

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, MARCH 20, 2007**

The Tuesday, March 20, 2007 meeting of the City of Jefferson Common Council was called to order at 7:30 p.m. by Mayor Myers. Members present were: Ald. Wagner, Ald. Tully, Ald. Beyer, Ald. Endl, Ald. Stewart and Ald. McGrath. Absent was: Ald. Havill and Ald. Peachey. Also present were: City Engineer Ludwig, City Clerk/Treasurer Stewart and City Attorney Brantmeier.

PUBLIC PARTICIPATION

Gary Bleecker, 536 North Midway Avenue, addressed the Council on several Police Department topics. He noted that Capt. Drew was teaching and “internet awareness” type course for parents of school-aged children, the PD was working with a newly formed group in Jefferson called Uniting Latino Families and that the department has begun renewing vehicle registrations and titles. He then spoke briefly about the budget adjustment requested for his department.

Mayor Myers then indicated that the new Administrator Tim Freitag was in the audience this evening and encouraged everyone to say “hi”.

MAYORAL RECOGNITION OF MR. WILLIAM HABERMAN FOR 50 YEARS OF DEDICATED SERVICE TO THE CITY OF JEFFERSON

Mayor Myers then read the following, recognizing Mr. Haberman for his remarkable service to the City of Jefferson:

I, Mayor Gary Myers, do hereby recognize and congratulate Mr. William Haberman for his extraordinary service to the City of Jefferson and its residents.

Whereas, Mr. Haberman has been a member of the Jefferson Fire Department Volunteer Staff for the past fifty years (March 4, 1957-March 4, 2007) serving as the head driver operator of City Engine #10 for many years and currently manning the radio and communications room at the Fire Station during emergencies and acting as the janitorial staff for the department.

Whereas, Mr. Haberman currently serves as one of the representatives of the Jefferson Fire Department at the Jefferson County Fire Fighters Association and has been an active member of the Association for many years.

Whereas, his past and continued contributions to the Jefferson Fire Department and the City of Jefferson will be remembered and appreciated for many years to come.

Now, Therefore, I Mayor Gary Myers on behalf of the City of Jefferson and its residents wish to thank Mr. William Haberman for his fifty years of dedicated service to the City of Jefferson.

Fire Chief John Powell then made a short presentation outlining Mr. Haberman's service with the department.

Mayor Myers and Chief Powell then presented Bill with a bronzed fire hat in recognition of Mr. Haberman's service. The presentation was followed by a round of applause.

MAYORAL APPOINTMENT

Removed from the agenda.

AN ORDINANCE TO AMEND SECTION 1-4 C. (2) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO MUNICIPAL COURT FEES

Ald. Tully introduced Proposed Ordinance #2-07 for its second reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #2-07**

An Ordinance to Amend Section 1-4 C. (2) of the Municipal Code of the City of Jefferson Related to Citations and Court Fees.

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

Section 1. The following portion of Section 1-4 C. (2) is hereby amended as follows:

§ 1-4. Citations.

C. Schedule of deposits.

(2) In addition to each base deposit amount set forth above, the total bond shall include the statutory penalty assessment and jail assessment, as amended from time to time by state law. Except for a violation of § 347.48(2m), Wis. Stats., court costs of ~~\$23~~ \$28 (or as delineated yearly by the Council) shall be assessed and collected on each judgment.

Section 2. This ordinance shall take effect and be in full force after passage and publication as provided by law and notification and attestation.

Ald. McGrath stated that this would match what is allowed in State Statutes and put us in line with what other municipalities are charging.

Ald. Tully, seconded by Ald. McGrath moved to recommend Proposed Ordinance #2-07. On call of the roll, motion carried unanimously.

PUBLIC HEARING AND ACTION ON AN ORDINANCE TO AMEND SECTION 68-4 B. OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE APPOINTMENT AND TERM OF THE CITY ADMINISTRATOR

Mayor Myers called the public hearing to order.

City Clerk/Treasurer Stewart read the Notice of Public Hearing.

City Attorney Brantmeier gave an explanation of the proposed ordinance.

Mayor Myers then announced that if any citizen wished to address the Common Council on this issue, they could stand and give their name and address and address the Council at this time.

Hearing from no one, Mayor Myers closed the public hearing.

Ald. Tully introduced Proposed Charter Ordinance #3-07 for its second reading.

**CITY OF JEFFERSON
PROPOSED CHARTER ORDINANCE #3-07**

An Ordinance to Repeal and Recreate Section 68-4 B. of the Municipal Code of the City of Jefferson Related to the Appointment and Term of the City Administrator.

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

Section 1. Section 68-4 B. of the City of Jefferson Municipal Code is hereby repealed and recreated as follows:

§ 68-4. Administrator.

B. Appointment and term. The City Administrator shall be appointed by a two-thirds vote of the Common Council from a list of not fewer than three nor more than five candidates, such list to be presented to the Common Council by the Personnel Committee, after coordination with the Mayor. ~~The City Administrator shall hold office for an indefinite term, subject to removal for cause by a majority vote of all the members of the Common Council, pursuant to § 17.12(1)(d), Wis. Stats. The appointment may be terminated by the Administrator upon 90 days' written notice to the Mayor and Common Council prior to such termination or as required in the employment contract. [Amended by Ord. No. 11-04]~~ The City Administrator shall serve as an "at-will employee" for an indefinite term, subject to removal at any time without reason and without cause by a majority vote of all members of the Common Council.

Section 2. That in accord with §66.0101(5), Wis. Stats., this Charter Ordinance shall take effect upon the passage of sixty (60) days from the date of adoption hereof or upon the approval of this ordinance by a majority of the electors voting on a referendum on the same if, in accord with the statute and within the sixty (60) day period a petition conforming with the requirements of §8.40, Wis. Stats., and signed by a number of electors equal to 7% of the votes cast in the City in the last gubernatorial election is filed in the office of the City Clerk, calling for this ordinance to be submitted to a referendum vote.

Section 3. This ordinance shall take effect and be in full force after passage and publication as provided by law and notification and attestation.

Ald, Wagner then clarified that this was for an indefinite term, but that yearly evaluations would be completed by the Council.

Ald. Tully, seconded by Ald. Beyer moved to recommend Proposed Charter Ordinance #3-07. On call of the roll, motion carried unanimously.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 122.

**CITY OF JEFFERSON
RESOLUTION NO. 122**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for March 20, 2007 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for February and March 2007 in the amounts of \$3,340.32 and \$194,224.34 and Payroll Summary for March 2, 2007 in the amount of \$126,836.54.
- ◆ Council Minutes from the Regular and Closed Sessions of the March 6, 2007 Common Council Meetings.
- ◆ 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. 122. On call of the roll, motion carried unanimously. Ald. Stewart abstained from the approval of the minutes due to his absence.

A RESOLUTION AUTHORIZING THE HIRE OF LANDESIGN FOR THE COMPREHENSIVE OUTDOOR RECREATION PLAN

Ald. Beyer introduced Resolution No. 123.

**CITY OF JEFFERSON
RESOLUTION NO. 123**

BE IT RESOLVED, by the Common Council of the City of Jefferson that the Council hereby authorizes the Park, Recreation & Forestry Director to Sign a Contract with LanDesign for the Completion of the Comprehensive Outdoor Recreation Plan in an amount not to exceed \$4,000.

Ald. Wagner asked how much it would cost in addition to the \$4,000 to print the plans, bind them and make copies.

Park, Recreation and Forestry Director Keller indicated that the department would only spend the \$4,000 for the completion of the plan.

City Clerk/Treasurer Stewart noted that we have the capabilities in-house to reproduce the document.

Ald. Beyer, seconded by Ald. Endl moved to recommend Resolution No. 123. On call of the roll, motion carried unanimously.

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A DNR STEWARDSHIP ACQUISITION GRANT, AUTHORIZATION TO HIRE AJ ROBERTS APPRAISALS TO CONDUCT APPRAISALS ON THE SCHWEIGER PROPERTY AND TYSON PARKING LOT AND THE ASSOCIATED BUDGET ADJUSTMENT

Ald. Endl introduced Resolution No. 124.

**CITY OF JEFFERSON
RESOLUTION NO. 124**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Common Council hereby authorizes the Park, Recreation and Forestry Director to apply for a Department of Natural Resources Stewardship Acquisition Grant to expand the Rotary Waterfront Park;

BE IT FURTHER RESOLVED, that the Park, Recreation and Forestry Director is hereby authorized to sign a contract with AJ Roberts Appraisals for the appraisal of the Tyson Food parking lot and former Schweiger Building (Washington Street property) in an amount not to exceed \$3,000.

BE IT FURTHER RESOLVED, that the following budget amendment, to appropriate funds for the appraisal, is hereby adopted:

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMNT	REVISED AMOUNT
<i>EXPENSE</i>				
TIF #5-Misc. Expense	19-50000-30-310	\$0.00	\$3,000.00	\$3,000.00

Ald. Wagner questioned why we were not pursuing condemnation.

Ald. Tully stated that in the long run, the cost of condemnation could be more than the outright purchase of the property.

Ald. McGrath added that our downtown TIF is not making money.

Ald. Endl, seconded by Ald. Beyer moved to approve Resolution No. 124. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING A TEMPORARY LEASE OF CITY RIGHT-OF-WAY FOR ST. MARK'S LUTHERAN CHURCH

Ald. McGrath 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 300 block of South Sanborn Avenue is hereby temporarily closed on May 5th, 2007 from 6am to 6pm for a “Church Fair”.

BE IT FURTHER RESOLVED that said right-of-way is hereby leased to St. Mark’s Lutheran Church for said time-frame.

Ald. Wagner noted that approval of Resolution No. 125 was unanimous at Regulatory Committee.

Ald. McGrath, seconded by Ald. Wagner moved to recommend Resolution No. 125. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT FOR THE PURCHASE OF NEW EMERGENCY LIGHT AND SQUAD RADIOS

Ald. Tully 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 following budget adjustment (2007 revenues and expenses) is hereby adopted:

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMNT	REVISED AMOUNT
<i>REVENUE</i>				
Misc. Police Revenue	01-0000-45-291	\$3,000.00	\$883.70	\$3,883.70
<i>EXPENSE</i>				
Serv. To Maint. Equipmnt	01-52110-20-265	\$1,500.00	\$883.70	\$2,383.70

Ald. Tully, seconded by Ald. McGrath moved to recommend Resolution No. 126. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE SALE OF GOODS/SERVICES ON CITY RIGHT OF WAY

Ald. Stewart introduced Resolution No. 127.

**CITY OF JEFFERSON
RESOLUTION NO. 127**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that Mr. LeRoy Grove (DBA Treats on Wheels) is hereby allowed to sell prepackaged ice cream treats in Rotary Park and in the downtown area.

Ald. Wagner indicated that approval of Resolution No. 127 was unanimous at Regulatory Committee.

Ald. Stewart, seconded by Ald. McGrath moved to recommend Resolution No. 127. On call of the roll, motion carried unanimously.

AUTHORIZATION TO WRITE OFF DELINQUENT PERSONAL PROPERTY BILLS

Ald. Beyer introduced Resolution No. 128.

**CITY OF JEFFERSON
RESOLUTION NO. 128**

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>
2005	Castle Mortgage	36.87
	Scores Ribs	108.44
	P & R Production Machine	1,620.04
	Check Advance	108.44
	GW Services	65.06
	Subtotal	1,938.85
	TOTAL	<u>\$1,938.85</u>

Ald. Wagner stated that he had contacted P&R Production Machine and that they will be coming into the City this Friday to make installment payments on their personal property bill. Wagner stated that they felt that they had not been contacted regarding the delinquency.

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

AUTHORIZING BUDGET ADJUSTMENTS

Ald. Tully introduced Resolution No. 129.

**CITY OF JEFFERSON
RESOLUTION NO. 129**

BE IT RESOLVED by the Common Council of the City of Jefferson that the following 2006 budget adjustments are hereby authorized:

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMNT	REVISED AMOUNT
<i>Municipal Court.</i>				
Wages-Full-time	01-51210-10-113	\$31,430.00	\$1,815.00	\$33,245.00
<i>Insurance</i>				
Auto Insurance	01-51710-20-283	\$25,000.00	\$2,160.00	\$27,160.00
<i>Code Enforcement</i>				
Weights and Measures	01-52410-20-227	\$2,800.00	\$1,773.00	\$4,573.00

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMENT	REVISED AMOUNT
Fund 08 – TIF #2	08-50000-30-310	\$0.00	\$2,350.00	\$2,350.00
Fund 15 – Shared Ride Taxi	15-50000-50-589	\$96,000.00	\$3,561.18	\$99,561.18
Fund 30 – EMS Equipment	30-50000-40-415	\$0.00	\$20,663.61	\$20,663.61
Fund 30 – EMS Vehicles	30-50000-40-416	\$0.00	\$125,000.00	\$125,000.00
Fund 31 – Fire Equipment	31-50000-40-415	\$0.00	\$480.00	\$480.00
Fund 33 – Comp Gen Admin	33-50000-40-447	\$1,400.00	\$156.00	\$1,556.00
Fund 55 – Ind Park Fund	55-50000-20-210	\$2,000.00	\$2,038.00	\$4,038.00
Fund 75 – GIS Dues	75-50000-30-311	\$700.00	\$484.00	\$1,184.00

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

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

CANCELLATION COMMON COUNCIL MEETING

Ald. Wagner introduced Resolution No. 130.

**CITY OF JEFFERSON
RESOLUTION NO. 130**

BE IT RESOLVED by the Common Council of the City of Jefferson that the regular Common Council meeting night of April 3rd, 2007 is hereby cancelled.

Ald. Wagner, seconded by Ald. Tully moved to recommend Resolution No. 130 for discussion.

Mayor Myers stated that even if this meeting was cancelled, we would still be scheduling a special meeting of the Council to meet on some fairly urgent EMS needs. He added that it has been somewhat of a custom to cancel the meeting due to the Spring Election, but that the City has deviated from this practice several times in recent history.

Ald. Wagner stated that he felt we should have the meeting.

Ald. Tully stated that he would hate to schedule the meeting and then the EMS department not be ready for the meeting.

Ald. Beyer stated that she had spoke to Director Reinen immediately prior to the meeting and that she would indeed be able to supply the information for the April 3rd meeting.

Ald. Beyer, seconded by Ald. Endl moved to amend the resolution to KEEP the meeting on April 3rd. On call of the roll, motion carried by a voice vote.

By action of the amendment, reading of the roll on the first motion was not required.

Ald. McGrath, seconded by Ald. Tully moved to adjourn the Tuesday, March 20, 2007 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, March 20, 2007, 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