

AMENDED
MINUTES
ORGANIZATIONAL MEETING
CITY OF JEFFERSON COMMON COUNCIL
APRIL 19, 2005

OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

City Clerk/Treasurer Stewart swore in the newly elected city officials: Peg M. Beyer, David McGrath, John Wagner and David Stewart.

The Tuesday, April 19, 2005, organizational meeting of the City of Jefferson Common Council was called to order at 8:30 p.m. by Mayor Stevens. Members present were: Ald. Wagner, Ald. Stewart, Ald. McGrath, Ald. Benka, Ald. Coffman and Ald. Olsen, Ald. Beyer and Ald. Gang. Also present was City Engineer Ludwig, City Attorney Brantmeier, City Administrator Bierma and City Clerk/Treasurer Stewart.

ELECTION OF COUNCIL PRESIDENT

Ald. Stewart, seconded by Ald. Benka nominated Ald. Gang for Council President. Hearing no other nominations, Ald. Olsen, seconded by Ald. Benka then moved to close the nominations. On call of the roll, Ald. Gang received a unanimous voice vote. Ald. Gang was then named Council President.

PUBLIC PARTICIPATION

Glenn Niederwerfer, 745 Lucas Lane, congratulated the new members of the Council. He stated that he hoped the new members would follow thru on their promises and not act on personal agendas. He stated that he was disappointed in the turnout for the April election. Niederwerfer added that he was upset with the comments made by Ald. Beyer regarding his campaign and added that this was just poor politics. He stated that he would continue to be active in local politics and hopes that his beliefs would not fall on deaf ears in the next year.

Pam Kutz, Rural Route – Jefferson, asked the Council to support the Library appointments. Ms. Kutz stated that as a Committee member and a business owner she is well aware of the benefits brought to a Committee/Business by long term membership/employment. She noted the benefits that both Mr. Adams and Mrs. Garcia bring to the Committee and asked the Council to support their reappointments.

Charlotte Goers-Nevin, 122 North Pleasant Avenue, asked the Council to consider a new official newspaper. Ms. Goers-Nevin stated that Union has given misleading and faulty information to the public that has caused unnecessary friction within the community. She asked the Council to support a paper which would not show biased reporting.

Janet Twist, 663 North Dewey Avenue, addressed the Council regarding the charging of churches for the temporary lease of right of way. Ms. Twist stated that she felt it was horrible to charges churches for the lease of right of way when the City gives over \$2,000 a year to Gemuetlichkeit Days. She stated that she hoped the Council would change their minds on how non-profits/churches are treated when it comes to the leasing of right of way.

MAYORAL PROCLAMATION

The Mayor then read a proclamation naming April 29, 2005 as Arbor Day.

ORGANIZATIONAL RESOLUTIONS

RULES OF ORDER OF BUSINESS

Ald. Gang introduced Resolution No. 1.

**CITY OF JEFFERSON
RESOLUTION NO. 1**

BE IT RESOLVED that the Rules and Order of Business adopted April 20, 2004, by the preceding Common Council, be and hereby are adopted for the government of the Common Council.

Ald. Gang, seconded by Ald. Wagner moved to recommend Resolution No. 1. Motion carried by a voice vote.

DESIGNATING AN OFFICIAL NEWSPAPER

Ald. Stewart introduced Resolution No. 2.

**CITY OF JEFFERSON
RESOLUTION NO. 2**

BE IT RESOLVED that the Daily Jefferson County Union is hereby designated the official newspaper of the City of Jefferson for publication of Common Council proceedings and legal notices for the ensuing year.

Ald. Stewart asked if City Administrator had check into other papers.

City Administrator Bierma stated that the cost of publication is set by the State and that based upon circulation other papers could be chosen.

Ald. Wagner stated that the Jefferson County Daily Union has always been chosen because the readership in the community has generally been 2 to 1 over the Watertown Daily Times.

City Attorney Brantmeier then read the relevant portions of the State Statutes for the Council. He clarified the requirements that a paper must meet in order for the City to select them.

Ald. Coffman stated that the Daily Union is a tabloid and the Daily Times is a newspaper.

Ald. Gang stated that he felt that Ryan has done a good job and serves the City well, however, something is getting messed up prior to printing.

Ald. Beyer stated that this issue has come up before and that circulation has always been an issue. She stated that she knows that occasionally things are printed differently than they are spoken, but readership of the City's notices and events are important.

Ald. Olsen stated that reporters from both papers are normally at the meeting.

City Administrator Bierma stated that he could get the subscription rates for the next meeting.

Ald. Olsen, seconded Ald. Gang moved to table Resolution No. 2.

Ald. Olsen, seconded by Ald. Beyer moved to amend the motion table Resolution No. 2 until the May 3, 2005 meeting. On call of the roll, motion carried unanimously.

On call of the roll, motion carried unanimously on the amended motion to table Resolution No. 2.

DESIGNATING THE PUBLIC DEPOSITORIES WHICH MAY BE UTILIZED FOR THE INVESTMENT OF PUBLIC FUNDS

Ald. Coffman introduced Resolution No. 3.

**CITY OF JEFFERSON
RESOLUTION NO. 3**

BE IT RESOLVED that the Premier Bank and the F & M Bank of Jefferson, Fort Community Credit Union, Bank One of Milwaukee, State Investment Pool Fund of Madison, First Bank Milwaukee of Milwaukee, the Marshall & Illsley Bank of Milwaukee and the Wisconsin Investment Trust, duly organized under the laws of the State of Wisconsin and approved by the Wisconsin Commissioner of Banking as qualified public depositories, be and hereby are designated for public depositories pursuant to Section 34.05, of the Wisconsin State Statutes, for all public moneys coming into the City of Jefferson.

Ald. Coffman, seconded by Ald. Gang moved to recommend Resolution No. 3. On call of the roll, motion carried by a vote of 7 to 0, Ald. Beyer abstained from the vote.

APPOINTMENTS BY MAYOR AND CONFIRMED BY COUNCIL

Ald. Beyer, seconded by Ald. Gang moved to approve the following mayoral appointments:

Appointments by Mayor and Confirmed by City Council:

- A. Street Foreman/Weed CommissionerDave Haffelder
- B. Sewerage Treatment Plant Operator. Mike Kelly
- C. Recreation Director/Forester.Cyndi Keller

On call of the roll, motion carried unanimously.

Ald. Wagner, seconded by Ald. Benka moved to approve the following mayoral appointments.

Appointments by Mayor and Confirmed by City Council:

- A. Housing Authority (5 yr. term) Jerry Keiser

- B. Jefferson Development Commission Shirley Dempsey, Business
..... Dennis Siebenhaller, Business
..... Dev Traver, Business
..... Kevin Wenzel, Business
..... Dave Knutson, Business
..... Cheryl Hanson, Business
..... Chris Nash, Business
..... Tom Pinnow, Financial
..... Jim Van Lieshout, Financial
..... Richard Fischer, Utility Commission
..... Robert Coffman, Council Representative
..... Kathleen Groskopf, County Board Representative
..... Steve Cross, Chamber of Commerce President
..... Dan Ludwig (City Engineer), Ex-Officio Member
..... Bruce Bierma (City Administrator), Ex-Officio Member
..... Mike Swartz (School District), Ex-Officio Member
..... Collin Stevens (Mayor), Ex-Officio Member
- C. Library Board (3 yr. term) Steve Adams
..... Mrs. Rhonnie Garcia
..... Mike Swartz, School Rep
Council Representative Eugene Benka
- D. Museum Board (3 year term) Shirley Herried
..... Mrs. BG Kemmeter
3 Council Representatives (1 year term) David Olsen
..... John Wagner
..... David Stewart
- E. Park & Recreation Commission-Council Representative Peg Beyer
- F. Plan Commission Chris Nash
Park & Rec Comm. Representative Steve Adams
- G. Police and Fire Commission Jerry Keiser
- H. Revolving Loan Committee Robert Coffman
..... John Wagner, Alternate
- I. Utilities Commission (3 year term) Ronald Wegner
2 Council Representatives David Stewart
..... Eugene Benka
- J. Zoning Appeals Board (3 year term) James Kuehn
..... Tom Atkinson
..... Otis Beyer
..... Charlotte Goers-Nevin, Alternate
- K. Historic Preservation Commission John Wagner, Alderperson
- L. Cable Commission John Foust
..... Dave McGrath, Alderperson
..... Eugene Benka, Alderperson
- M. Prairie Commission Peg Stewart, One Year Member
..... John Powell, Two Year Member
..... Dave Haffelder, Three Year Member

N. Tourism Committee.....Ald. Bob Coffman, Council Representative

Ald. Olsen, seconded by Ald. McGrath moved to table the appointments for reconsideration.

Ald. Olsen then read excerpts from the May 4th, 2004 meeting regarding the reappointment of Committee positions. *** PLEASE SEE TEXT TO BE INSERTED AT BOTTOM OF DOCUMENT*** He also read excerpts from the Jefferson County Daily Union. Ald. Olsen then read an editorial from the Union (5/17/2004) regarding an open dialogue for change for the City of Jefferson.

Ald. Olsen stated that he wished to thank and compliment all of the individuals for the commitment to the City of Jefferson and that he personally wished to thank Mr. Nelson, Mr. Lewis and Mr. Buske for the numerous years of service to the City.

However, he stated that he feels that the Mayor can do a better job with the appointments-- noting that the majority of the appointments had stayed the same. He stated that this was not a slight to the Mayor or to those that had served, but that it is time for more diversity on City Committees.

Ald. Wagner stated that he recalled that the Mayor had asked that anyone interested in a Committee appointment to give him a call. Ald. Wagner then asked Mayor Stevens how many calls he had received.

Mayor Stevens stated that he had not received any calls, but had spoke to one person in person.

Ald. Olsen stated that he had given the Mayor a memo of 30+ names of individuals who could be considered for appointment.

Mayor Stevens stated that either you can be a politician or do what is best for Jefferson. He added that many individuals have served on these Committees a long time and bring their expertise and knowledge of past events to them. Stevens added that in some instances it would be detrimental to the community to change the composition of the Committees too drastically. He noted that he had contacted surrounding communities and that mayoral committee appointments are never questioned or criticized the way they are here. Stevens concluded by stating that the appointments are up to his authority and it is up to the Council to approve them or not to.

Ald. Beyer also noted the importance of having history on a Committee. She stated that a Commission such as Plan Commission relies heavily upon the expertise of the more senior members noting that they can recite what has happened on ongoing issues and can inform others of how situations have been handled in the past. She stated that if a 92% return rate is too high, who do you take off and who will you replace them with. Beyer stated that it is an insult to the Mayor unless you have some type of a plan.

Ald. Benka added that in his short time in serving, he has relied on the expertise and knowledge of the senior members on the Committees he has served on. He added that he understands that replacement would be necessary in the case of bad actions or other detrimental activities, but if they are doing a good job he could not support a change in the

appointment. Benka concluded by stating that if the members are doing a good job, we should support the approach of the Mayor.

Ald. Olsen stated that he was not trying to insult the Mayor by his actions, he was just looking for a change in status quo.

On call of the roll, motion to table died by a vote of 7 to 1. Ald. Olsen cast the affirmative vote.

On call of the roll, to approve the mayoral committee appointments, the motion carried by a vote of 7 to 1. Ald. Olsen cast the dissenting vote.

Mayor Stevens then stated that he would like to appoint Alderperson Chris Gang as Council Representative to the Plan Commission. Ald. Beyer, seconded Ald. Benka moved to approve the mayoral appointment. The motion carried on a voice vote.

Mayor Stevens then appointed the following Alderpersons to the Board of Review:

Board of Review: (1 Year Term)

-Mayor Collin Stevens
- John Wagner
- Robert Coffman
-David Stewart
- Chris Gang
- City Clerk/Treasurer Stewart

Ald. Gang, seconded by Ald. Beyer moved to approve the mayoral appointments. The motion carried on a voice vote.

Mayor Stevens appointed the following Council Committees:

- AMBULANCE: *Benka, Beyer, Olsen; Alternate: McGrath
- FINANCE: *Stewart, Gang, Olsen; Alternate: Benka
- REGULATORY: *Wagner, Coffman, McGrath; Alternate: Stewart
- PERSONNEL: *Coffman, Benka, Stewart; Alternate: Beyer
- STREETS:..... *McGrath, Wagner, Olsen; Alternate: Gang
- FACILITY: *Gang, McGrath, Beyer; Alternate: Benka

* Denotes Committee Chairperson

Ald. Wagner, seconded by Ald. McGrath moved to approve the mayoral appointments. The motion carried on a voice vote.

THANKING PAST ALDERPERSON BARE FOR HIS SERVICE ON THE COMMON COUNCIL

Ald. Wagner introduced Resolution No. 4.

**CITY OF JEFFERSON
RESOLUTION NO. 4**

BE IT RESOLVED that the Common Council of the City of Jefferson does hereby thank Alderperson Tim Bare for his dedicated service as an Alderperson for the City of Jefferson.

Ald. Wagner, seconded by Ald. Benka moved to recommend Resolution No. 4. Unanimous support of the resolution was shown by a standing ovation and round of applause.

DISCUSSION: EDWARD SOLESKA DEVELOPMENT

Atty. David Westrick began the discussion by stating that his client, Mr. Edward Soleska, is interested in obtaining a piece of City property which is adjacent to his property. He stated that Mr. Soleska has plans for the area which will greatly enhance the walkbridge area.

Westrick stated that in order for him to begin the work he needs the City to deed the property to him. He added that the restoration cost would be borne by Mr. Soleksa and that Mr. Soleska would in turn grant a permanent easement back to the City so that the wing wall of the bridge can be maintained by the City.

Mr. Ellsworth then spoke on behalf of Mr. Soleksa. Mr. Ellsworth stated that they had been before the Council before on this issue and that the plans for restoration are largely the same. He stated that this is a unique opportunity and would make the riverbank and walkbridge area very appealing.

Ald. McGrath stated that he thought he they already had the go ahead.

Ald. Gang asked what the City could do to make this project a go.

Ellsworth and Westrick indicated that the City would need to dedicate the wingwall to Mr. Soleska and in return, Mr. Soleska would grant an easement to the City so the wingwall could be maintained.

After further discussion, it was the consensus of the Council that Mr. Soleska should pursue Plan Commission approval.

ORDINANCE TO CREATE SECTION 1.04(15) OF THE CITY OF JEFFERSON MUNICIPAL CODE REALTED TO THE CREATION OF THE LANDSCAPE COMMITTEE

Ald. Olsen introduced Proposed Ordinance #9-05 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #9-05**

An Ordinance to Create Section 1.04(15) of the City of Jefferson Municipal Code Related to the Creation of a Landscape Committee.

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

Section 1. Section 1.04(15) is hereby recreated as follows:

1.04 (15) LANDSCAPE COMMITTEE. (Cr. #9-05) (a) Composition. The Landscape Committee shall be comprised of three (3) members 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. All terms shall commence on May 1.

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

Ald. Gang, seconded by Ald. Olsen moved to waive the first reading. On call of the roll, motion carried unanimously.

Ald. Olsen, seconded by Ald. McGrath moved to recommend Proposed Ordinance #10-05. On call of the roll, motion carried by a vote of 7 to 1. Ald. Coffman cast the dissenting vote.

ORDINANCE TO CREATE SECTION 1.04(16) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE CREATION OF A LMI LOCAL REVOLVING LOAN FUND REVIEW COMMITTEE

Ald. Benka introduced Proposed Ordinance #10-05 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #10-05**

An Ordinance to Create Section 1.04(16) of the City of Jefferson Municipal Code Related to the Creation of a LMI Revolving Loan Fund Review Committee.

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

Section 1. Section 1.04(16) is hereby recreated as follows:

1.04 (16) LMI Revolving Loan Fund Review Committee. (Cr. #10-05) (a) Composition. The LMI Revolving Loan Fund Committee shall be comprised of five (5) members. The composition shall be as follows: a local attorney, two financial institution representatives, the City Administrator and a Council Representative. An alternate Council Representative shall also be appointed.

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

This is a first reading.

RESOLUTION APPROVING THE TYSON WASTEWATER SERVICE CONTRACT AMENDMENT

Ald. Beyer introduced Resolution No. 5.

**CITY OF JEFFERSON
RESOLUTION NO. 5**

BE IT RESOLVED that the Common Council of the City of Jefferson, Wisconsin that the amended agreement dated 04-19-05 between the City of Jefferson and Tyson Foods of Jefferson, Wisconsin is approved. The agreement allows a maximum of 50 pounds of phosphorus.

Wastewater Treatment Plant Superintendent Kelly then provided the Council with information on the Phosphorus portion of the agreement.

Ald. Beyer, seconded by Ald. Gang moved to recommend Resolution No. 5. On call roll motion carried unanimously.

RESOLUTION TO RENEW INSURANCE COVERAGE THRU WAUSAU SIGNATURE GROUP

Ald. McGrath introduced Resolution No. 6.

**CITY OF JEFFERSON
RESOLUTION NO. 6**

BE IT RESOLVED that the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to continue the City-wide insurance coverage through Wausau Insurance for the 2005-2006 insurance year.

BE IT FURTHER RESOLVED that the City Administrator is authorized to sign any related documents.

Beth Matysik of Wausau Signature Group was on hand to answer questions regarding the City's insurance coverage.

A discussion was then held regarding terrorism coverage.

Ald. McGrath, seconded by Ald. Benka moved to recommend Resolution No. 6. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING A MEMO OF AGREEMENT WITH SPRINT COMMUNICATIONS

Ald. Olsen introduced Resolution No. 7.

**CITY OF JEFFERSON
RESOLUTION NO. 7**

BE IT RESOLVED that the Common Council of the City of Jefferson, Wisconsin authorizes the erection of a tower at 345 E. Ogden Jefferson, Wisconsin by Sprint Communications. The tower will provide cell phone service. It will abide by FAA regulations and Jefferson Utilities guidelines.

Atty. Brantmeier stated that the Utility Commission had recommended no more than three terms of 5 years. He stated that as this resolution is written, it would allow for four terms of 5 years—or 20 years total.

Ald. Coffman, seconded by Ald. Olsen moved to amend the resolution to refer to only 3 terms of five years, for a maximum of 15 years. On call of the roll, motion carried by a vote of 7 to 0, Ald. McGrath abstained from the vote.

Ald. Olsen, seconded by Ald. Benka moved to recommend Amended Resolution No. 7. On call of the roll, motion carried by a vote of 7 to 0, Ald. McGrath abstained from the vote.

RESOLUTION AUTHORIZING AN AGREEMENT WITH SPRINT COMMUNICATIONS

Ald. Benka introduced Resolution No. 8.

**CITY OF JEFFERSON
RESOLUTION NO. 8**

BE IT RESOLVED that the Common Council of the City of Jefferson, Wisconsin enters into an agreement with Sprint Communications and will receive monthly payments of \$1300.00, which will be divided equally with Jefferson Utilities.

Ald. Benka, seconded by Ald. Gang moved to recommend Resolution No. 8. On call of the roll, motion carried by a vote of 7 to 0, Ald. McGrath abstained from the vote.

Ald. Benka, seconded by Ald. Wagner moved to adjourn to closed session pursuant to Section 19.85(1)(g) of the Wisconsin State Statutes to Discuss Litigation. On call of the roll, motion carried unanimously.

Ald. Wagner, seconded by Ald. McGrath moved to adjourn the April 19, 2005 organizational meeting of the City of Jefferson Common Council. The motion carried unanimously.

**Please Publish: ASAP
need an affidavit
not in the legal section**

May 3, 2005

TO: Mayor Stevens

CC: Jefferson Common Council Members

FR: Dave Olsen

RE: Minutes correction

I would like the minutes to reflect the following:

To be inserted on page five, second paragraph, after the first sentence:

Ald. Olsen stated that the May 4, 2004 minutes reflect that Mayor Stevens said he would introduce an ordinance which would limit the term of any committee to two terms. Mayor Stevens stated that this would eliminate some of the longevity issues that had been raised.