

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
MARCH 21, 2006**

The Tuesday March 21, 2006 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. Stewart, Ald. Havill and Mayor Collin Stevens. Also present were: City Administrator Bierma, City Engineer Dan Ludwig and City Attorney Brantmeier.

PUBLIC PARTICIPATION

Jim Van Lieshout--222 Meadow Court, addressed the Council regarding the proposed annexation. He stated that he is in favor of development, but the City needs to have a vision for its growth. Van Lieshout indicated that one of his concerns is that the proposed annexation is not substantial enough to support growth other than a Wal-Mart. He questioned how the annexation of only 22 acres would help solve some of Jefferson's development needs. He then stated that it is his belief that Tractor Supply located in Watertown (and not Jefferson) not because of Wal-Mart, but because they have the space that we don't. He concluded by stating that we need to develop a template for the future and follow it.

John Rhiel--134 South Dewey Avenue, addressed the Council regarding his opposition to the proposed annexation. Mr. Rhiel stated that he is a member of the Coalition and is opposed to the proposed annexation. He stated that action on the petition is unnecessary and irresponsible and that he believes that the Council is blinded by flawed information. He asked the Council to refer to the City's Master Plan. He stated that the proposed annexation/proposed development is in contrast to what the City defined as desirable development in the 1998 document. Mr. Rhiel asked the Council to vote against the annexation. He then submitted for record, a copy of his public participation as well as several other documents regarding Wal-Mart.

Tim Bare – 217 Meadow Court, addressed the Council regarding the proposed annexation. Mr. Bare stated that in the DOA annexation review document, the City noted that it was their belief that the annexation was being pursued for the location of a Wal-Mart Supercenter, so the discussion is not just about the annexing of land, it is about Wal-Mart. He stated that the City is general in compliance with State Statutes, but found no less than seven conflicts between the City's Master Plan and the proposed annexation/proposed development. He stated that he the annexation would not be considered harmonious or coordinated. He asked the Council to vote no on the annexation or at least wait until the bypass is completed.

Patti Lorbecki – 714 Windsor Terrace, addressed the Council regarding her opposition to the proposed annexation. Ms. Lorbecki questioned why if Wal-Mart is so good for Jefferson, why it has taken them so long to get here. She added that the division that it has caused in the community has not been good either. Lorbecki added that she felt it was a very dark day for Jefferson when the Council listened to a petition, backed by unfounded charges, which lead to the removal of a Council member. She stated that conversely they refused to listen to a petition which asked the Council to enact or send to referendum suggested legislation. She stated that the signers of the petition are the same people who voted you into office and they can vote you out

as well. Lorbecki then stated that the City admitted that the annexation was about Wal-mart. She questioned how a business whose employees rely so heavily on public assistance can be good for the community and noted their reliance on foreign made goods. Ms. Lorbecki asked the Council to vote against the proposed annexation.

Alex Brower, N4398 Highway G then addressed the Council regarding Wal-Mart. Mr. Brower asked the Council to consider the union worker when voting on the proposed annexation. He stated that the Council was wrong to not enact the direct legislation or send it to the voters. He stated that he is against Wal-Mart and the lawsuit that the City has filed against the Coalition to recoup legal costs. He stated that his name should be added to Mrs. Lorbecki's on the lawsuit and the City should sue him too.

Kasey Dahl, Township of Aztalan, then addressed the Council regarding Wal-Mart. Mr. Dahl stated that the direction of Jefferson is at stake and the arguments from both sides are as old as time. He stated that the argument is classic and can be seen throughout history. He added that he prefers dignity not Wal-Mart and encouraged the Council to vote against the annexation.

Bill Koehler, Highway K, then addressed the Council regarding the annexation and proposed rezoning. Mr. Koehler stated that he had represented a petition to the Clerk opposing the rezoning of the Sherman/Pinnow properties requiring a ¾ vote to approve the permanent zoning designation. He stated that he wanted to go on record stating that this is the wrong place for the development and that the Council should be pursuing a location that would allow for future business growth.

MAYORAL PROCLAMATION

Mayor Stevens then read a proclamation naming March 12-18, 2006 Girl Scout Week.

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

Ald. Coffman introduced Proposed Ordinance #21-05 for its second reading.

CITY OF JEFFERSON PROPOSED ORDINANCE #21-05

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. 66.021 of the Wisconsin Statutes of 2004, the unanimous petition for direct annexation filed with the City Clerk on the 28th day of October, 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:

Map and description are on file in the Office of the City Clerk.

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. Havill stated that when the Council voted the previous times on the annexation they did not have the benefit of some statistics. Havill stated that although it was not a landslide, a majority of Jefferson has cast their vote in favor of development/Wal-Mart in the last two elections. He stated that even though the circumstances surrounding the recall were unfortunate, 888 persons (vs. 815) voted in favor of development in September of 2005. In February 2006, (in District C) 127 vs. 110 individuals cast their vote for development and in the at large seats 1,110 vs. 478 individuals cast their vote for development. He stated that this information was not available the last time the Council voted on annexation, but should be considered this time. He concluded by stating that he feels it is very unfortunate that the City has become divided on the issue and that everyone cannot agree.

Ald. Wagner stated that we need residential, industrial and commercial growth for the City. He stated that he had time to look at the 1970 Master Plan for the City of Jefferson. He stated that in that document the projected 1990 population was 9,000 persons – 1,500 to 2,000 people less than the actual population in 1990. Wagner stated that Jefferson is not growing and growth of all kinds is needed to make Jefferson “boom”. He added that Jefferson needs more traffic. He stated that he will be voting in favor of the annexation.

Ald. McGrath stated that it is the wrong development in the wrong place. He stated that he hoped those members of the Council who have publicly stated that their business will gain from the annexation would recuse themselves from voting.

Ald. Beyer stated that she has been asked by many people why she is switching her vote. She added that she would like to explain why. Beyer stated that several years ago she voted against the location of a Police Department in a certain neighborhood in town. She stated that she made this choice because she believed that it was best. She stated that she only listened to people which agreed with her. Beyer added that the outcome of that vote caused an uproar in the community. She stated that she has learned a lot from that experience. Beyer stated that her personal opinions and where she likes to shop is just that, her personal opinions. She stated that after the last vote, she heard from a lot of people and businesses and overwhelmingly they were in favor of the annexation. She stated that she is going to listen to their input, because Jefferson needs to grow. Beyer stated that she will vote for this 22 acre “start”, just as she voted for the annexation of almost 119 acres from the County of Jefferson.

Ald. Benka stated that he has also been questioned as to why his position has changed. He stated that when he originally voted on the issue he felt an internal conflict and thought that a better location may have been closer to the proposed bypass. That night, he stated that he listened to 27 businesses say that they need this kind of traffic to help their business and promote growth. He stated that if all of our growth goes to the new bypass, why will traffic go thru our downtown – if they can bypass it. He stated that our downtown businesses are asking for help and this may be a way to increase the traffic to their establishments. Benka concluded by stating that we need the annexation and that he is supporting change.

Ald. Coffman, seconded by Ald. Benka moved to recommend Proposed Ordinance #21-05. On call of the roll, motion carried by a vote of 6 to 2. Ald. Stewart and Ald. McGrath cast the dissenting votes.

AN ORDINANCE TO AMEND SECTION 300-19 B. OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO THE REZONING OF THE NEWLY ANNEXED SHERMAN AND PINNOW PROPERTIES

Ald. Gang introduced Proposed Ordinance #4-06 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #4-06**

An Ordinance to Amend Section 300-19 B. of the Municipal Code of the City of Jefferson Related to Rezoning.

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

Section 1. Section 300-19 B. of the zoning map, City of Jefferson, Wisconsin, which is herein made a part, is amended to change district boundaries by deleting the following area from its temporary zoning designation of BHN (Business Highway Commercial) to a permanent zoning designation of BHN (Business Highway Commercial):

Description: 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.

Parcel #: 241-0614-1421-003
241-0614-1421-000

Address: Address Not Yet Assigned-Adjacent to Highway K and Highway 26

Temporary Zoning Designation: BHN (Business Highway Commercial)

Proposed Zoning Designation: BHN (Business Highway Commercial)

Section 2. This ordinance shall take effect and be in full force after passage and publication as provided by law and notification and attestation of the district boundary changes incorporated herein the zoning map, City of Jefferson.

This was a first reading.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 125.

**CITY OF JEFFERSON
RESOLUTION NO. 125**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for March 21, 2006 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for March 2006 in the amount of \$136,019.08 and Payroll Summary for March 3, 2006 in the amount of \$106,429.97.
- ◆ Council Minutes from the Regular and Closed Session of the March 7, 2006 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. 125. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING CITY ADMINISTRATOR TO SIGN A CONTRACT WITH TOWN AND COUNTRY ENGINEERING FOR THE DEVELOPMENT OF A STORM WATER MANAGEMENT PLAN AND STORM WATER UTILITY STUDY

Ald. Stewart introduced Resolution No. 122.

**CITY OF JEFFERSON
RESOLUTION NO. 122**

BE IT RESOLVED, by the Common Council of Jefferson, Wisconsin that the City Administrator is hereby authorized to sign a contract with Town and Country Engineering to develop a Storm Water Management Plan and Storm Water Utility Study

Ald. Gang stated that approval of Resolution No. 122 was unanimous at Finance Committee.

It was noted that this was also approved by Streets Committee and that 75% of the cost would be paid for through a storm water grant.

Ald. Stewart, seconded by Ald. Gang moved to recommend Resolution No. 122. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING A DEVELOPMENT AGREEMENT FOR MEADOW SPRINGS ESTATES

Ald. Gang introduced Resolution No. 126.

**CITY OF JEFFERSON
RESOLUTION NO. 126**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Development Agreement for Meadow Springs Estates be approved

BE IT FURTHER RESOLVED, that the final plat for Meadow Springs Estates is also hereby approved.

Attorney Brantmeier asked that the Council approve the developers agreement conditionally upon the City Attorney and City Engineer's review of the document.

Ald. Gang, seconded by Ald. Wagner moved to amend the resolution to include that the agreement is conditionally approved upon review of the City Attorney and City Engineer. On call of the roll, motion carried unanimously.

Ald. Gang, seconded by Ald. Havill moved to recommend Amended Resolution No. 126. On call of the roll, motion carried unanimously.

RESOLUTION SUPPORTING THE LEAGUE OF WISCONSIN AGAINST MAKING THE TAXPAYERS PROTECTION ACT A CONSTITUTIONAL AMENDMENT

Ald. Stewart introduced Resolution No. 127.

**CITY OF JEFFERSON
RESOLUTION NO. 127**

Urging the State Legislature to Reject the TP Amendment (SJR 63 / AJR 77)

WHEREAS, Sen. Glen Grothman (R-West Bend) and Rep. Jeff Woods (R-Chippewa Falls) have introduced companion joint resolutions (SJR 63 / AJR 77), referred to as the Taxpayer Protection Amendment (TP Amendment), that would insert revenue limits on state and local governments into the Wisconsin State Constitution; and

WHEREAS, the proposed constitutional amendment limits a municipality's annual growth in revenue from property taxes and fees to the lesser of the average rate of inflation over

the last three years or the annual percentage increase in state personal income plus 60 percent of the percentage increase in property values related to new construction within the municipality; and

WHEREAS, the TP Amendment would severely restrict City of Jefferson's ability to foster and serve new economic development because the growth formula is capped at 60% rather than 100% of new construction and the revenue limits apply to debt service levies and TIF levies; and

WHEREAS, the TP Amendment interferes with the elected City Council's control over municipal taxing and spending decisions and undermines Wisconsin's tradition of representative democracy; and

WHEREAS, the proposal won't reduce property taxes because it severely restricts other forms of revenue, like stormwater utility fees, building permit fees, license fees, and impact fees that reduce the property tax cost of essential services and that fairly assess the cost of services according to use; and

WHEREAS, the TP Amendment fails to recognize that Wisconsin municipalities are a diverse group with great variation in economic conditions, tax base and reliance on shared revenues; and

WHEREAS, by applying the same revenue limits on all communities regardless of local conditions, the TP Amendment unfairly penalizes poorer communities as well as those that have been particularly frugal and efficient in recent years; and

WHEREAS, it will be difficult to modify the revenue limits in the future making it impossible to respond quickly to emergencies; and

WHEREAS, City of Jefferson's elected officials have consistently demonstrated their commitment to controlling spending and reducing the property tax burden on homeowners and share the Legislature's concerns about high property taxes in this state; and

WHEREAS, we are particularly concerned that homeowners bear over 70% of the statewide property tax burden; and

WHEREAS, we believe that there are better ways to lessen the residential property tax burden that inserting revenue limits into the constitution, including:

- Working with local governments to develop and enact proposals fundamentally reforming how local government is structured and financed in this state.
- Reducing the number and scope of property tax exemptions created for special interests. Increases in property tax exemptions have unfairly shifted more of the burden for paying for municipal services onto homeowners. In 1970, residential owners paid 50% of all property taxes in Wisconsin. Today, they pay over 70%.

- Providing municipal officials with the flexible tools they need for controlling property taxes locally.
- Increasing state funding of shared revenue.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jefferson's opposes the TP Amendment and urges the Legislature to reject SJR 63 / AJR 77 and instead work with municipalities to accomplish real property tax relief for homeowners.

Ald. Gang stated that he wasn't sure if he agreed with the entire resolution. He asked where the resolution came from.

City Administrator Bierma stated that the resolution was from the League. Bierma provided background on the resolution.

Ald. Gang stated that he still did not agree with the entire resolution.

Ald. Beyer stated that she would support the resolution because the state needs to come up with something better than the proposed legislation. She stated that the State's plan is too generic and it should not treat a City like Jefferson like Madison. Beyer stated that she feels the legislators need to work harder for individual communities and make the legislation more realistic by working with communities.

Ald. Wagner restated the portion of the resolution, which stated that 20% of the tax burden had shifted from other revenue sources to the taxpayer in the last twenty years. He stated that something needs to be done and the proposed legislation will not get us where we need to go.

Ald. McGrath stated that he will not support the resolution because Wisconsin is one of the highest taxing States. He stated that if the City needs more money to operate, they can go to the voters and ask for more money. He stated that what City's now call revenue is just taxes on top of taxes. McGrath concluded by stating that he will not support the resolution because of municipalities' and the State's past spending habits.

Ald. Stewart, seconded by Ald. Havill moved to recommend Resolution No. 127. On call of the roll, the vote was 4 to 4. Ald. Havill, Ald. Wagner, Ald. Beyer and Ald. Benka voted in favor of the resolution. Ald. McGrath, Ald. Stewart, Ald. Coffman and Ald. Gang voted against the resolution. Mayor Stevens voted in favor of the resolution. Resolution No. 127 was then approved by a 5 to 4 vote.

AUTHORIZING BUDGET ADJUSTMENTS

Ald. Havill introduced Resolution No. 128.

**CITY OF JEFFERSON
RESOLUTION NO. 128**

BE IT RESOLVED by the Common Council of the City of Jefferson that the following 2005 budget adjustments are hereby authorized:

	CURRENT	BUDGET	REVISED
--	---------	--------	---------

BUDGET ITEM	ACCOUNT #	BUDGET	ADJUSTMNT	AMOUNT
<u>Street & Highway Maint.</u>				
Snow & Ice Control	01-54310-30-372	\$19,500.00	\$5,250.00	\$24,750.00
<u>Library</u>				
Program Assist & Enhance	01-55510-20-216	\$1,303.76	\$1,210.00	\$2,513.76
<u>Forestry</u>				
Landscape Materials	01-55610-30-371	\$4,000.00	\$1,015.00	\$5,015.00
<u>Funded From</u>				
Contingencies	01-51910-75-789	\$30,000.00	\$7,475.00	\$22,525.00

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMENT	REVISED AMOUNT
Fund 15 – Shared Ride Taxi	15-00000-50-589	\$100,000.00	\$299.31	\$100,299.31
Fund 16 – Recycling Wages	16-50000-10-113	\$32,000.00	\$5,126.80	\$37,126.80
Fund 21 – Prin. Retirement	21-50000-61-616	\$0.00	\$80,000.00	\$80,000.00
Fund 30 – Equipment	30-50000-40-415	\$0.00	\$4,625.00	\$4,625.00
Fund 31 – Equipment	31-50000-40-415	\$0.00	\$270,415.95	\$270,415.95
Fund 53 – Misc. Expense	53-50000-40-440	\$0.00	\$253,360.00	\$253,360.00
Fund 65 – City Hall Contincy	65-00000-40-413	\$0.00	\$2,201.44	\$2,201.44

BE IT FURTHER RESOLVED that the above budget adjustments are funded out of the respective fund balances.

Ald. Gang stated that approval of Resolution No. 129 was unanimous at Finance Committee. He then asked City Clerk/Treasurer Stewart to explain the proposed budget adjustments.

After review, Ald. Havill, seconded by Ald. Beyer moved to recommend Resolution No. 128. On call of the roll, motion carried unanimously.

AUTHORIZATION TO WRITE OFF DELINQUENT PERSONAL PROPERTY BILLS

Ald. Benka introduced Resolution No. 129.

**CITY OF JEFFERSON
RESOLUTION NO. 129**

BE IT RESOLVED by the Common Council of the City of Jefferson that the City Administrator is hereby authorized to delete the following Personal Property bills from the accounts receivable:

<u>YEAR</u>	<u>PERSONAL PROPERTY</u>	<u>TOTAL DELINQUENT PRINCIPAL</u>
2004	Stoppenbach House B&B	324.31

Flying Monkey Tattoo	21.91
Spoon	1,194.24

Subtotal	1,540.46
-----------------	-----------------

TOTAL	<u>\$ 1,540.46</u>
--------------	---------------------------

Ald. Benka, seconded by Ald. Havill moved to recommend Resolution No. 129. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE ISSUANCE OF A \$102,000 TAX INCREMENT PROJECT REVENUE BOND OF THE CITY OF JEFFERSON, WISCONSIN TO CELTIC LAND LLC

Ald. Beyer introduced Resolution No. 130.

**CITY OF JEFFERSON
RESOLUTION NO. 130**

Resolution on File in the Office of the City Clerk.

City Administrator Bierma stated that this was approved in the Developer’s Agreement.

Ald. Wagner stated that he had spoke with Toby Jr. and that the project is moving ahead, but a little slowly.

Ald. Beyer, seconded by Ald. Havill moved to recommend Resolution No. 130. On call of the roll, motion carried unanimously.

RESOLUTION EXTENDING SYMPATHY TO THE FAMILY OF THE LATE DONALD D. RUE

Ald. Wagner provided the Council and the public with a little more about Mr. Rue’s life prior to the introduction of Resolution No. 131.

**CITY OF JEFFERSON
RESOLUTION NO. 131**

WHEREAS, God in is infinite wisdom and mercy, has chosen to call Donald D. Rue to his eternal rest, and

WHEREAS, Don served the City of Jefferson Police Department for 28 years and

WHEREAS, Don was a loyal and trusted resident of Jefferson for many years

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Common Council express its sympathy to the family of the late Donald D. Rue and that a copy of this Resolution be sent to the bereaved family.

Ald. Wagner, seconded by Ald. Benka moved to recommend Resolution No. 131. The Council stood for a moment of silence in unanimous support of the resolution.

Ald. McGrath, seconded by Ald. Benka moved to adjourn to closed session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to Discuss Performance Evaluation of City Administrator and the Renewal of Contract and Section 19.85(1)(g) of the Wisconsin State Statutes to Discuss the City Fire Department's Ladder Truck and the Replacement that May Involve Litigation. On call of the roll, motion carried unanimously.

Ald. Beyer, seconded by Ald. Gang moved to reconvene to open session. Motion carried unanimously on call of the roll.

PERFORMANCE EVALUATION OF THE CITY ADMINISTRATOR AND THE RENEWAL OF CONTRACT

Ald. Coffman introduced Resolution No. 132.

**CITY OF JEFFERSON
RESOLUTION NO. 132**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin, that the Council hereby does not agree to renew the City Administrator Contract per the terms of the original contract with City Administrator Bruce Bierma. Let a copy of this resolution serve as written notice of the City's intent, as required under the contract. This is "notice of non-renewal of contract".

BE IT FURTHER RESOLVED that the City does, however, agree to negotiate a new contract with Mr. Bierma within the next 90 days.

Ald. Coffman, seconded by Ald. Benka moved to recommend Resolution No. 132. On call of the roll, motion carried by a vote of 6 to 2. Ald. Coffman and Ald. Stewart cast the dissenting vote.

Ald. Beyer, seconded by Ald. Gang moved to adjourn the March 21, 2006 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the March 21, 2006, 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