

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
OCTOBER 4, 2005**

The Tuesday October 4, 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 and Ald. Stewart. Also present were: Chris Havill, City Administrator Bierma, City Attorney Brantmeier, City Engineer Ludwig and City Clerk/Treasurer Stewart.

PUBLIC PARTICIPATION

John Foust, 235 South Main Street, addressed the Council regarding public participation and other matters. Mr. Foust stated that he was thankful that Jefferson has public participation at regular Council meetings, unlike Fort Atkinson. He stated that he would ask the Council to pass a resolution making public participation mandatory on all agendas. Foust added that Ald. Olsen should be thanked for his time used to be a public servant and deserves the same sendoff as all others have been given. He noted that he wished to welcome Chris Havill as well. He asked to have the process for putting items on the agenda simplified and clarified. He finalized his comments by stating that openness in meetings is essential to making people feel part of the governmental process and that some of the animosity that has been created thru this whole situation may be helped thru greater public participation.

Robert Mercer, 216 South Whitewater Avenue, addressed the Council regarding a 45% increase in Water rates and questioned what the other 10 companies were that wanted to locate in Jefferson if Wal-Mart was here. He stated that Jefferson needs development in all directions, not just to the south of Jefferson.

Bill Koehler, Highway K, addressed the Council regarding former Ald. Olsen's loss in the recall election. He stated that it was a sad day for Jefferson. He added that Olsen spoke well and tried to open doors to government. Mr. Koehler then read excerpts from the Jefferson Daily Union.

OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

City Clerk/Treasurer Stewart swore in the newly elected city official, Chris Havill.

Ald. Wagner stated the need for the Community and the Council to work together.

COMMITTEE APPOINTMENTS

Ald. Wagner, seconded by Ald. Benka moved to appoint Ald. Havill to the following Committees: Finance, Streets/Health & Sanitation, Ambulance and Museum Board. On call of the roll, motion carried unanimously.

**AN ORDINANCE TO REVISE AND CONSOLIDATE, AMEND, SUPPLEMENT AND
CODIFY THE GENERAL ORDINANCES OF THE CITY OF JEFFERSON**

Ald. Gang introduced Proposed Ordinance #17-05 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #17-05**

AN ORDINANCE TO REVISE AND CONSOLIDATE, AMEND, SUPPLEMENT AND
CODIFY THE GENERAL ORDINANCES OF THE CITY OF JEFFERSON

The Common Council of the City of Jefferson does hereby ordain as follows:

§ 1-7. Adoption of Code.

Pursuant to § 66.0103, Wis. Stats., the ordinances of the City of Jefferson of a general and permanent nature adopted by the Common Council of the City of Jefferson, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp., and consisting of Chapters 1 through 300, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the City of Jefferson," hereinafter referred to as the "Code."

§ 1-8. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-9. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances.

§ 1-10. Copy of Code on file.

A copy of the Code, in loose-leaf form, has been filed in the office of the City Clerk/Treasurer and shall remain there for use and examination by the public for at least two weeks, in accordance with § 66.0103, Wis. Stats., and until final action is taken on this ordinance, and, if this ordinance shall be adopted, such copy shall be certified to by the City Clerk/Treasurer, and such certified copy shall remain on file in the office of said City Clerk/Treasurer to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-11. Amendments to Code.

Any and all additions, deletions, amendments or supplements to the Code, when adopted in such form as to indicate the intention of the Common Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Jefferson" shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-12. Publication; filing.

The Clerk/Treasurer of the City of Jefferson, pursuant to law, shall cause to be published, in the manner required by law, a copy of this Adoption Ordinance. Sufficient copies of the Code shall be maintained in the office of the Clerk/Treasurer for inspection by the public at all times during regular office hours. The enactment and publication of this ordinance, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-13. Code book to be kept up-to-date.

It shall be the duty of the City Clerk/Treasurer, or someone authorized and directed by the Clerk/Treasurer, to keep up-to-date the certified copy of the book containing the Code required to be filed in the Clerk/Treasurer's office for use by the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-14. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk/Treasurer or an authorized agent of the Clerk/Treasurer upon the payment of a fee to be set by the Common Council. The Clerk/Treasurer may also arrange for procedures for the periodic supplementation of the Code.

§ 1-15. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Jefferson to be misrepresented thereby. Anyone violating this section

or any part of this ordinance shall be subject, upon conviction, to a fine of not more than \$500, in the discretion of the Judge imposing the same.

§ 1-16. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-17. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-18. Repealer.

All ordinances or parts of ordinances of a general and permanent nature adopted and in force on the date of the adoption of this ordinance and not contained in the Code are hereby repealed as of the effective date of this Adoption Ordinance, except as hereinafter provided.

§ 1-19. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-18 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to June 1, 2005.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.

- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the City's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract or obligation.
- I. The levy or imposition of taxes, assessments or charges.
- J. The annexation or dedication of property or approval of preliminary or final subdivision plats.
- K. Ordinances providing for local improvements or assessing taxes or special assessments therefor.
- L. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- M. Any legislation relating to or establishing a pension plan or pension fund for municipal employees.
- N. Any ordinances adopting or amending a Zoning Map.
- O. Any ordinance or portion of an ordinance establishing a specific fee amount for any license, permit or service obtained from the City.

§ 1-20. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for publication as the Code of the City of Jefferson, no changes in the meaning or intent of such ordinances have been made, except as provided for in Subsections B and C hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Common Council that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.
- B. The following changes are made throughout the Code:
 - References to specific chapters and sections of the Wisconsin Statutes and Wisconsin Administrative Code are revised to reflect the numbering of the statutes and Administrative Code as of the publication of this Code.
 - References to the "Department of Health and Social Services" are amended to read "Department of Health and Family Services."

- References to the "Department of Industry, Labor and Human Relations" are amended to read "Department of Commerce."
 - References to the "City Council" are amended to read "Common Council."
 - References to "Alderman" are amended to read "Aldersperson."
 - References to the "Clerk" and "Treasurer" are amended to read "Clerk/Treasurer."
 - References to the "Building Inspector" and "Zoning Inspector" are amended to read "Building/Zoning Inspector."
 - References to the "Utility Commission," "Water and Electric Commission" and "Water and Light Commission" are amended to read "Utilities Commission."
 - References to the "Water and Electric Department" are amended to read "Jefferson Utilities."
 - References to the "Engineer," "Director of Public Works" and "Public Works Superintendent" are amended to read "Director of Public Works/Engineer."
 - References to the "Master Plan" and "Comprehensive Plan" are amended to read "Comprehensive Master Plan."
 - Specific fees are removed and replaced with the wording "as set by the Common Council" except in the following sections: § 90-10; § 160-3; § 185-4; and § 251-3B(2).
- C. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

Jefferson, C.

Code Adoption Ordinance

§ 1-21. When effective.

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

Adopted this _____ day of _____, 2005, by the Common Council of the City of Jefferson, Wisconsin.

Arnold M. Brawders
Mayor

ATTEST:

Tanya N. Parlow Stewart
City Clerk/Treasurer

This was a first reading.

AN ORDINANCE TO AMEND SECTIONS 1.09(1), 1.09(2), 1.09(5) AND 1.09(8) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE CITY OF JEFFERSON MUNICIPAL COURT

Ald. Stewart introduced Proposed Ordinance #18-05 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #18-05**

An Ordinance to Amend Sections 1.09(1), 1.09(2), 1.09(5) and 1.09(8) of the City of Jefferson Municipal Code Related to the City of Jefferson Municipal Court.

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

Section 1. Section 1.09(1) is hereby amended as follows:

1.09 MUNICIPAL COURT. (Cr. #17-93) (Am. #18-05). (1) MUNICIPAL COURT CREATED. There is hereby created and established in a Municipal Court under the provisions of Chapter 755 of the Wisconsin Statutes to be designated as "Municipal Court for Central Jefferson County" which shall consist of the City of Jefferson, the Village of Johnson Creek, the Town of Aztalan and the **Town of Sumner**.

Section 2. Section 1.09(2) is hereby amended as follows:

(2) MUNICIPAL JUDGE. Such court shall be under the jurisdiction of and presided over by a Municipal Judge, who shall be an attorney licensed to practice law in Wisconsin, and who resides in the City of Jefferson, the Town of Aztalan, or the Village of Johnson Creek. Such Municipal Judge shall be elected at large in the spring election for a term of two years commencing on May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in (SS) 8.10, Wis. Stats., and selection at a primary election if such is held as provided in (SS) 8.11, Wis. Stats. The Common Council of the City of Jefferson, Village Board of the Village of Johnson Creek, the Town Board of the Town of Aztalan, **and the Town Board of the Town of Sumner** shall provide for a primary election in the event that more than two candidates file nomination papers for such position of Municipal Judge as provided in (SS) 8.11(1)(a) Wis. Stats., and such primary election shall be held on the third Tuesday of February as provided in (SS) 5.02(22) Wis. Stats.

Section 3. Section 1.09(5) is hereby amended as follows:

(5) SALARY. (Am. #32-97)The salary of the Municipal Judge shall be fixed by the Common Council of the City of Jefferson, the Village Board of Johnson Creek, and the Town Board of the Town of Aztalan at \$6,000 per year which shall be in lieu of fees and costs. No salary shall be paid for any time during the term during which such Judge has not executed the official bond or official oath, as required by (SS) 755.03, Wis. Stats., and filed pursuant to (SS) 19.01(4)(c) Wis. Stats. The municipalities may by separate ordinance allocate funds for the administration of the

Municipal Court pursuant to (SS) 66.30 Wis. Stats. For the term ending April 30, 2000, the Village of Johnson Creek shall tender the sum of \$4,500 per year, commencing May 1, 1998, and annually thereafter to the City of Jefferson. The Town of Aztalan **and the Town of Sumner** shall tender **\$25** per case administered to the City of Jefferson. City of Jefferson shall pay the Municipal Judge's salary as set forth above. The City of Jefferson shall pay the Municipal Clerk's salary as budgeted from time to time.

Section 4. Section 1.09(8) is hereby amended as follows:

(8) FORFEITURES. The Municipal Judge may impose punishment and sentences as provided by Chapter 800 Wis. Stats., and as provided in the ordinances of the City of Jefferson, the Town of Aztalan, **the Town of Sumner** and the Village of Johnson Creek. All forfeitures, fees, penalty assessments and costs shall be paid to the Treasurer of the Municipality within which the case arose within 7 days after receipt of the money by the Municipal Judge or other court personnel. At the time of the payment, the Municipal Judge shall report to the Treasurer the title of the action, the offense for which the forfeiture was imposed, and the total amount of the forfeiture, fees, penalty assessment and costs, if any. **The City of Jefferson shall retain all forfeitures after township trials.**

Section 5. This ordinance shall take effect upon passage and publication as required by law.

This is a first reading.

AN ORDINANCE TO RECREATE SECTION 12.06(2) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE DEFINITION OF MOBILE HOMES

Ald. Coffman introduced Proposed Ordinance #19-05 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #19-05**

An Ordinance to Recreate Section 12.06(2) of the City of Jefferson Municipal Code Related to the Definition of Mobile Homes.

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

Section 1. Section 12.06(2) is hereby recreated as follows:

(2) DEFINITION. (Recr. #19-05) A dwelling unit, factory built and assembled, designed for conveyance after fabrication to be transported upon streets and highways on its own wheels or on flatbed or other trailers, and arriving on site where it is to be occupied as a dwelling unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations such as locating on jacks or other foundation, or connection to utilities. A prefabricated home or structure may be included in definition.

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. 68.

**CITY OF JEFFERSON
RESOLUTION NO. 68**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for October 4, 2005 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for October 2005 in the amount of \$155,419.08 and Payroll Summary for September 16, 2005 in the amount of \$99,124.73.
- ◆ Council Minutes from the Regular Session of the September 20, 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. 68. On call of the roll, motion carried unanimously.

PRELIMINARY RESOLUTION TO AUTHORIZE SPECIAL ASSESSMENTS FOR CURB AND GUTTER ALONG WEST MILWAUKEE STREET AND RUTH DRIVE

Ald. Benka introduced Preliminary Resolution No. 69.

**CITY OF JEFFERSON
PRELIMINARY RESOLUTION NO. 69**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin:

1. That the Common Council declares its intention under Section 66.070(1) of the Wisconsin Statutes to levy special assessments upon the following described properties benefited by the proposed improvements, which improvements and assessments constitute an exercise of the City's police powers:

555 In ft of Curb and Gutter along West Milwaukee Street

180 In ft of Curb and Gutter along Ruth Drive

2. The Common Council determines that the improvements and assessments constitute an exercise of the City's police powers, properties to be assessed are benefited by the project and the amounts assessed against each parcel shall be based on front footages.
3. The Assessments against any parcel may be paid in full or in annual installments, the number of which shall be determined at the public hearing on the proposed assessments.
4. The City Engineer shall prepare a report that will consist of the following:
 - a. Plans and specifications for the improvements
 - b. An estimate of the entire cost of the improvements.
 - c. Schedule of proposed assessments.
5. The City Administrator is hereby directed to give a Class One Notice of public hearing pertaining to the proposed projects as specified in Section 66.070(1) of the Wisconsin Statutes, scheduled for November 1, 2005 at 7:30 p.m. in the City Council Chambers, 317 S. Main Street, Jefferson, Wisconsin.

Ald. Benka, seconded by Ald. Gang moved to recommend Resolution No. 69. On call of the roll, motion carried unanimously.

**RESOLUTION APPROVING THE AMENDMENTS TO THE
INTERGOVERNMENTAL AGREEMENT CREATING JEFFERSON COUNTY
ECONOMIC DEVELOPMENT CONSORTIUM**

Ald. Beyer introduced Resolution No. 70.

**CITY OF JEFFERSON
RESOLUTION NO. 70**

BE IT RESOLVED, by the Common Council of the City of Jefferson that the amendments to the agreement creating the Jefferson County Economic Development Consortium be approved.

**INTERGOVERNMENTAL AGREEMENT CREATING
THE
JEFFERSON COUNTY ECONOMIC DEVELOPMENT CONSORTIUM**

(As revised August 24, 2005)

ARTICLE I. PURPOSE

The purpose of the Jefferson County Economic Development Consortium (JCEDC) will be to foster and encourage responsible, economic development activities that result in job creation, retention, increased tax base and an improved sustainability and quality of life for the citizens of Jefferson County.

ARTICLE II. STATUTORY AUTHORITY

The JCEDC shall be a public intergovernmental enterprise organized under the authority of §§ 66.0301, Wis. Stats., and as the same may be amended from time to time.

ARTICLE III. MEMBERSHIP

- 3.01 The JCEDC shall be composed of the towns, villages, cities and county governments of Jefferson County, Wisconsin (municipalities) who voluntarily choose to adopt this agreement and thereby enter into membership.
- 3.02 The charter member Jefferson County governments who ratify this agreement agree to maintain their membership in good standing for at least five years.
- 3.03 The JCEDC will come into existence upon the adoption of this agreement by Jefferson County and a two-third (2/3) majority of the following: the cities of Fort Atkinson, Jefferson, Lake Mills, Watertown, Whitewater and the Village of Johnson Creek.

ARTICLE IV. JCEDC BOARD OF DIRECTORS

- 4.01 The Board of Directors (JCEDC Board) shall provide the overall policy direction of the JCEDC.
- 4.02 The Board's membership shall be determined by reference to Section 4.05. If approved by all of the municipalities in Section 3.03, there will be nine (9) voting members on the initial JCEDC Board, who shall be appointed for three-year terms of office. The composition of the initial JCEDC Board shall consist of three (3) members appointed for one year, three (3) members appointed for two years and three (3) members appointed for three years.
- 4.03 The terms of the JCEDC Board shall begin on May 1 of each year.
- 4.04 The terms of offices for the JCEDC Board shall remain staggered, pursuant to 4.02, so a majority of the JCEDC Board will not turnover in any given year.
- 4.05 Members of the JCEDC Board shall be appointed as follows:
- a. The three Jefferson County supervisors shall be appointed by the County Board chairperson and confirmed by the full County Board.
 - b. Each member municipality shall appoint one representative.

Note: The JCEDC Board members are appointed by the municipalities they represent, the JCEDC Board cannot determine this.

- 4.06 The appointing bodies to the JCEDC Board shall endeavor to assemble a group of professionals who represent a cross-section of Jefferson County business and agricultural interests. Specifically, the composition of the JCEDC Board should include representatives from agri-business, banking/finance, real estate, chamber of commerce, small business/retail, manufacturing, tourism, utilities, a person knowledgeable of sustainable development and municipal representatives.
- 4.07 The JCEDC Board may invite various organizations and/or individuals (from professional areas such as those identified in 4.06 above), to join as advisory, non-voting members.
- 4.08 The JCEDC Board may by resolution adopted by a majority of the total JCEDC Board create such committees for such purposes and with such authority as the resolution may provide, and appoint such members of the JCEDC Board or others to serve on said committees.

ARTICLE V. MEETINGS

- 5.01 The JCEDC Board will establish and publish a regular meeting schedule. Public meetings will be held at least monthly.
- 5.02 All meetings of the JCEDC Board will be properly noticed according to law.
- 5.03 Special meetings of the JCEDC Board may be called at the request of the Chairperson or Secretary or any two directors. The place of the meeting will be at the principal office of the JCEDC, unless otherwise agreed upon by the Chairperson and the Secretary.
- 5.04 A majority of the total-voting members of the JCEDC Board shall constitute a quorum for the transaction of business at any meeting.
- 5.05 The chairperson, and in his/her absence, the vice-chairperson, and in their absence any director chosen by the directors present shall call the meeting of the JCEDC Board to order and shall act as chairperson of the meeting.
- 5.06 A JCEDC Board director may resign at any time by filing a written resignation with the Secretary. A JCEDC Board director may be removed by affirmative vote of a majority of the total JCEDC Board for any reason deemed sufficient by such JCEDC Board.
- 5.07 Vacancies shall be filled for the remainder of the unexpired term by the appointing authority that appointed the previous incumbent.

ARTICLE VI. ANNUAL MEETING

- 6.01 The Annual Meeting of the JCEDC Board shall be held in May of each year on a date, time and place to be determined by the JCEDC Board.
- 6.02 At its annual meeting, the JCEDC Board shall elect a chairperson, vice-chairperson, secretary and treasurer.

- 6.03 The JCEDC Board shall establish the duties of the chairperson, vice-chairperson, secretary and treasurer.

ARTICLE VII. STAFF

- 7.01 Jefferson County shall employ all JCEDC staff.
- 7.02 Day to day operational supervision of JCEDC staff shall rest with Jefferson County.
- 7.03 Jefferson County Human Resource practices shall be applicable in all respects to employment of staff, except the hiring procedure for the director. The County will advertise the director's position. Thereafter, the JCEDC Board will screen the applicants and participate in the interview process with the Jefferson County Administrator. At the end of the interview process, the JCEDC Board will recommend up to five finalists. The County Administrator and the JCEDC Board chairperson shall conduct finalist interviews. Appointment of a finalist by the County Administrator shall be subject to County Board approval. Note: This sequence was established when Director Heling was appointed and worked very effectively.

ARTICLE VIII. FINANCES

- 8.01The JCEDC Board shall prepare an annual budget with the assistance of staff.
- 8.02The JCEDC Board will propose its finalized budget in a timely manner to all member agencies.
- 8.03Funding for 2003 shall be established as: \$71,000 from Jefferson County, less credit for \$1,900 spent on advertising to date, plus an additional \$.71 per municipal resident from each non-county co-founding municipality.
- 8.04Continuing funding for the fiscal years 2004 through 2007 shall be established as \$1per county resident from Jefferson County, plus \$1 per municipal resident from each non-county member municipality. The population number used to calculate contributions shall be the most recent State of Wisconsin Department of Administration population estimate provided to the municipality prior to adoption of its annual budget.
- 8.05The JCEDC shall not be limited to public funding from its member agencies. The JCEDC Board may authorize staff to pursue additional revenue through program revenue and public and/or private gifts and grants.
- 8.06Jefferson County shall act as the fiscal agent for the JCEDC.
- 8.07Each municipality shall be responsible in the proportion of its contribution to the consortium as a whole for any other cost of the consortium not specifically set forth herein, including but not limited to employment costs incurred by Jefferson County as a result of unemployment compensation to staff upon termination of the consortium.

8.08 All funds due from a municipality shall be paid to the County by a member municipality by January 31 of the year for which such funds are budgeted. The County shall hold all funds for the benefit of JCEDC in a separate account. Unspent funds in said account shall not lapse to the general fund, but shall be carried over to the next fiscal year or otherwise distributed as set forth herein.

ARTICLE IX. GENERAL POWERS

- 9.01 The JCEDC Board may recommend action to the County with regard to direction of staff, contracts or general program purposes.
- 9.02 The JCEDC Board shall not borrow money nor authorize the borrowing of any funds on behalf of the JCEDC. The JCEDC Board may, however, enter into contracts in the ordinary course of its business and in pursuit of its stated goals and purpose. Examples of its permitted contracting powers would be equipment leases or equipment purchases. Under no circumstance shall the JCEDC Board enter into contracts that cause it to exceed its annual budget.

ARTICLE X. SEVERABILITY

If any section, paragraph, sentence, clause, phrase or any part of this chapter passed hereafter is declared to be unconstitutional or void, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no manner affected thereby but shall remain in full force and effect.

ARTICLE XI. AMENDMENTS

All or any portion of this agreement may be amended by a resolution passed by the affirmative vote of at least 2/3 of the total JCEDC Board and a majority of the member agencies.

ARTICLE XII. DISSOLUTION & WITHDRAWAL

- 12.01 No member may withdraw prior to January 1, 2008. Any member may withdraw from the consortium effective January 1 of 2008 or January 1 of any succeeding year thereafter. Written notice shall be submitted not later than December 1 of the year preceding withdrawal.

- 12.02 Any member withdrawing from the consortium is responsible for obligations incurred during the period it was a member.
- 12.03 The consortium may be dissolved by an affirmative vote of the governing body of all participating members establishing a contemporaneous date for dissolution.
- 12.04 In the event of dissolution, any assets remaining, after payment of all obligations shall be distributed among existing members in proportion to their contributions, as determined by the Board. In the event obligations exceed assets, members shall pay pro rata such sums as may be necessary to retire the obligation.

Ald. Beyer, seconded by Ald. McGrath moved to recommend Resolution No. 70. On call of the roll, motion carried unanimously.

RESOLUTION PROVIDING FOR THE PUBLICATION, FILING, INSPECTION AND ADOPTION OF A CODE OF GENERAL ORDINANCES

Ald. McGrath introduced Resolution No. 71.

**CITY OF JEFFERSON
RESOLUTION NO. 71**

WHEREAS, a Code of General Ordinances titled “Code of the City of Jefferson” has been prepared and tentatively approved by the Common Council;

NOW, THEREFORE, BE IT RESOLVED that this Code be presented for adoption by the Common Council at the next regular Council meeting on October 18, 2005; and

BE IT FURTHER RESOLVED that the City Clerk/Treasurer, in accordance with the requirements of SS 66.0103, Wis. Stats., shall file a copy of the proposed “Code of the City of Jefferson” in the Clerk/Treasurer’s office for public inspection and cause a copy of the following notice to be published.

NOTICE

PLEASE TAKE NOTICE, that the Common Council of the City of Jefferson will consider the adoption of a new Code of Ordinances, titled “Code of the City of Jefferson” at 7:30 pm on October 18, 2005, at the City Hall.

You are further notified that a copy of said proposed new Code will be on file and open for public inspection in the office of the City Clerk/Treasurer for a period of two weeks prior to its adoption, commencing October 4, 2005, in accordance with SS 66.0103, Wis. Stats.

Ald. McGrath, seconded by Ald. Benka moved to recommend Resolution No. 71. On call of the roll, motion carried unanimously.

Ald. McGrath seconded by Ald. Benka moved to adjourn the October 4, 2005 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the October 4, 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.