

MINUTES
CITY OF JEFFERSON COMMON COUNCIL
JUNE 7, 2005

The Tuesday June 7, 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. Coffman, Ald. Beyer, Ald. Gang, Ald. Olsen, Ald. Benka, Ald. McGrath and Ald. Stewart. Also present were: City Administrator Bierma, City Attorney Brantmeier, City Engineer Ludwig and Administrative Office Clerk Schulz.

PUBLIC PARTICIPATION

Paul Beck, 436 North Center Avenue, addressed the Council about Wal-Mart. Mr. Beck stated that Wal-Mart is a good place that has many services to offer and donates money to the community. Mr. Beck further stated that Wal-Mart would be within walking distance and supports a Wal-Mart in Jefferson.

Mary Seppke, Fort Atkinson, addressed the Council about Wal-Mart. Ms. Steppke stated that Wal-Mart could not be trusted and there are over 500,000 websites with the majority against Wal-Mart. She stated that Wal-Mart has lied to this country for over 35 years about its products being American made and that in the last 5 years it has sold America to China. She also stated that, "this country is going to hell due to corporate greed". She stated we are losing the backbone of this country, which are the unions who have given working class Americans decent wages and benefits. She stated that unions in Chicago have kept Wal-Mart out. She further stated that Wal-Mart comes to small towns like Jefferson to use and abuse them. She cited a report from CBS from the University of Berkley that Wal-Mart cost Los Angeles \$84 billion in public aid and low-income housing. Ms. Steppke stated there is little land left in Jefferson and that it should be used for corporations that build tax base and not a tax burden.

Roger Sherman, Petitioner of Land Requesting Annexation, addressed the Council about the annexation and Wal-Mart. Mr. Sherman stated there is a misconception that government generates revenue but in reality doesn't make one dollar. He further stated that government supports growth, development, and ensures economic ability to its citizens and the community it serves. Mr. Sherman stated in two years they have been approached by 12 developers other than Wal-Mart. He further stated that one entity met with a member of the governing body and received a negative response and now has a "coming soon" sign in a neighboring community. Mr. Sherman stated that the Council has an opportunity to bring in \$20 million in development, which will generate 200,000+ in property taxes. He further stated that the citizens and business deserve the opportunity for development. He stated in the form of support, the question is it contiguous-answer is yes. He further stated in the form of support in the Master plan call for businesses-answer yes. Mr. Sherman stated the Council needs to take advantage of the opportunity to provide leadership to demonstrate support to allow this community to grow and develop to become economic solvent.

Marv Havill, Havill-Spoerl co-owner, addressed the Council on the annexation. Mr. Havill stated that in 1990 he came to Jefferson even though Chrysler advised not to, due to size. He further stated that he saw the City with growth potential. Mr. Havill stated he is now concerned

about the future and growth of this community. He also stated that this community needs business to expand and stay solvent for all of us to prosper. Mr. Havill stated his concern is not about what businesses come to Jefferson but hurting Jefferson by stopping growth. He stated that this annexation is important to all of businesses because we need growth to survive. Mr. Havill stated that the Council doesn't have the best interest in mind for this community. He stated to the Council, as leaders, they need to make the best decision for all of us. Mr. Havill stated that people enjoy living here and this community needs to find a happy medium.

William Pinnow, Highway K, addressed the Council about Wal-Mart and the annexation. Mr. Pinnow stated that the number one Fortune 500 company wants to come to Jefferson at no cost to the City. He stated it would be a big mistake to turn down the annexation, which would create an opportunity to bring in other businesses that will follow. Mr. Pinnow stated in Baraboo the growth that occurred after Wal-Mart was phenomenal. He stated that the annexation, personally, for his wife and him is about Wal-Mart-why else would we annex the land. He stated that for the City if it should be about growth and if the annexation was turned down other businesses will not come to the City of Jefferson.

Shirley Dempsey, JDC member, addressed the Council about the annexation and Wal-Mart. Ms. Dempsey stated that members of the JDC weren't aware of other business proposals offered to Mr. Sherman. She stated that this annexation is about Wal-Mart and encouraged the Council to vote NO. She further stated that if a Wal-Mart would be here it should be by the bypass and not on the south end of Jefferson. Ms. Dempsey stated that communities already have empty stores and the City of Jefferson doesn't need to put its businesses out of business. She concluded by saying this is not what Jefferson needs and wanted to see a unanimous vote in NOT approving the annexation at this time.

Jill Sireno, 427 East Linden Dr, addressed the Council about the annexation and Wal-Mart. Ms. Sireno stated that people desire to live in a community that is not crowded. She stated that the City has potential but she doesn't see the strategic planning and that the Council is narrow-minded only focusing on Wal-Mart. She further stated the Council needs to have a plan with goals and have stages to reach those GOALS. Ms. Sireno stated Wal-Mart is not a way to quality of life and to say Jefferson is "spent" is untrue. She further stated that there are new subdivisions and new homes going up in the City due to the quality of life here. She also stated that people move here for the small community living and therefore encouraged the Council to vote NO.

Travis Haas, 588 Fairway Circle, addressed the Council about the annexation and Wal-Mart. Mr. Haas questioned if the City of Jefferson is in a financial situation to say NO to any business wanting to build in Jefferson, which would help with the tax burden. He further stated that Jefferson has an opportunity to take the first step in broadening its tax base. Mr. Haas stated that with Wal-Mart comes traffic that brings business and keeps businesses in Jefferson. He further stated if businesses don't come to Jefferson, we won't have to worry about big box but about people leaving town because property taxes are too high. Mr. Haas stated that his dollars are spent outside the City of Jefferson but would rather spend them here. He stated that Wal-Mart is the first step to bringing people's money into Jefferson and help with our tax burden. Mr. Haas

asked the Council to please vote YES to the annexation and Wal-Mart and therefore would be voting YES to the future and local businesses in Jefferson.

Bill Krupinski, N3989 Hwy N, addressed the Council about Wal-Mart. Mr. Krupinski stated that in Wisconsin alone taxpayers had to cough up millions of dollars for health care for Wal-Mart employees. He also stated that there is room left in both industrial parks to build a tax base. Mr. Kripinski begged the Council not to annex the land and not let Wal-Mart destroy our future.

Chris Nash, 675 North Marion Avenue, addressed the Council about the annexation and Wal-Mart. Mr. Nash stated that today's decision will be a legacy for the Council and that it will set a tone about how the community feels about growth. He stated it has been hard enough to fill industrial parks and empty buildings which will only get worse. He further stated that this could be the beginning of the end. Mr. Nash stated that the traffic study concludes that the City's current infrastructure is right for conditions of 4,000 cars in a 24 hour period. He further stated this is not like the 11,000 cars in 15 minutes when Schweiger employees shift ended. Mr. Nash also stated that the approval of annexation doesn't mean there will be a Wal-Mart. He reminded the Council that soon they will be voting on another annexation and questioned if the Council deny one and not the other.

Bob Patel, Rodeway Inn, addressed the Council about the annexation and Wal-Mart. Mr. Patel stated to the Council that he submitted a letter to the JDC and hoped the Council members saw it. Mr. Patel stated that the City needs to change our traffic from thru traffic to stop traffic and that Wal-Mart would do so. He stated that Wal-Mart doesn't have everything people want and need but it has a convenience shopping. Mr. Patel stated that tourists want other restaurants and for different restaurants to come, the City needs more traffic. He further stated that more traffic means more people that spend more money that create more business demand. Mr. Patel also stated that people want other businesses but those other businesses are going to other communities. He further stated that he has been waiting over three years for many vacant businesses to fill up around the City.

Tim Bare, 217 Meadow Court, addressed the Council about the annexation and Wal-Mart. Mr. Bare stated he expected the vote turnout to be the same as last time and pointed out issues from last night's informational meeting. Mr. Bare pointed out that the details about landscaping were inconsistent. He also stated that the WI DOT approved the traffic study and that they are only responsible for the flow of traffic along Hwy 26. He stated that the Service D is acceptable to the DOT but not to the City of Jefferson. He stated the City requires no less than a Service C in its zoning code. Mr. Bare stated that proceeding with the annexation without all these issues resolved is not a good idea and encourage the Council not to proceed at this time

Nancy Haberman, 640 Masonic Blvd, addressed the Council about Wal-Mart and the annexation. Ms. Haberman stated the Council has an opportunity to create 250-300 jobs where 75% are full-time jobs with benefits, making an average of \$10.06 an hour. She further stated that Wal-Mart will bring in estimated revenue of \$55,000 for the County as well as an excess of \$250,000 in taxes for the City. She stated that if the City votes down the annexation she hopes the Council

doesn't cover the downs of the City's budget with different types of tax like sewer and wheel tax or citizen's property taxes.

Patti Lorebecki, 714 Windsor Terrace, addressed the Council about Wal-Mart and the annexation. Ms. Lorebecki stated she wanted to point out some highlights from last night's informational meeting. She stated that representatives stated that changing the size wasn't an option. She further stated that the 145,000 square feet is more than all the retail space in Jefferson. Ms. Lorebecki stated that traffic at peak time will be 1,200 cars, which would be like carshow weekend everyday. She stated that there was flooding due to undersized pipes flowing in the wrong direction and that Wal-Mart will only add to this problem. She further stated that Wal-Mart representatives said that Wal-Mart would only make a "contribution" which could be added cost to City taxpayers. Ms. Lorebecki stated that Wal-Mart will not discuss specifics until they own land in the City of Jefferson. She further stated the Wal-Mart has been calling the shots all along with the lifting of the moratorium and passing the big box ordinance. Ms. Lorebecki stated that the City has been divided for three years and it is time to put a period here and move on. She urged the Council to vote NO to annexation and NO to Wal-Mart and allow the community to begin healing.

Kevin Brumm, 422 North Sanborn Avenue and 124 West Rockwell, addressed the Council about Wal-Mart and the annexation. Mr. Brumm stated that he presented a letter to the Council signed by 25-30 business owners encouraging you to consider the annexation. He further stated that he believes they are all still in favor of making this community a pro-business community. Mr. Brumm stated that the Council could vote for the annexation and not for Wal-Mart. He stated he is for growth and hopes the community can come together on this issue regardless of what business comes to town. Mr. Brumm stated to the Council they could say no to Wal-Mart but not to stop the growth.

Chris Havill, 1211 South Main Street and 638 Fairway Circle, addressed the Council about the annexation and Wal-Mart. Mr. Havill stated that 33% of his business comes from drive by traffic and it is best for the business to have one in and one out only. He stated that the proposed annexation location is the only right location. He stated that he was in favor of the bypass and that a destination location needs to be in the heart of Jefferson so people don't bypass Jefferson. Mr. Havill stated that the Council will be killing other businesses by taking away the traffic flow and businesses need other businesses, even competitor's traffic. Mr. Havill stated that the City needs jobs. Mr. Havill stated the he had a unbiased phone survey done with the results 136/64 for annexation 154/80 for Wal-Mart. Mr. Havill asked the Council to put aside the pressure and personal bias and consider what is best for the community and local businesses. Mr. Havill stated that if this was another dealership coming to the community we wouldn't be making the annexation an issue nor would you say no to the annexation.

Norman Kostroski, 314 North Midway Avenue, addressed the Council about Wal-Mart. Mr. Kostroski stated that even though Wal-Mart is bringing in 325 jobs if other businesses close due to Wal-Mart the City would be losing jobs. He questioned if the City would have to many of the same types of businesses.

Tom Rockstroh, N3878 Highway K, addressed the Council about the annexation and Wal-Mart. Mr. Rockstroh stated there are many Wal-Marts in the surrounding area. He further stated that Wal-Mart in Watertown has less stoplights than going through Jefferson from the North and that people from the Fort Atkinson area will get off the bypass go to Wal-Mart and leave. He questioned how that would bring traffic through Jefferson. He stated that Jefferson needs to look at downtown development to bring traffic through Jefferson. He stated that Wal-Mart would put a hardship on our grocery stores that have supported and been in our community for many years. He stated that he says NO to Wal-Mart

Jim Schroeder, 539 East Reinel Street, addressed the council about Mr. Havill's phone survey. Mr. Schroeder stated that he agreed with Marv and Chris Havill about our citizens being prosperous and safe and that is why many people are against Wal-Mart. He stated he was not a numbers guy but questioned the polling that was conducted by Chris Havill and wanted to know what questions were asked, sample size, and the randomization procedure. He also stated he would like the margin of error calculated and suggested the Council not put stock in the results.

Peter Santi, 518 South Main Street, addressed the Council about Wal-Mart traffic. Mr. Santi stated he was concerned about what the traffic would do to the City and that he didn't want to see the City lit up with lights and that the City is currently picturesque.

Bill Koehler, Highway K, addressed the Council about the annexation and Wal-Mart. Mr. Koehler stated that he wasn't opposed to growth but wanted smart growth that benefits a community. He further stated he isn't opposed to the annexation but is if this land is for the purpose of Wal-Mart. Mr. Koehler stated that a letter from McClure Engineering dated March 4, 2005 that ties the annexation and Wal-Mart together.

John Rhiel, 134 South Dewey Avenue, addressed the Council about the annexation and Wal-Mart. Mr. Rhiel stated he wasn't opposed to the annexation principal but opposed to the annexation because it is intimately tied to Wal-Mart. He stated that Wal-Mart brings low paying, low benefit jobs. He quoted a Milwaukee Journal Sentinel article May 24, 2005 stating Wal-Mart led the state into indirect state tax subsidies to Wal-Mart employees for \$2,734,000 dollars. He stated Wal-Mart's full-time, low-wage employees were eligible for tax benefits that low-wage, working poor people are eligible for. Mr. Rhiel also said that the Shepherd Express stated that a congressman in California did a study issued in February 2004 where a 200 person Wal-Mart store cost federal taxpayers \$2,100 per employee because their "full-time" employees are eligible for federal benefits. He stated there was no plan for a hydrologist that addresses the issue of flow into the river for a parking lot of that size and that an engineer stated they would build a retention pond according to statutes. He also stated he didn't want to fight the estimated traffic of 400-800 cars everyday. Mr. Rhiel questioned if the property tax was worth the service costs involved.

Pam Rockstroh, N3878 Highway K, addressed the Council on Wal-Mart and the annexation. Ms. Rockstroh stated that citizens have been told that Wal-Mart and the annexation are two separate issues. She further stated they have seen this to be untrue by representatives stating on three occasions, "upon completion of annexation" is when they would be able to give more

information. She stated to the Council if they vote for the annexation they are voting for Wal-Mart. She stated that the survey conducted by Havill shouldn't hold much weight and if a survey was done it should be done independently with people that don't hold an interest on this issue. She further stated the numbers that were stated should not have any bearing on this at all. Ms. Rockstroh urged the Council not to vote for the annexation because the annexation and Wal-Mart are one in the same.

Bill Pinnow, Fort Atkinson, addressed the Council about Wal-Mart. Mr. Pinnow stated that he is a former Jefferson resident and where he lives he wants to shop locally and that is why Jefferson is not an option. He stated that storm water is not an annexation issue but dealt with in the developers agreement. He stated that he can assure that the plan was looked at by a hydrologist because when a plan is submitted to the City of Jefferson or DNR it is required. Mr. Pinnow discussed the location of Wal-Mart that it should not be on the bypass because you need to draw people to the edge of Jefferson so that the City doesn't become a drive around City.

Mike Slaveny, Vandewalle & Associates, addressed the Council about the annexation. Mr. Slaveny was hired by the City to form an opinion if the annexation was consistent with the City's Comprehensive Plan and in his opinion it was. He reviewed his memo with Council.

Tim Bare, 217 Meadow Court, addressed the Council about Mr. Slaveny. Mr. Bare question when Mr. Slaveny was given this chore and why it wasn't on a council agenda. He stated that yes the annexation is consistent with the Master Plan but there are conflicts when Wal-Mart is associated with that property. Mr. Bare asked the Council when this was approved.

Mayor Stevens stated that he contacted Mr. Slaveny last week.

Bob Patel-Rodeway Inn, addressed the Council about the annexation. Mr. Patel stated if there is traffic everyday like car show weekend this would be the richest community in Wisconsin. He stated that Jefferson is a "bridge" city. Mr. Patel question why are there committees like JDC and Plan Commission when they research and give their recommendations and the Council is just going to deny the annexation. He questioned the accuracy of information found on the Internet and that anybody can put things on the Internet. Mr. Patel begged the Council to PLEASE approve the annexation.

John Laesch, 236 East Ogden, addressed the Council about Wal-Mart. Mr. Laesch stated that this City has been split down the middle due to Wal-Mart. He stated that his wife received a phone call from the Havill survey about Wal-Mart and she stated she did not want Wal-Mart because she might loose her job. He stated that she was told if she lost her job she could just work at Wal-Mart.

Mary Steppke, Fort Atkinson, addressed the Council again about Wal-Mart. Ms. Steppke stated that she spoke with a former Whitewater business and they stated that Wal-Mart was disastrous and did not bring businesses to downtown Whitewater. She stated that the Council should go to other communities, not just around Jefferson and ask how Wal-Mar hurt their community.

Chuck Moehling, N5386 Felsen Ridge Court, Johnson Creek, addressed the Council about Wal-Mart. Mr. Moehling stated he was amazed how long this has gone on and stated that facts on Wal-Mart can be found on the Internet. He stated that Wal-Mart closed down due to Unions and that was a wrong because Unions just bring better benefits and wages. He stated that this corporation and others are trying to have insurances paid to their employees through taxpayers. Mr. Moehling stated that the annexation and Wal-Mart is the same thing. He also stated that at Tyson there are plenty of jobs that aren't being filled. He urged the Council to take responsibility and courage to look at what this annexation is about and to vote NO.

ANNEXATION OF LAND OWNED BY ROGER W. SHERMAN & BEVERLY A. SHERMAN AND WILLIAM & ALICE PINNOW

Ald. Benka reintroduced Proposed Ordinance #6-05 for its second reading.

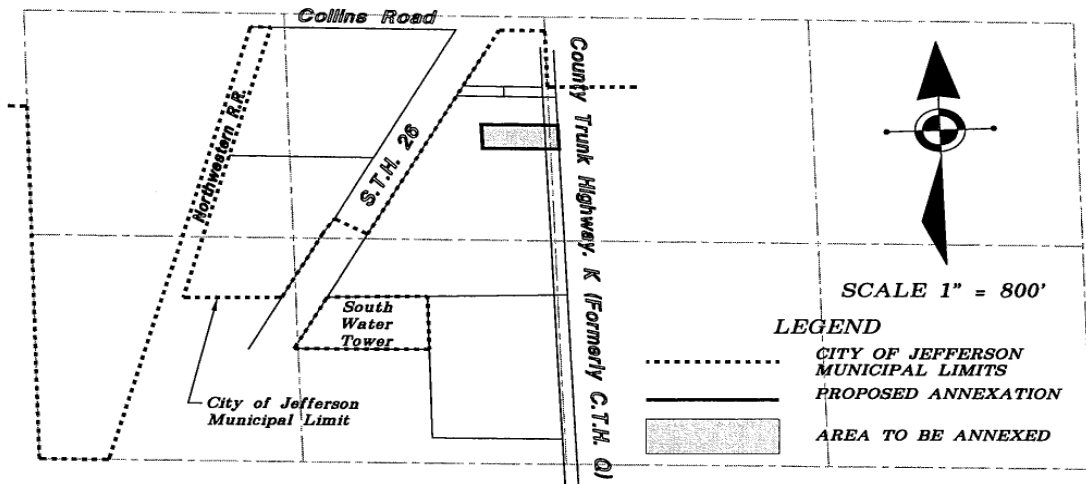
**CITY OF JEFFERSON
PROPOSED ORDINANCE #6-05**

ANNEXING TERRITORY FROM THE TOWNSHIP OF JEFFERSON

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

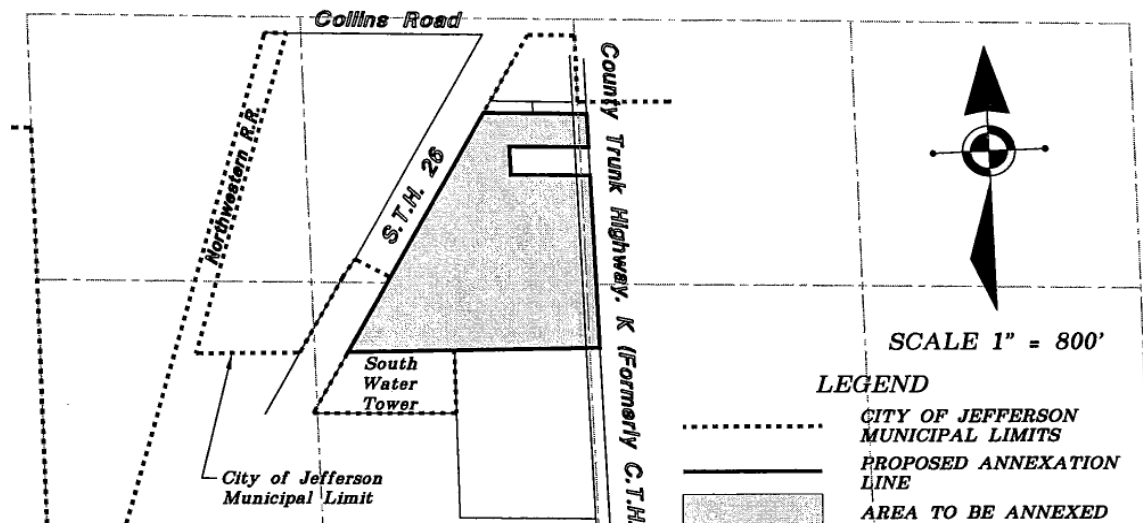
SECTION 1: Territory Annexed. In accordance with s. 66.0217 of the Wisconsin Statutes of 2004, the unanimous petition for direct annexation filed with the City Clerk on the 4th day of February, 2005, signed by the owners of all of the land in the territory (2 electors reside therein), the following described territory is in the Town of Jefferson, Jefferson County, Wisconsin, is annexed to the City of Jefferson, Wisconsin:

Wisconsin, is annexed to the City of Jefferson, Wisconsin:



Part of the North Half of Section 14, Township 6 North, Range 14 East, Town of Jefferson, Jefferson County, Wisconsin, described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 14; thence South 89 degrees 18 minutes 21 seconds East, a distance of 5.08 feet to the centerline of County Trunk Highway "K" (Formerly C.T.H. "Q"); thence South 2 degrees 51 minutes 16 seconds East on the centerline of County Trunk Highway "K", a distance of 638.79 feet to the Point of Beginning; thence North 89 degrees 23 minutes 47 seconds West, a distance of 348.01 feet; thence South 3 degrees 02 minutes 42 seconds East, a distance of 140.49 feet; thence South 89 degrees 29 minutes 30 seconds East, a distance of 380.56 feet to the East Right-of-Way Line of said County Trunk Highway "K" (formerly C.T.H. "Q"); thence North 2 degrees 51 minutes 16 seconds West on the East Right-of-Way Line of said County Trunk Highway "K" (Formerly C.T.H. "Q"), a distance of 139.83 feet; thence North 89 degrees 23 minutes 47 seconds West, a distance of 33.06 feet to the Point of Beginning, containing 53,274 square feet (1.223 acres), more or less.



Part of the North Half of Section 14, Township 6 North, Range 14 East, Town of Jefferson, Jefferson County, Wisconsin, described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 14; thence South 89 degrees 18 minutes 21 seconds East, a distance of 5.08 feet to the centerline of County Trunk Highway "K" (Formerly C.T.H. "Q"); thence South 2 degrees 51 minutes 16 seconds East on the centerline of County Trunk Highway "K", a distance of 472.95 feet to the Point of Beginning; thence South 89 degrees 09 minutes 04 seconds East, a distance of 33.07 feet to the East Right-of-Way Line of said County Trunk Highway "K" (Formerly C.T.H. "Q"); thence South 2 degrees 51 minutes 16 seconds East on the East Right-of-Way Line of said County Trunk Highway "K" (Formerly C.T.H. "Q"), a distance of 165.69 feet; thence North 89 degrees 23 minutes 47 seconds West, a distance of 381.07 feet; thence South 3 degrees 02 minutes 42 seconds East, a distance of 140.49 feet; thence South 89 degrees 29 minutes 30 seconds East, a distance of 380.56 feet to the East Right-of-Way Line of said County Trunk Highway "K" (formerly C.T.H. "Q"); thence South 2 degrees 51 minutes 16 seconds East on the East Right-of-Way Line of said County Trunk Highway "K" (Formerly C.T.H. "Q"), a distance of 861.35 feet; thence South 89 degrees 11 minutes 24 seconds West, a distance of 1199.06 feet; thence North 28 degrees 27 minutes 43 seconds East, a distance of 1353.00 feet; thence South 89 degrees 12 minutes 38 seconds East, a distance of 237.54 feet; thence South 89 degrees 09 minutes 04 seconds East, a distance of 225.47 feet to the Point of Beginning, containing 943,176 square feet (21.652 acres), more or less.

SECTION 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Jefferson for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Jefferson.

SECTION 3. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of the 7th Ward of the City of Jefferson, subject to the ordinances, rules and regulations of the City governing wards.

SECTION 4. Zoning Classification. The Plan Commission is directed to prepare an amendment to the zoning ordinance setting forth permanent classifications and regulations for zoning of the annexed area and submit its recommendations to the council. A temporary zoning classification of BHN is being recommended from the Plan Commission.

SECTION 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid

or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 6. Effective Date: This ordinance shall take effect upon passage and publication as provided by law.

Ald. Benka, seconded by Ald. McGrath moved to recommend Proposed Ordinance #6-05.

Ald. McGrath stated that Ald. Olsen informed the Council that he had conducted a pool of regular voting residents and all were opposed of Wal-Mart. Ald. McGrath further stated that Ald. Beyer and conducted her campaign on having no large building on that section of land. He further stated that he hoped they would hold true to their previous votes.

Ald. Wagner stated that he wanted to thank the JDC and Plan Commission members for being present at the presentation on Wal-Mart last night. Ald. Wagner stated the Council has a chance to make a change for the City of Jefferson. He further stated that the JDC voted 7 to 2 and the Plan Commission vote 6 to 0 in favor of the annexation. Ald. Wagner stated that the City of Jefferson had never turned down an annexation and that the annexation would give tax base to the City. Ald. Wagner stated he hoped the council would support the annexation.

Ald. Benka stated that his view was changed when he was looking at this as just an annexation. He further stated that the City couldn't grow without land to build on. Ald. Benka stated that this is going to be the greatest "bedroom" area. He also stated that the City needs a combination of commercial and residential. Ald. Benka urged the Council to approve the annexation.

Ald. Beyer stated that she did not base her campaign on no large buildings on that land but rather what she can do that is best for the City as a whole. Ald. Beyer stated that since the last vote she has talked to Kevin Brumm and the other business on his list that supported the annexation and Wal-Mart. She stated that the businesses brought up good points.

Ald. Beyer suggested the Council amend the ordinance to take out Section 4 designating it as BHN. She stated that way it would have to be rezoned.

Ald. Coffman questioned if the Sherman's and Pinnow's would be in agreement with this or if they had an agreement with any one business.

Ald Beyer stated that this amendment would be a way to separate the annexation and Wal-Mart.

Roger Sherwin stated no one had approached them with this idea and that he felt they could not make a decision on that at this moment.

Attorney Brantmeier stated that the Sherwin's and Pinnow's voluntarily designated this BHN. He further stated that the Council has the authority to change the zoning.

Ald. Beyer, seconded by Ald. Gang moved to amend the proposed ordinance by striking out the Section 4 designating the land as BHN. On call of the roll, motion failed 5 to 3. Ald. Beyer, Ald. Gang and Ald. McGrath cast votes in favor of the amendment.

On call of the roll, motion was defeated by a vote of 3 to 5. Ald. McGrath, Ald. Olsen and Ald. Stewart cast the dissenting votes.

AN ORDINANCE TO CREATE SECTION 12.15(1)(G) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE WAIVER OF RIGHT-OF-WAY RENTAL FEE FOR NON-PROFIT ENTITIES

Ald. Stewart introduced Proposed Ordinance #13-05 for its second reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #13-05**

An Ordinance to Create Section 12.15(1)(g) of the City of Jefferson Municipal Code Establishing the Waiver of Right-of-Way Rental Fee for Non-Profit Entities.

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

Section 1. Section 12.15(1)(g) is hereby created to Establish a Wavier of Right of Way Rental Fee for Non-Profit Entities.

Section 12.15(1)(g). Beginning, January 1, 2005 non-profit entities shall be exempt from the payment of rental fee for the temporary lease of City right of way, as established yearly by the Common Council. In lieu of the rental fee; all non-profit entities shall be required to make a \$1.00 lease payment per permit and comply with all other provisions of this section.

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

Ald. Gang questioned if this could be done with the park shelter fees.

Attorney Brantmeier stated that it should be taken to the Park and Recreation Commission first and that he could draft up an ordinance.

Ald. Stewart, seconded by Ald. McGrath moved to recommend Proposed Ordinance #13-05. On call of the roll, motion carried unanimously.

CONSENT AGENDA

Ald. Wagner 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 consent agenda for June 7, 2005 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for April and May and June 2005 in the amount of \$624.00 and \$183,966.21 and Payroll Summary for May 13 & 17, 2005 in the amount of \$99,651.14.
- ◆ Council Minutes from May 17, 2005 Regular and Closed Session Meetings of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee
 - ▣ Operator's Licenses (New and Renewal)
 - ▣ Special Class B Licenses
 - ▣ 2005-2006 Renewal/New Beverage License Applications

Ald. Wagner, seconded by Ald. Gang moved to recommend Resolution No. 27. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING A TEMPORARY LEASE OF RIGHT-OF-WAY

Ald. Olsen introduced Resolution No. 28.

CITY OF JEFFERSON RESOLUTION NO. 28

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City of Jefferson authorizes the closing of the 600 block of North Marion on July 23, 2005 from 2:00-11:00 p.m. for a block party.

BE IT FURTHER RESOLVED, that execution of such approval is contingent upon the payment of the \$50 right-of-way rental fee.

Ald. Wagner indicated that Resolution No. 28 was unanimously approved at Regulatory Committee.

Ald. McGrath stated that the Regulatory Committee was fine with the length of time because it involved the entire block for a block party.

Ald. Olsen, seconded by Ald. Wagner moved to recommend Resolution No. 28. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING REFURBISHING OF GRAVITY THICKNER AT THE WASTEWATER TREATMENT PLANT

Ald. Beyer introduced Resolution No. 29.

CITY OF JEFFERSON RESOLUTION NO. 29

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to proceed with parts purchase from US Filter in an amount not to exceed \$3,758.00 and painting from Omni Glass and Paint in an amount not to exceed \$32,160.00 for the final clarifiers and aerated grit tank refurbishment for 2005.

Wastewater Superintendent Kelly stated that Resolution No. 29 was unanimously approved at Finance Committee. Superintendent Kelly also stated that this would be the last equipment purchased for the upgrade.

Ald. Beyer, seconded by Ald. Benka moved to recommend Resolution No. 29. On call of the roll, motion carried unanimously.

**RESOLUTION APPROVING JEFFERSON WASTEWATER TREATMENT FACILITY
2004 COMPLIANCE MAINTENANCE ANNUAL REPORT**

Ald. Gang introduced Resolution No. 30.

**CITY OF JEFFERSON
RESOLUTION NO. 30**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Common Council informs the Department of Natural Resources that said Council has reviewed the Compliance Maintenance Annual Report for the calendar year 2004, which is attached hereto as part of this resolution.

Wastewater Superintendent Kelly reviewed the CMAR report with the Council. Kelly pointed out that they received all A's. Kelly also reviewed areas the Treatment Plant wanted to work on.

Ald. Gang, seconded by Ald. Beyer moved to recommend Resolution No. 30. On call of the roll, motion carried unanimously.

Ald. Wagner, seconded by Ald. Olsen moved to adjourn the June 7, 2005 meeting of the Common Council. Motion carried on a voice vote.

The minutes of the June 7, 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