

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, SEPTEMBER 4, 2007**

The Tuesday, August 21, 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. Havill, Ald. Oppermann, Ald. Beyer, Ald. Endl, Ald. Brandel, and Ald. Peachey. Absent was: Ald. Cross and Ald. Tully. Also present were: City Administrator Freitag, City Attorney Brantmeier and City Clerk/Treasurer Stewart.

PUBLIC PARTICIPATION

None.

PRESENTATION: NIMS UPDATE

Police Captain Mike Drew provided the Council with a presentation on NIMS Compliance for the City of Jefferson. Capt. Drew outlined the Incident Command Structure, reviewed inventory requirements, baseline training and the updating and creation of City policy.

Drew stated that it will take the City longer to implement NIMS than the Federal Government would like, but we should be caught up and possibly a little ahead by the first quarter of 2008.

Capt. Drew then clarified that the Council would be responsible for taking the ISC-700 course. He indicated that this could be done on-line and would take approximately one hour to complete. He also asked that the Council provide the certificate of completion to Administrator Freitag.

A RESOLUTION REGARDING A PROPOSED AMENDMENT OF BOUNDARIES AND PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 5 IN THE CITY OF JEFFERSON, WISCONSIN (SEE THE RESOLUTION “AMENDING, DESCRIBING AND MAKING CERTAIN FINDINGS FOR APPROVING A PROJECT PLAN AMENDMENT AND AMENDED BOUNDARIES FOR TAX INCREMENTAL DISTRICT NO. 5, CITY OF JEFFERSON, WISCONSIN”)

Ald. Brandel introduced Resolution No. 49.

**CITY OF JEFFERSON
RESOLUTION NO. 49**

**A RESOLUTION AMENDING, DESCRIBING AND MAKING CERTAIN
FINDINGS FOR
APPROVING A PROJECT PLAN AMENDMENT AND AMENDED
BOUNDARIES
FOR TAX INCREMENTAL DISTRICT NO. 5,
CITY OF JEFFERSON, WISCONSIN**

WHEREAS, the overall development of the City of Jefferson is recognized as a major need of the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") was created by the City of Jefferson (the "City") on May 2, 2001 as a blight district for the purpose of assisting with the expansion of the tax base by providing public improvements and other inducements necessary to promote development and redevelopment in the "downtown" area of the City; and

WHEREAS, Tax Incremental District No. 5 was amended by the City of Jefferson on May 3, 2005 for the purpose of adding additional territory and undertaking additional redevelopment expenditures; and

WHEREAS, in order to further the goals contained in the original Project Plan for the District, the City now finds it desirable to amend the District's boundaries to add additional property, and to amend the Project Plan to update and provide for the undertaking of additional expenditures to facilitate development and redevelopment within areas adjacent to the existing district; and

WHEREAS, the City desires to amend the District, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes (the "Tax Increment Law"), in order to provide a viable method of financing the costs of needed public improvements and other project costs within said District and thereby provide incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Redevelopment Authority, on August 8, 2007 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, wherein interested parties were afforded a reasonable opportunity to express their views; and

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officer of Jefferson County, the Jefferson School District, and the Madison Area Technical College District, and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said public hearing, the Redevelopment Authority approved the amendment to the boundaries of the District and recommended to the City Council that it approve the amendment to the boundaries, as specified in the boundary description attached to this resolution as Exhibit A hereof, and entitled "Boundary Description of Tax Incremental District No. 5 Amendment, City of Jefferson", and

WHEREAS, the Redevelopment Authority has prepared and adopted a Boundary and Project Plan Amendment to Tax Incremental District No. 5 (the "Amendment") which includes:

- a. A Statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Section 66.1105(2)(f)1., Wisconsin Statutes outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when such costs or monetary obligations related thereto are to be incurred;
- e. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- f. A list of estimated non-project costs;
- g. A statement of the proposed plan for relocating any displaced persons or businesses;
- h. A statement of how the district promotes orderly development;
- i. A map showing existing uses and conditions of real property in such District;
- j. A map showing proposed improvements and uses therein;
- k. An opinion of the City Attorney or of an Attorney retained by the City advising the plan is complete and complies with Wisconsin Statutes, Section 66.1105(4)(f); and

WHEREAS, the Redevelopment Authority has submitted such Amendment to the City Council and recommended approval thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jefferson as follows:

1. Pursuant to the Tax Increment Law, there is hereby amended the boundaries of, in the City of Jefferson, as of January 1, 2007, a District known as "Tax Incremental District No. 5, City of Jefferson", the boundaries of which shall be those recommended to the City Council by the Redevelopment Authority, as specified in the attached Exhibit A, and;
2. The City Council hereby finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, is a blighted area within the meaning of Section 66.1105(2)(a) of the Wisconsin Statutes, based on the identification and classification of the property included within the District, Furthermore, any property standing vacant for seven years immediately preceding adoption of the Creation Resolution and this Amendment Resolution for this District will not comprise more than

25% of the total area in the District, as amended, is in compliance with Section 66.1105(4)(gm)1 of the Wisconsin State Statutes.

- (b) Based upon the findings, as stated in (a) above, the District remains declared as a blighted area District based on the identification and classification of the property included within the District; and
- (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District; and
- (d) The equalized value of taxable property of the as District, as amended, plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City; and
- (e) The City estimates that approximately 5% of the territory within the District, as amended, will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Section 66.1105(5)(b) of the Wisconsin Statutes; and
- (f) The project costs of the District, as amended, relate directly to promoting eliminating blight consistent with the purpose for which the District was created.

BE IT FURTHER RESOLVED THAT the City Council of the City of Jefferson approves the Amendment to the Project Plan adopted by the Redevelopment Authority, attached as Exhibit B, and finds that:

1. Such Amendment for the District in the City is feasible, and;
2. Such Amendment is in conformity with the master plan of the City.

The City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2007, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

The City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

EXHIBIT A - BOUNDARY DESCRIPTION

TO BE HANDED OUT SEPARATELY

EXHIBIT B - PROJECT PLAN

TO BE HANDED OUT SEPARATELY

Dawn Gunderson Schiel of Ehlers and Associates then reviewed the TIF #5 project plan amendment and financing plan with the Council. She outlined the new boundary for the district, the anticipated projects and the projected cash flow and future financing plans. She then entertained questions from the Council.

Ald. Brandel, seconded by Ald. Havill moved to recommend Resolution No. 49. On call of the roll, motion carried unanimously.

**A RESOLUTION REGARDING THE PROPOSED PROJECT PLAN
AMENDMENT OF TAX INCREMENTAL DISTRICT NO. 2 IN THE CITY OF
JEFFERSON, WISCONSIN (SEE THE RESOLUTION “AMENDING,
DESCRIBING AND MAKING CERTAIN FINDINGS FOR APPROVING
PROJECT PLAN AMENDMENT FOR TAX INCREMENTAL DISTRICT NO. 2,
CITY OF JEFFERSON, WISCONSIN**

Ald. Brandel introduced Resolution No. 50.

**CITY OF JEFFERSON
RESOLUTION NO. 50**

**A RESOLUTION AMENDING, DESCRIBING AND MAKING CERTAIN
FINDINGS
AND APPROVING PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 2,
CITY OF JEFFERSON, WISCONSIN**

WHEREAS, the overall development of the City of Jefferson is recognized as a major need of the City; and

WHEREAS, Tax Incremental District No. 2 (the “Donor District”) was created by the City of Jefferson as an industrial district on September 16, 1997 for the purpose of

promoting development throughout the City including the creation of an industrial park in the northern portion of the City; and

WHEREAS, Tax Incremental District No. 5 (the “Recipient District”) was created by the City of Jefferson as a blight district on May 2, 2001 for the purpose of assisting with the expansion of the tax base by providing public improvements and other inducements necessary to promote development and redevelopment in the “downtown” area of the City; and

WHEREAS, Tax Incremental District No. 5 was amended on May 3, 2005 for the purpose of adding additional territory and undertaking additional expenditures; and

WHEREAS, the City desires to amend the Donor District, in accordance with the provisions of Section 66.1105 of Wisconsin Statutes (the “Tax Increment Law”) to allow for the allocation of positive tax increments with the Recipient District, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Redevelopment Authority, on August 8, 2007, held a public hearing concerning the proposed amendment of the District and proposed Project Plan Amendment thereof in the City, wherein interested parties were afforded a reasonable opportunity to express their views; and

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officer of Jefferson County, the Jefferson School District Board, and the Madison Area Technical College District, and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said public hearing, the Redevelopment Authority recommended to the City Council that it amend such District as specified in the Project Plan Amendment attached to this resolution as Exhibit A hereof, and entitled "Project Plan Amendment of Tax Incremental District No. 2, City of Jefferson"; and

WHEREAS, the Redevelopment Authority has prepared a Project Plan Amendment to the District attached as Exhibit A (the “Amendment”), which includes the following changes to the District’s Project Plan relating to the proposed allocation of positive increments from District No. 2 to District No. 5:

- a. Purpose and findings;
- b. An updated economic feasibility study;
- c. A summary of the proposed donor and recipient district’s performance; and

WHEREAS, the Redevelopment Authority has submitted such Project Plan Amendment to the City Council and recommended approval thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jefferson as follows:

1. Pursuant to the Tax Increment Law, there are hereby amended in the City of Jefferson, as of January 1, 2007, a District known as "Tax Incremental District No. 2, City of Jefferson", the boundaries of which shall remain the same as in the original Project Plan.
2. The City Council hereby finds and declares that:
 - (a) Based upon the findings, as stated in (a) above, the District remains declared as an industrial District within the meaning of Section 66.1101 of the Wisconsin Statutes, based on the identification and classification of the property included within the District; and
 - (b) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District; and
 - (c) The projects, costs, and boundaries will not change as a result to this amendment; and
 - (d) The allocation of positive tax increments with the Recipient District for as long as the District is in existence and as needed.

BE IT FURTHER RESOLVED THAT the City Council of the City of Jefferson approves the Project Plan Amendment adopted by the Redevelopment Authority, attached as Exhibit A, and finds that:

1. Such Amendment for the District in the City is feasible, and
2. Such Amendment is in conformity with the master plan of the City.

The City Clerk is hereby authorized and directed to notify the Wisconsin Department of Revenue, within 60 days of that this amendment has taken place, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

The City Assessor is hereby authorized and directed to make notations to the assessment roll under Section 70.45 of the Wisconsin Statutes, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

EXHIBIT A - PROJECT PLAN AMENDMENT

To be handed out separately

Dawn Gunderson Schiel of Ehlers and Associates then reviewed the proposed TIF District Share Amendment between district #2 and #5. She indicated that TIF District #2 was organized in 1997 and since then has not sustained any amendments. She stated that District #2 would be considered the donor district and that District #5 would be considered the recipient district. While reviewing the project plan document, Gunderson noted that Ehlers had used very conservative financial projections for the district and that they had not factored in any additional growth for the district. She then outlined TIF #5s projected projects and how TIF #2 could augment those plans and bring others to fruition. After the presentation, Gunderson entertained questions from the Council.

Ald. Havill indicated that he was in support of the fund sharing. He stated that he felt there was no other reasonable way to finance the projected projects for TIF #5.

Ald. Brandel, seconded by Ald. Havill moved to recommend Resolution No. 50. On call of the roll, motion carried unanimously.

RESOLUTION ACCEPTING THE 2006 GENERAL PURPOSE FINANCIAL STATEMENTS

Ald. Havill introduced Resolution No. 51.

**CITY OF JEFFERSON
RESOLUTION NO. 51**

BE IT RESOLVED by the Common Council of the City of Jefferson that the 2006 General Purpose Financial Statements and Audit Report are hereby accepted.

Heather Acker of Virchow Krause and Company LLP then provided the Council with an overview of the General Purposed Financial Statements and Audit Report. Ms. Acker reviewed the report and then entertained questions from the Council.

Ald. Havill, seconded by Ald. Brandel moved to recommend Resolution No. 51. On call of the roll, motion carried unanimously.

RESOLUTION ACCEPTING THE 2007 CITY OF JEFFERSON SCHEDULE OF FEES

Ald. Endl introduced Resolution No. 52.

**CITY OF JEFFERSON
RESOLUTION NO. 52**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the 2007 City of Jefferson Schedule of Fees is hereby approved.

The Mayor questioned the potential annexation fee.

City Clerk/Treasurer Stewart stated that an annexation fee is being requested by staff to cover the direct costs associated with an annexation. Stewart stated that at the end of an annexation process is a rezoning (permanent zoning designation). She stated that this requires a class two notice (two insertions) and notification of property owners. Stewart indicated that the fee would be used to cover the publication and notification costs associated with this process.

Ald. Endl, seconded by Ald. Peachey moved to recommend Resolution No. 52. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE PURCHASE OF A USED PICKUP TRUCK

Ald. Beyer introduced Resolution No. 53.

**CITY OF JEFFERSON
RESOLUTION NO. 53**

BE IT RESOLVED by the Common Council of the City of Jefferson that the City Administrator is hereby authorized to purchase a 1997 Chevrolet GMC 1 ton pickup truck with a dump body from Kidd's Truck, Inc. at a not to exceed price of \$13,045.

Ald. Beyer, seconded by Ald. Endl moved to recommend Resolution No. 53.

Ald. Peachey indicated that Resolution No. 53 was unanimously approved at Finance Committee and that the Committee felt that Keller had done a great job working with a limited budget.

Ald. Havill stated that the unfortunately he was unable to make Finance Committee, but that he would not have voted in favor of the purchase if he was there.

Ald. Havill stated that he could not support the purchase because he did not see the buyers guide and the purchase agreement did not list the mileage. He stated from his investigation the price seemed high for a 4x2, gas engine. He stated that the City could do better and was not in favor of the vehicle unless the vehicle was pristine. He added that he felt the City had \$2,000 to \$3,000 "wobble room".

Ald. Havill, seconded by Ald. Brandel moved to table Resolution No. 53. On call of the roll, motion carried by a vote of 4 to 2. Ald. Oppermann and Ald. Beyer cast the dissenting votes.

AN ORDINANCE TO AMEND SECTION 219-3 OF THE CITY OF JEFFERSON CODE RELATED TO DEFINITIONS OF JUNK ITEMS

Ald. Oppermann introduced Proposed Ordinance #14-07 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #14-07**

An Ordinance to Amend Section 219.3 of the Municipal Code of the City of Jefferson Related to Definitions of Junk Items.

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

Section 1. § 219-3. Definitions.

~~DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED APPLIANCE — Any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured. The fact that such appliance may be susceptible to repair shall not constitute a defense to any action brought under this article.~~

~~DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS — Motor vehicles, recreational vehicles, mobile homes, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical disrepair as to be incapable of propulsion upon the public streets or highways or which are otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects. Non-self-propelled vehicles must be in safe and legal condition for operation on public streets or highways.~~

MOTOR VEHICLE — Defined as set forth in § 340.01(35), Wis. Stats.

PERSONAL PROPERTY NOT DESIGNED FOR OUTDOOR USE — Includes, without limitation by enumeration, cardboard boxes and furniture designed for indoor use.

UNLICENSED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS — Motor vehicles, truck bodies, tractors, recreational vehicles, mobile homes or trailers required by law to bear a license plate which do not bear lawful current license plates.

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 is a first reading.

CONSENT AGENDA

Ald. Peachey introduced Resolution No. 48.

**CITY OF JEFFERSON
RESOLUTION NO. 48**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for September 4, 2007 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for September 2007 in the amount of \$186,648.86 and Payroll Summary for August 17, 2007 in the amount of \$124,393.32.

- ◆ Council Minutes from the Regular Meeting of the August 21, 2007 Common Council Meeting.
- ◆ 2007-2008 Facility Use Agreement Between City and School District of Jefferson.
- ◆ American Legion Band Subsidy -- \$3,000.
- ◆ Jefferson Chamber of Commerce -- \$5,000.
- ◆ Licenses as Approved by the Regulatory Committee.
 - ◆ Operator's Licenses
 - ◆ Special Class B Licenses

Ald. Peachey, seconded by Ald. Beyer moved to recommend Resolution No. 48. On call of the roll, motion carried unanimously. Ald. Havill abstained from the approval of minutes due to his absence.

Ald. Brandel, seconded by Ald. Endl moved to adjourn to Closed Session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to Discuss the Potential Hire of a Full-time EMT. On call of the roll, motion carried unanimously.

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

RESOLUTION AUTHORIZING THE HIRE A FULL-TIME EMT

Ald. Tully introduced Resolution No. 54.

**CITY OF JEFFERSON
RESOLUTION NO. 54**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to hire Debbie Draeger as full time EMT.

BE IT FURTHER RESOLVED, that Debbie Draeger will be hired at an hourly rate of \$10.40 and benefits shall be granted in a consistent fashion with other AFSCME City Hall Unit bargained employees.

BE IT FURTHER RESOLVED, that the Council understands that the full-time EMT position is an AFSCME union position and that when the AFSCME Union Contract is settled, the employee shall be placed at the appropriate pay level as required by the contract.

Ald. Beyer, seconded by Ald. Endl moved to recommend Resolution No. 54. On call of the roll, motion carried unanimously

Ald. Peachey, seconded by Ald. Beyer moved to adjourn the Tuesday, September 4, 2007 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, September 4, 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