction of the City of Jefferson to allow any domestic animal, with the exception of service animals under that person's control to be present within any park or recreation area, other than those areas, which the Parks Director has designated for the purpose of walking animals. Any such animals shall be required to be on leash or under the owner's strict control and supervision. Under no circumstances shall any domestic animals be present at any recreation area, ballparks, skate parks, or other designated recreated areas. This ordinance does not prevent persons from having pets in marked pedestrian walks on public right-of-ways.
- (2) The owner or any person having control of an animal is also responsible for the removal and disposal of any excreta deposited by the animal upon any public or private property. It is unlawful for any person not to have in his/her immediate possession the appropriate means to remove said animal excreta. This section shall not be applicable in cases in

which a person is being assisted by a service animal. The owner or persons having immediate control of an animal shall promptly remove, and dispose of, in a sanitary manner, any feces left or deposited by the animal upon public or private property not owned or possessed by such person.

(3) **PENALTY FOR NON-COMPLIANCE.** (a) For the first violation, a fee in the amount of \$25.00 shall be assessed against the person, which shall be payable to the Police Department within ten days of receipt of the Notice of Violation. If the fee is not paid within 10 days or it is the person's second violation within one year, the violator shall be issued a municipal Summons with forfeiture to be \$50.00 plus all applicable court costs, fees, and assessments. Any subsequent offense shall subject the violator to the penalties provided in Section 25.04 of this code.

(4) **PERMITS.** (a) If the City Parks Director or City designee designates parks or areas within City parks for domestic animal use, any user must first obtain a permit for use in such areas and follow the feces removal and other provisions of this section. Such permit shall cost \$10 per animal. Permit year shall be from January-December. Additionally, each animal must be currently licensed with the City of Jefferson per ordinance Section 12.07 of this code.

**Section 2.** This ordinance shall take effect upon passage and publication as required by law.

This is a first reading.

**AN ORDINANCE TO AMEND THE ZONING CODE RELATING TO SIDEWALK SIGNS**

Ald. Stewart introduced Proposed Ordinance #5-05 for its first reading.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #5-05**

An Ordinance to Create Section 17.08(6)(g) of the City of Jefferson Municipal Code Establishing Sidewalk Signs.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO  
ORDAIN AS FOLLOWS:**

**Section 1.** Section 17.08(6)(g) is hereby amended to allow sidewalk signs within the (BC) central commercial district under permit issued by the Zoning Administrator

**Section 17.08(6)(g) SIDEWALK SIGNS**

1. Each permitted sidewalk sign shall not exceed 2' in width, or 30% of sidewalk width, whichever is greater, and not exceed 3' in height. No lighting shall be

allowed on the sign. The sign shall be transferable and shall not be attached in any way. Signs shall also not be placed on any section of the sidewalk in a way that narrows the effective width of the sidewalk for pedestrian movement to less than 6'.

2. Each sidewalk sign permitted under this section shall be maintained and in good condition, shall be removed each day at the close of business, and be replaced or removed when the appearance of the sign deteriorates through damage, weathering, or other causes. It is also subject to removal at the direction of the Zoning Administrator.
3. As a condition of the sidewalk sign permit, each business owner agrees to indemnify the City of Jefferson from any and all injuries to any person or property directly or indirectly caused by their joint or severable negligence in any and all activities occurring on the paved sidewalk under this ordinance.

**Section 2.** This ordinance shall take effect upon passage and publication as required by law.

This is a first reading.

### **CONSENT AGENDA**

Ald. Wagner introduced Resolution No. 97.

### **CITY OF JEFFERSON RESOLUTION NO. 97**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for February 1, 2005 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for December 2004 and February 2005 in the amounts of \$98,470.64 and \$76,383.85; Payroll Summary for January 21, 2005 in the amount of \$91,825.73.
- ◆ Council Minutes from January 18, 2005 Regular and Closed Session Meetings of the Common Council.
- ◆ Committee of the Whole Minutes from January 11, 2005.
- ◆ 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. 97. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE PURCHASE OF A 2005 CROWN VICTORIA SQUAD CAR**

Ald. Stewart introduced Resolution No. 98.

**CITY OF JEFFERSON  
RESOLUTION NO. 98**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to purchase a 2005 Ford Crown Victoria from Kayser Ford of Madison, WI in the amount not to exceed \$20,162.00

Ald. Benka indicated that this is a budgeted item and the purchase was reviewed and approved by Finance.

Ald. Bare asked if the price included a trade-in. City Administrator Bierma stated that it did not and he was unsure what the plans were for the vehicle. Bierma stated that we couldn't use the vehicle.

Ald. Gang suggested that it be sold.

Ald. Gang stated that we were not accepting the lowest bid overall, but the lowest bid for the Ford Crown Victoria. He stated that this vehicle is preferred by the Department because of its reliability and the department's comfort level with the vehicle.

Ald. Benka added that the "changeover" costs if the City was to purchase a vehicle other than the Crown Victoria would be fairly significant.

Ald. Bare clarified that we were accepting the low bid for the Crown Victoria.

Ald. Stewart stated that the Chief had researched other police package vehicles and the others, at this point, all have other significant maintenance concerns.

Ald. Stewart, seconded by Ald. Benka moved to recommend Resolution No. 98. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE PURCHASE OF A WWTP TELEVISIONING VAN AND INSTALLATION OF TELEVISIONING EQUIPMENT**

Ald. Olsen introduced Resolution No. 99.

**CITY OF JEFFERSON  
RESOLUTION NO. 99**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to purchase an Extended Cargo Van from Capital Ford, Madison, WI in an amount not to exceed \$17,408.00 and R.S.T. sewer equipment from Northern Sewer Equipment, Waterloo, WI in an amount not to exceed \$58,485.00.

Ald. Bare clarified that the purchase is from the Sewer Utility Budget.

WWTP Superintendent Mike Kelly indicated that this item was discussed in-depth at the Budget meetings. He added that due to an exceptional bid on the van and the reuse of some of the existing equipment the total amount of purchase would be under the \$80,000 budgeted.

Ald. Bare asked how often the van was used. WWTP Superintendent Mike Kelly stated that the van is not used weekly, but often. He stated that the equipment is being used more and more.

Ald. Bare then asked how long the purchase would last. WWTP Superintendent Kelly stated that the van will receive low mileage, however the equipment can only be expected to last around 10 years.

It was then noted that this was unanimously approved at Finance.

Ald. Olsen, seconded by Ald. McGrath moved to recommend Resolution No. 99. On call of the roll, motion carried unanimously.

### **2005 TREE PRUNING & REMOVAL**

Ald. Gang introduced Resolution No. 100.

#### **CITY OF JEFFERSON RESOLUTION NO. 100**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to contract with Two Guys Trimming of Jefferson, WI to perform pruning and tree removal for 2005 at a not to exceed price of \$5,620. \$8,500.00 has been budgeted in 2005 for this service.

Ald. McGrath outlined some issues that he had a few years ago regarding removal of a stump from his property.

Ald. Gang, seconded by Ald. Benka moved to recommend Resolution No. 100. On call of the roll, motion carried unanimously.

### **AUTHORIZATION DIRECTING THE CITY ADMINISTRATOR TO PREPARE AN ORDINANCE ESTABLISHING A WHEEL TAX**

Ald. Bare introduced Resolution No. 101.

#### **CITY OF JEFFERSON RESOLUTION NO. 101**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the Common Council hereby authorizes and directs the City Administrator to prepare an Ordinance establishing a "wheel tax" in the amount of \$20 to be imposed against all motor

vehicles (less than 8,000 pounds) that are customarily kept in the City of Jefferson at the time of registration.

Ald. Wagner stated that he would not support this because it is a tax on top of a tax.

Ald. Olsen stated that this is not the way to fix the budget.

Ald. Bare stated that the City's options are simple. Either raise revenue or cut spending. Ald. Bare gave a rundown of the type of funding that would be needed in the coming years for the construction of the DOT Highway 18 project. He added that in order to raise the \$135,000 annually needed, it would equate to a 4-½% tax increase. He added that the average Jeffersonian would still be better off with the wheel tax if they had a \$100,000 home and two vehicles, adding that they would pay less with this arrangement than if the City needed to tax for those same dollars. Ald. Bare stated that he feels that charging a wheel tax is a much fairer way for the City to raise funds and added that many people, especially the elderly would be better off with this fee than a tax increase.

Ald. Benka stated that he would support the creation of an ordinance because he also believes that we would be able to recoup from individuals who currently use City services, but do not directly pay for them. He stated that one of the main reasons this is being considered is due to the Highway 18 project, he suggested that a sunset be put on the proposed fee. Benka then added that if we tax for this project, the tax will never go away, it will just be built upon year after year. With a fee, a sunset date could be used.

Ald. Bare stated that in 2011 the City's financial picture will look much better. He stated that he would support a sunset at that time.

Ald. McGrath stated that the County had a sunset on the ½% sales tax. He added that the jail has been paid for for years and we are all still paying.

Ald. Bare added that he did not believe a sunset clause was used when the County enacted the ½% sales tax.

Ald. Gang stated that he would not support the fee.

Ald. Bare stated that if the Council isn't willing to consider this, then they need to start cutting.

Ald. Bare, seconded by Ald. Benka moved to recommend Resolution No. 101. On call of the roll, motion was defeated by a vote of 2 to 6. Ald. Bare and Ald. Benka were in favor of the resolution.

### **RESOLUTION IMPOSING A FIRE DEPARTMENT FEE**

Ald. Coffman introduced Resolution No. 102.

**CITY OF JEFFERSON**

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## RESOLUTION NO. 102

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the Common Council hereby authorizes and directs the City Administrator to prepare an ordinance establishing a “ Fire Department Fee” in the amount of \$2.25 and to be imposed against all water meters serviced by the City of Jefferson Utility.

Utility Superintendent Folbrecht then gave an explanation of the current “fire fee” that the Utility charges and an explanation of why it is charged. He added that it is his understanding that communities use this mechanism to offset the utilities cost of the added strain fire protection service puts on the system. He stated that he believed that this is what Fort Atkinson does. He did add that over the years, Jefferson Utility has rolled this fee into its basic water rates. He added that it is his belief that Fort Atkinson separates this charge out on their billing.

Ald. Gang stated that he had brought this idea up and that he was surprised by the Chief. He stated that it is up to the public if they want to pay in taxes or in fees. But added that he felt the fee approach was fairer in the long run.

Ald. McGrath asked if this would also include non-profit entities. He was answered that it would affect everyone with a meter.

Ald. Bare stated that \$2.25/meter was suggested. He questioned why this dollar amount and if any differentiation would be made on the size of connection. He asked for rationale as to why this dollar amount was chosen.

City Administrator Bierma stated that he knew that we needed approximately \$70,000 and then divided it by the number of meters for a rough number.

Ald. Gang suggested that the bottom line charge could be \$2.25 and work up from there.

WWTP Superintendent Mike Kelly stated that his charges are based upon equivalent meters.

Ald. Olsen stated that he has so much respect for the Fire Chief that if he wasn't in support of the resolution he couldn't support it either.

Fire Chief Powell asked the Council why the departments aren't being consulted or even notified when it comes to these important issues that intimately effect their departments. He added that the actions look underhanded and that many of the issues involved could probably be solved prior to it coming to Council for action. Powell indicated that there is a complete lack of communication between staff and the Council.

Ald. Gang stated that he has been told as a Council member he is not to go directly to the department head. He added that he is to go to the Mayor or Administrator.

Fire Chief Powell stated that one of them needs to start communicating so that the departments know what is going on.

Utility Superintendent Folbrecht added that there would be costs for the Utility to administer the charge.

City Administrator Bierma stated that consideration had been given to cover costs.

Ald. Coffman, seconded by Ald. McGrath moved to approve Resolution No. 102. On call of the roll, motion carried on a vote of 4 to 4. Mayor Stevens voted in favor of the resolution so that an ordinance could be drafted and explored. Ald. Bare, Gang, McGrath and Ald. Stewart voted in favor of Resolution No. 102.

**RESOLUTION ACCEPTING HUD FUNDS AND DESIGNATING THEM FOR AN LMI REVOLVING LOAN PROGRAM**

Ald. Benka introduced Resolution No. 103.

**CITY OF JEFFERSON  
RESOLUTION NO. 103**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the Common Council hereby accepts approximately \$297,000 from the Sheriff's Sale on the Copeland-Ryder apartment sale.

**BE IT FURTHER RESOLVED**, that the Federal Government has authorized the money to be used in a revolving loan program for use in a Low and Moderate income housing program.

**BE IT FURTHER RESOLVED**, that the City Administrator will develop a loan program, a loan committee, and set parameters concerning loan eligibility

Ald. Olsen suggested that an amendment be made to the Resolution that the Committee be comprised of members from the community.

City Clerk/Treasurer Stewart stated that the form and makeup of the Committee would need to come back to the Council in Ordinance form and would then be added to our Municipal Code.

Ald. Olsen withdrew his amendment.

City Attorney Brantmeier then gave an explanation of the receipt of the proceeds and stated that the delay in this resolution had been caused by a delay from HUD. He stated that the City waited to bring forth this resolution until the Federal Government had given the City the go ahead to reloan the funds.

Ald. Gang asked that the City Administrator quickly set up the Committee to get the process started.

Ald. Benka, seconded by Ald. Bare moved to recommend Resolution No. 103. On call of the roll, motion carried unanimously.

At this point, retiring Police Chief Mike Steinhorst arrived at the meeting. The Mayor took a break from the agenda and provided Chief Steinhorst with a retirement gift. Mayor Stevens thanked Chief Steinhorst for his many years of service to the City of Jefferson.

Chief Steinhorst took the opportunity to thank the Council and the public for letting him serve the City.

### **RESOLUTION CHANGING THE NAME OF IRVING STREET AND GENERAC WAY**

Ald. McGrath introduced Resolution No. 104.

#### **CITY OF JEFFERSON RESOLUTION NO. 104**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the following streets are hereby renamed:

Irving Street will now become Taft Street and Generac Way will now become Power Way.

Ald. McGrath, seconded by Ald. Wagner moved to recommend Resolution No. 104. On call of the roll, motion carried unanimously.

### **RESOLUTION EXTENDING SYMPATHY TO THE FAMILY OF GAYLIN F. MORGAN**

Ald. Wagner introduced Resolution No. 105.

#### **CITY OF JEFFERSON RESOLUTION NO. 105**

**WHEREAS**, God in his infinite mercy, has chosen to call from his life, Gaylin F. Morgan, and

**WHEREAS**, Gaylin served the City of Jefferson as President and a member of the Jefferson Development Corporation for many years and as a Founder and member of the Jefferson Community Foundation.

**WHEREAS**, Gaylin, was a most valued and treasured citizen of this community,

**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 Gaylin F. Morgan and that a copy of this resolution be sent to the bereaved family.

Ald. Wagner then spoke fondly of Mr. Morgan and noted his great contributions to the City of Jefferson. He noted that he will be greatly missed.

Mayor Stevens echoed Ald. Wagner's comments noting that his absence will be felt.

Ald. Wagner, seconded by Ald. Benka moved to recommend Resolution No. 105. The Council stood in silence in unanimous support of the resolution.

Ald. Benka, seconded by Ald. Gang moved to adjourn to Closed Session Pursuant to Section 19.85(1)(e), 19.85(1)(c), 19.85(1)(b) to Discuss Bargaining, Performance Evaluations, Employment and Possible Discipline. 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.

Ald. Gang, seconded by Ald. Bare moved to adjourn the February 1, 2005 meeting of the Common Council. Motion carried unanimously on a voice vote.

The minutes of the February 1, 2005, 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