

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
SEPTEMBER 20, 2005**

The Tuesday September 20, 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. Benka, Ald. McGrath, Ald. Olsen and Ald. Stewart. Also present were: City Administrator Bierma, City Attorney Brantmeier, City Engineer Ludwig and City Clerk/Treasurer Stewart.

Atty. Brantmeier then clarified the point of order that was called at the last Council Meeting. Atty. Brantmeier stated that it is not prohibited by Roberts Rules for the public to refer to the Council members by name. He stated that the Mayor has the discretion to limit what is said during public participation.

PUBLIC PARTICIPATION

Janet Werner, N4018 Highway Y, addressed the Council regarding Chamber activities. Werner indicated that Autumn Fest will be held on October 1st from 10am to 2 pm. She stated that there will be out of town vendors and entertainment.

Janet Twist, 663 North Dewey Avenue, addressed the Council regarding Proposed Ordinance #15-05. She stated that she was in favor of the ordinance and hoped that the Council would pass the ordinance as written.

Gary Haag, 740 Browning Avenue, addressed the Council regarding downtown business development. Mr. Haag stated that he is a taxpayer and a business owner and for years he has listened to the Council talk about business development. He added that he has owned his business for three years and that he hasn't seen more come in, just businesses close. He stated that if the Council doesn't do something soon more businesses are going to close because they have no business.

AN ORDINANCE TO CREATE SECTION 197-8(P) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO BLOWING GRASS CLIPPINGS AND RAKING LEAVES INTO STREETS

Ald. Beyer introduced Proposed Ordinance #15-05 for its second reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #15-05**

An Ordinance to Create Chapter 197 Subsection 197-8(P) of the City of Jefferson Municipal Code Establishing the Nuisance of Blowing Grass Clippings and Raking Leaves into Streets unless Directed by the City of Jefferson.

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

Section 1. Section 197-8(P) is hereby created to Establish a Nuisance of Blowing Grass Clippings and Raking Leaves into Streets unless Directed by the City of Jefferson

Section 197-8(P). Blowing Grass Clippings and Raking Leaves into Streets. In the interests of Public Safety, and General Welfare, Community Appearance and Efficiency of Operation, it shall be unlawful to rake, place, or mow fallen tree leaves or grass clippings onto the pavement or into the gutter of any public street unless directed by the City of Jefferson. No person shall permit grass clippings from mower swaths to remain upon sidewalks, street pavements, gutters of any public street, or on abutting property not owned or occupied by said person. The penalty for violating this Ordinance is set forth in Chapter 1 Subsection 1-4 (C)(1) and penalties may be adjusted from time to time by Common Council Action.

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

City Administrator Bierma stated that the Streets Committee had entertained an amendment to the Ordinance.

Ald. Gang asked for a clarification on the amendment. It was indicated that the recommendation of the Streets Committee was to remove the raking of leaves into the curb area.

Ald. Beyer stated that she understood what the Committee was trying to do, but felt that the Council should pass it as is.

Ald. Wagner, seconded by Ald. McGrath moved to amend the ordinance by removing the “rake, place, or mow fallen leaves”. On call of the roll, motion was defeated by a vote of 6 to 2. Ald. Wagner and Ald. McGrath voted in favor of the amendment.

Ald. Benka stated that he favored the Ordinance as originally proposed. He stated that if people wish to remove leaves immediately from their property they are able to use the compost site.

Ald. Wagner stated that he also questioned the enforcement and the penalty provision of the ordinance. He stated that it didn't make sense.

Ald. Beyer questioned what would happen if your tree just drops leaves into the street. It was then clarified that the ordinance refers to the property owners actions of actually putting the leaves into the street or curb area.

Ald. Beyer, seconded by Ald. Gang moved to recommend Proposed Ordinance #15-05. On call of the roll, motion passed by a vote of 6 to 2. Ald. Wagner and Ald. McGrath cast the dissenting votes.

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 13.24(2)(B) AND 13.24(3) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO WASTEWATER RATES

Ald. Stewart introduced Proposed Ordinance #16-05 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #16-05**

An Ordinance to Recreate Section 13.24(2)(b) and Section 13.24(3) of the City of Jefferson Municipal Code Related to the Wastewater Rates for the City of Jefferson.

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

Section 1. Section 13.24(2)(b) is hereby recreated as it relates to Wastewater Rates for the City of Jefferson

METER SIZE	Monthly Charges Effective January 1, 2006	Monthly Charges Effective January 1, 2007
5/8"	\$12.00	\$12.00
3/4"	17.00	17.00
1"	29.00	29.00
1 1/2"	58.00	58.00
2"	93.00	94.00
3"	187.00	185.00
4"	293.00	294.00
6"	586.00	589.00
6"contract	201.00	238.00

Rural customer surcharge 25%

Section 2. Section 13.24(3)(b) is hereby amended to as it relates to Normal Domestic Sewage.

(b) Normal Domestic Sewage

Effective January 1, 2006: \$2.13 per 1,000 gallons or \$1.60 per 100 cubic feet

Effective January 1, 2007: \$2.25 per 1,000 gallons or \$1.68 per 100 cubic feet

Section 3. Section 13.24(3)(c) is hereby amended as it relates to Sewage of Greater Than Normal Strength

Monthly Charges	Monthly Charges
Effective	Effective

Parameter	January 1, 2006	January 1, 2007
BOD5	.270 per lb.	.291 per lb.
SS	.168 per lb.	.180 per lb.
N(ammonia)	.951 per lb.	.981 per lb.
P(phosphorus)	3.662 per lb.	3.844 per lb.

2. Charges to users discharging wastewater of greater than normal strength shall be computed in accordance with the formula presented below:

Effective January 1, 2006

$$C = \$2.13 \times V + .00834 \times V \times [(\$0.270 \times B) + (\$0.168 \times S) + (\$0.951 \times N)] + 3.662 \times P]$$

Effective January 1, 2007

$$C = \$2.25 \times V + .00834 \times V \times [(\$0.291 \times B) + (\$0.180 \times S) + (\$0.981 \times N + (3.844 \times P)]$$

3. Where:

C = Charge to sewer for operation, maintenance, and replacement costs for treatment works.

V = Wastewater volume in 1,000 gallons

B = Concentration of BOD from a user above the normal strength of 275 mg/l

S = Concentration of suspended solids from a user above the normal strength of 320mg/l

N = Concentration of ammonia nitrogen from a user above the normal strength of 23 mg/l

P = Concentration of phosphorus from a user above normal strength of 8 mg/l.

\$.13/\$.25 = Charge for that portion of the waste equal to normal strength wastewater. Includes cost for treating 275 mg/l, BOD5, 320mg/l SS, 23 mg/l N and 8 mg/1P .00834 = Conversion factor (mg/l to lb.)

4. Surcharges will be computed by multiplying flow times strength (mg/l) daily and adding the pounds for the month. Total flow for the month will be multiplied by the residential strength and the result compared to the actual pounds discharged. Surcharges will be applied to pounds in excess of residential strength on the month's results. In no event will a user pay less per 1,000 gals, of flow than the charge for normal strength wastewater, which includes an imputed level of pounds of BOD, SS, NH3-N and P.

Section 4. Section 13.24(3)(d) is hereby amended as it relates to Holding Tank and Septage Wastes Charges to licensed dischargers:

1. Holding Tank Discharges shall include the following:

	JAN 2006	JAN 2007
a. Total Strength Charge	\$5.72	\$ 6.05
b. Dumping Charge	\$5.00	\$ 5.00
c. 25% Surcharge	\$2.68	\$ 2.76
d. Total Charge per thousand Gallons	\$13.40	\$13.81

2. Septage Waste Discharges shall include the following:

a. Total Strength Charge	\$33.84	\$36.07
b. Dumping Charge	\$ 7.50	\$ 7.50
c. 25% Surcharge	\$10.34	\$10.89
d. Total Charge per Thousand Gallons	\$51.68	\$54.46

Section 5. This ordinance shall take effect and be in full force after passage and publication as provided by law.

This was a first reading.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 62.

**CITY OF JEFFERSON
RESOLUTION NO. 62**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for September 20, 2005 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for September 2005 in the amount of \$395,459.38 and Payroll Summary for September 2, 2005 in the amount of \$109,640.81.
- ◆ Council Minutes from the Regular and Closed Sessions of the September 6, 2005 Common Council Meeting.
- ◆ 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. 62. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE CHAMBER OF COMMERCE 2005 SUBSIDY

Ald. Coffman introduced Resolution No. 63.

CITY OF JEFFERSON

RESOLUTION NO. 63

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the 2005 Jefferson Chamber of Commerce Subsidy in the amount of \$5,000 is hereby approved.

Ald. Beyer asked what the Chamber would be using the City funds for.

Chamber Director Werner stated that the purpose was to replace some of the downtown banners.

Ald. Wagner asked about the room tax revenue and what that was being spent on.

Director Werner indicated that State law dictates how those funds are spent and that the Chamber has used those funds for items like flower planters, chamber/community events and concerts in the park.

Ald. Coffman questioned the large amount of funds in the Chambers CD and if those could be used for banner placement. He also questioned if the banners could be replaced with tourism funds.

Director Werner stated that she could possibly use the room tax funds for the banners, but that the Chamber would not be cashing in the CD anytime soon. She added that the CD is kept there in case they need to replace the copier or if they would need to relocate to a new location where they would need to pay rent. Werner clarified that none of the tourism dollars in are the CD.

Ald. Beyer clarified that the tourism dollars were used to fund activities to bring people into town.

Ald. Olsen stated that he would support the resolution. He stated that the Chamber, as well as many other organizations, do wonderful things for Jefferson and he believed that the Council should stand behind their financial commitment to the Chamber.

Ald. Wagner clarified that this was budgeted for in 2005. He also questioned if the Chamber would be looking for funding in future years. Director Werner stated that she had requested funds for 2006.

Ald. Coffman, seconded by Ald. Beyer moved to recommend Resolution No. 63. On call of the roll, motion carried by a vote of 7 to 1. Ald. Coffman cast the dissenting vote.

AUTHORIZATION TO PURCHASE PLYMO EXHAUST SYSTEM AND ASSOCIATED BUDGET ADJUSTMENT

Ald. Gang introduced Resolution No. 64.

CITY OF JEFFERSON RESOLUTION NO. 64

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the City Council authorizes the following budget adjustment;

BE IT FURTHER RESOLVED that the City acknowledges receipt of \$90,000 in revenues from a FEMA grant for the installation of the Fire Station's Plymo Exhaust System. The additional \$10,000 transfer, for the remainder of the installation, shall come from the General Fund Balance.

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMENT	REVISED AMOUNT
MISC FIRE DEPT FEES	01-00000-45-481	\$0.00	\$90,000.00	\$90,000.00
Equipment	01-52310-40-415	\$15,700.00	10,000.00	\$25,700.00

Ald. Wagner stated that he felt that this was a good investment and is in favor of the project.

Ald. Gang stated that he was happy to see this and thought that it was awesome that we received a grant. However, he asked if there would be residual funds in the 2005 budget that could be utilized instead of a budget transfer.

Chief Powell stated that all of the 2005 funds budgeted would be utilized and therefore a transfer would be necessary.

The Chief stated that he wanted to thank Ron Wegner for all of his hard work (writing the grants) over the last three years. He stated that Ron has brought to the Department over \$200,000 in grant funds.

The Council applauded Mr. Wegner's efforts.

Ald. Gang, seconded by Ald. McGrath moved to recommend Resolution No. 64. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING THE RECEIPT AND EXPENDING OF FUNDS FROM CHARTER COMMUNICATION FOR THE USE OF PURCHASING EQUIPMENT FOR THE PUBLIC ACCESS CHANNELS

Ald. McGrath introduced Resolution No. 65.

**CITY OF JEFFERSON
RESOLUTION NO. 65**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the following budget adjustment is hereby approved.

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMENT	REVISED AMOUNT
MISC REVENUES	52-00000-48-210	\$0.00	\$7,778.40	\$7,778.40
Equipment	52-50000-40-445	\$0.00	\$7,778.40	\$7,778.40

BE IT FURTHER RESOLVED, these funds shall be used for the purchase of equipment for the two PEG Channels on our local Charter Cable System

Ald. Wagner asked if the Cable Board approved this. City Administrator Bierma stated yes.

Ald. Wagner then asked if the School District would be reimbursing the City.

Cable Commission Member Foust indicated that the equipment bought with City funds stays with the City.

Ald. McGrath stated that the funds for the purchase of this equipment are taken from the cable subscriber revenues.

Mayor Stevens thanked Cable Commission Member Foust for his work on the PEG channels and noted that he has been integral to the operation.

Ald. McGrath, seconded by Ald. Benka moved to recommend Resolution No. 65. On call of the roll, motion carried by a vote of 7 to 1. Ald. Coffman cast the dissenting vote.

RESOLUTION AUTHORIZING THE APPLICATION FOR SMART GROWTH ZONING GRANT AND DESIGNATION AND APPROPRIATION OF FUNDING

Ald. Olsen introduced Resolution No. 66

**CITY OF JEFFERSON
RESOLUTION NO. 66**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the City of Jefferson is authorized to apply for a Smart-Growth Zoning Grant of \$20,000 and the City will contribute \$20,000 over two years as the City share for the project.

Ald. Wagner questioned why this was not discussed at the Finance Committee.

City Administrator Bierma stated that it was not appropriate at this time.

City Engineer Ludwig then explained that this would be a multi-jurisdictional grant. He stated that a while back, the City had asked the County if they would be interested in heading up the grant process. The County replied that they were not interested because their plan was already Smart Growth compliant. He stated that at that time, staff went to the Streets Committee where

they indicated their interest in taking a lead role in the project. Ludwig stated that he has contacted many of the surrounding communities and has insured participation from the Township of Jefferson, the City of Lake Mills and the Village of Johnson Creek. He indicated that he is waiting for responses from several more communities.

Ald. Benka questioned if the \$20,000 would be the total cost for the City.

City Engineer Ludwig indicated that the grant, if all communities participate, would be written for about \$230,000 and that we could expect around \$138,000 in grant funds. He added that a municipality the size of Jefferson falls into the 50% funding bracket, making our cost approximately \$20,000. He stated that one of the nice things about doing the grant together, other than the fact that grants are not issued for single municipalities, is that the funds are all pooled together so that if residual funds remain from other master plan developments that have come in under budget, the City could receive up to 75% of the plan in funding.

Ald. Gang stated that this was approved by the Streets Committee and that he was excited at the prospect of another grant.

Ald. McGrath questioned what would happen if other communities would opt out.

City Engineer Ludwig stated that it would not mean any less funding for the City of Jefferson because the grant is population dependent.

Ald. McGrath then questioned what would happen if our plan contradicted the County's plan.

City Engineer Ludwig then indicated that the City has the ability to control ourselves and is not bound by the County plan. He indicated that the township's master plans will take into account the County plan.

Ald. Beyer stated that she felt that this was a great thing to do with other communities, especially considering our location between Dane and Waukesha County. She added that she was glad we were taking the lead.

Ald. Olsen, seconded by Ald. Beyer moved to recommend Resolution No. 66. On call of the roll, motion carried unanimously.

**RESOLUTION EXTENDING SYMPATHY TO THE FAMILY OF RICHARD
"SCRATCH" ALTREUTER**

Ald. Wagner stated that before he read the Resolution, he wanted to thank the Daily Union for an article that was in the paper recently. He noted that the Union had recognized four individuals who have added so much to the Gemuetlichkeit festivities: Ormal Kiesling, Gerald Jeffery, Vern Meisner, and Richard "Scratch" Altreuter.

Ald. Wagner introduced Resolution No. 67.

**CITY OF JEFFERSON
RESOLUTION NO. 67**

WHEREAS, God in is infinite wisdom and mercy, has chosen to call from his life Richard “Scratch” Altreuter, and

WHEREAS, Richard was a trusted and loyal citizen of the City of Jefferson,

WHEREAS, Richard “Scratch” Altreuter was with the American Legion Band for 57 years

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Jefferson, Wisconsin by this Resolution extends its deepest sympathy to the family of the late Richard “Scratch” Altreuter and that a copy of this resolution be sent to the bereaved family.

Ald. Wagner, seconded by Ald. Olsen moved to recommend Resolution No. 67. The Council stood in silence in unanimous support of the Resolution.

Ald. Olsen stated that Scratch played taps for Joint VFW/Legion and indicated that every time they fired, Scratch was there to play taps. Olsen added that even though Scratch was not a veteran he was made an “honorary member” due to his commitment to the organizations.

Ald. Wagner stated that when he attended a family funeral only a few months ago, Scratch was there even though he could barely stand.

Ald. McGrath, seconded by Ald. Benka moved to adjourn the September 20, 2005 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the September 20, 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.