

MINUTES
CITY OF JEFFERSON COMMON COUNCIL
JUNE 21, 2005

The Tuesday June 21, 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, and Deputy City Clerk/Treasurer Baumann.

PUBLIC PARTICIPATION

Jim Schroeder, 539 E. Reinel St., said that Jefferson has unlimited potential and it is now time to work together. It is time to stop recall action and numerous negative editorials, and repair friendships. The City should develop a plan for economic development. It should have round table action using a large table. The City needs to move forward with the leadership of the Mayor.

Atty. Phil Ristow, 727 Oakwood Ct., representing the County of Jefferson briefly described the annexation of the County property and gave an overview of the sale with deed restrictions.

Janet Werner, N4018 CTH. Y, representing the Chamber of Commerce spoke of the June 29th Concert in the Park at Rotary Park with the "Taste of Jefferson". She reminded those present of the July 3rd celebration at the Jefferson County Fairgrounds complete with City sponsored fireworks.

PRESENTATION: OPEN MEETINGS LAWS

City Atty. Brantmeier gave a presentation on open meetings laws. He informed the Council of posting regulations and the need to be conservative in all matters regarding open meetings. He gave caution on using email and information on negative quorums. An individual's liability for wrong actions is not reimbursed by the City if an infraction of the open meetings laws is committed. The District Attorney can impose fines of \$25 to \$300.

PRESENTATION: 2004 SEWER AUDIT – VIRCHOW KRAUSE & COMPANY

John Andres, Virchow Krause & Company was present to report on the financial condition of the Wastewater Treatment Facility in the City of Jefferson. He detailed the financial report. He advised administration to make monthly deposits in the bond redemption fund and advised the Council to continue to ask about the funds and their performance. There is not to be a rate increase in July 2005. Mr. Andres said that the treatment plant is a financially stable and favorable operation.

ANNEXATION OF LAND OWNED BY THE COUNTY OF JEFFERSON

Ald. Coffman introduced Proposed Ordinance #11-05 for its second reading.

CITY OF JEFFERSON

PROPOSED ORDINANCE #11-05

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 6th day of May, 2005, signed by the owner of all of the land in the territory (no electors reside therein), the following described territory is in the Town of Jefferson, Jefferson County, Wisconsin, is annexed to the City of Jefferson, Wisconsin:

Being part of the SW1/4 of Section 10, and part of the NW1/4 of Section 15, T6N R14E.

Commencing at the North ¼ corner of Section 15, T6N R14E, as the Point of Beginning; Thence S01°37'42"E, 59.89 feet to the right of way line of C.T.H. "W"; Thence S46°24'36"W, along said right of way, 219.98 feet to a point of curvature; Thence along the arc of a curve, having a radius of 1333.00 feet and a chord bearing of S33°31'56"W 594.18 feet, to a point of tangency; Thence S20°39'16"W, along said right of way, 523.11 feet; Thence S17°34'18"W, along said right of way, 1305.28 feet; Thence N34°19'57"W, 1507.89 feet; Thence N12°16'55"W, 1370.49 feet; Thence N00°44'50"W, 684.74 feet to the centerline of C.T.H. "J"; Thence N80°43'24"E, along the centerline of C.T.H. "J", 1805.82 feet; Thence N69°22'44"E, along the centerline of C.T.H. "J", 436.05 feet to the North-South ¼ line of Section 10; Thence S01°07'35"E, along the North-South 1/4 line of Section 10, 1273.21 feet to the Point of Beginning. Containing 114.77 acres. (Includes a portion of CSM 4104, Jefferson County Records)

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 6th 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.

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. Coffman, seconded by Ald. Wagner moved to recommend Proposed Ordinance #11-05. On call of the roll, motion carried unanimously.

ORDINANCE TO CREATE SECTION 18.06(1)(C) OF THE CITY OF JEFFERSON MUNICIPAL CODE - INCREASE THE PARKLAND DEDICATION FEES.

Ald. Beyer introduced Proposed Ordinance #14-05 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #14-05**

An Ordinance to Create Section 18.06(1)(c) of the City of Jefferson Municipal Code Increased the Parkland Dedication Fee.

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

Section 1. Section 18.06(1)(c) is hereby amended to Increase the Parkland Dedication Fee.

Section 18.06(1)(c). The amount of any fee imposed in lieu of land dedication shall be based on the lesser of either the "fair market value" of the amount of land, which would otherwise be required to be dedicated of \$300 for each institutional residential housing unit and \$1,000 each for all other dwelling unit types. On January 1 of each year, the Parks and Recreation Commission shall review fees and the maximum fee per dwelling unit may be adjusted annually per Common Council approval.

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. 31.

**CITY OF JEFFERSON
RESOLUTION NO. 31**

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 June 2005 in the amount of \$274,078.17 and Payroll Summary for June 10, 2005 in the amount of \$110,061.07.

- ◆ Council Minutes from June 7, 2005 Regular and Committee of the Whole Minutes from June 6, 2005.
- ◆ Licenses as Approved by the Regulatory Committee
 - ▣ 2005-2006 Renewal/New Beverage License Applications
 - ▣ Special Class B Licenses

Ald. Wagner, seconded by Ald. McGrath moved to recommend Resolution No. 31. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING BUDGET ADJUSTMENT FOR CITY HALL MAINTENANCE.

Ald. Stewart introduced Resolution No. 32.

**CITY OF JEFFERSON
RESOLUTION NO. 32**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Council hereby authorizes the following budget adjustment and that the funds shall come from the General Fund Balance:

| | | | | |
|-----------------------------|-----------------|------------|-------------------|------------|
| | | | | |
| FUND 01 | | | | |
| SERVICES TO MAINTAIN | 01-51510-20-263 | \$1,500.00 | \$2,000.00 | \$3,500.00 |
| BUILDING | | | | |

Ald. Stewart, seconded by Ald. Olsen moved to recommend Resolution No. 32. On call of the roll motion carried 7-1, Ald. Coffman dissenting.

RESOLUTION APPOINTING THE CITY ADMINISTRATOR TO THE JEFFERSON COMMUNITY FOUNDATION BOARD

Ald. Gang introduced Resolution No. 33.

**CITY OF JEFFERSON
RESOLUTION NO. 33**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby appointed to the Jefferson Community Foundation Board as representative of the government wing of Jefferson, Wisconsin.

Ald. Wagner stated this was a most worthwhile committee.

Ald. Gang, seconded by Ald. Beyer moved to recommend Resolution #33. Motion carried unanimously on call of the roll.

**RESOLUTION APPOINTING THE CITY ADMINISTRATOR TO THE
JEFFERSON COUNTY ECONOMIC DEVELOPMENT CONSORTIUM**

Ald. Benka introduced Resolution No.34.

**CITY OF JEFFERSON
RESOLUTION NO. 34**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby appointed to the Jefferson County Economic Development Consortium as representative of the City of Jefferson.

Ald. Benka, seconded by Ald. McGrath moved to recommend Resolution No. 34. On call of the roll, motion carried unanimously.

**RESOLUTION APPROVING SALE OF GOODS IN PUBLIC RIGHT-OF-WAY
(OTTO OLSEN)**

Ald. Olsen introduced Resolution No. 35.

**CITY OF JEFFERSON
RESOLUTION NO. 35**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that Mr. Otto Olsen is hereby allowed to sell home grown sweet corn and potatoes on the corner of Center Avenue and Linden Drive on City right-of-way.

Ald. Olsen stated that he was not related to Mr. Otto Olsen.

Ald. Olsen, seconded by Ald. McGrath moved to recommend Resolution No. 35. Motion carried unanimously on call of the roll.

**RESOLUTION APPROVING SALE OF GOODS IN PUBLIC PROPERTY
(STEVE LEWIS-JEFFERSON AREA BUSINESS CENTER)**

Ald. Wagner introduced Resolution No. 36.

**CITY OF JEFFERSON
RESOLUTION NO. 36**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the Jefferson Area Business Center, Steve Lewis owner, be approved to sell food and non-alcoholic beverages at Rotary Park for the Concerts in the Park program.

Ald. Wagner, seconded by Ald. Benka moved to recommend Res. No.36. On call of the roll, motion carried unanimously.

Motion was made by Ald. Gang and seconded by Ald. Benka to adjourn to Closed Session pursuant to Section 19.85(1)(e) of the Wisconsin State Statutes conducting other specified public business whenever competitive or bargaining reasons require a closed session. On call of the roll, motion carried unanimously.

Ald. McGrath, seconded by Ald. Olsen moved to reconvene to Open Session. On call of the roll, motion carried unanimously.

RESOLUTION TO ENABLE THE CITY ADMINISTRATOR TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE CARNEGIE BUILDING (FORMER LIBRARY)

Ald. Coffman introduced Resolution No. 37.

**CITY OF JEFFERSON
RESOLUTION NO. 37**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to enter into a Development Agreement for the Carnegie Building (former library) and Celtic Land LLC.

Ald. Coffman, seconded by Ald. Benka moved to recommend Resolution No. 37. On call of the roll, motion carried unanimously.

RESOLUTION FOR THE SALE OF CARNEGIE BUILDING (FORMER CITY LIBRARY)

Resolution No. 38 was removed from the agenda, as the purchase price had been approved in previous Council action.

Ald. McGrath, seconded by Ald. Stewart moved to adjourn the June 21, 2005 meeting of the Common Council. Motion carried on voice vote.

The minutes of the June 21, 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