

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, DECEMBER 18, 2007**

The Tuesday, December 18, 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. Oppermann, Ald. Beyer, Ald. Havill, Ald. Cross, Ald. Tully, Ald. Brandel and Ald. Peachey. Absent was: Ald. Endl. Also present were: City Administrator Freitag, City Engineer Ludwig, City Attorney Ben Brantmeier and City Clerk/Treasurer Stewart.

PUBLIC PARTICIPATION - GENERAL

None.

EAGLE SCOUT PRESENTATION

Keegan Moldenhauer of Pack 147 addressed the Council regarding a project that he would like to undertake to become an Eagle Scout. He stated that he would like to plant approximately 14 trees at Tensfeldt Park. Moldenhauer noted that he has worked with the Park, Recreation & Forestry Director Keller and McKay Nursery to come up with a planting plan and estimated costs. He estimates that the total project will cost around \$2,425 and that he will begin a fundraiser to accumulate funds for the project in the coming months. He concluded by stating that he would like to plant the trees in April or May.

PUBLIC PARTICIPATION – PROPOSED ANNEXATION

Mayor Myers briefed the public on the process the annexation petition (submitted by Mr. Rupprecht) had taken to this point. He then noted that the City had received a petition for annexation by referendum yesterday.

Atty. Brantmeier followed up by clarifying the legal process of the petitions and the associated timeframes.

Verna Stelse, N5163 Hillebrand Drive, addressed the Council in opposition to the Annexation petition. Mrs. Stelse indicated that she has a working septic which was revamped in 1993 and she also noted that she felt that there are many questions which need to be answered prior to annexation taking place. Mrs. Stelse noted the following questions: 1) What would be the timeframe for installation? 2) Does the treatment plant have adequate capacity? 3) What would the average cost/home be? 4) How will the homeowners be charged? 5) And finally, why was only certain lots chosen to be part of the petition? She concluded by stating that everyone needs more information.

Kevin Wenzel, N5059 Thrush Lane, addressed the Council in opposition to the annexation petition. Mr. Wenzel stated that there are still many cost concerns in the neighborhood and that when the petition was circulated some people had no idea that there would be a cost associated with it. He also addressed his problem with the way the petition was drawn up – even if it is legal. He stated that the petition would never be

sufficient with these lots included. Wenzel concluded by stating that the referendum petition gives everyone a voice.

Randy Gerhardt, N5046 Hillebrand Drive, addressed the Council in opposition to the annexation petition. He indicated that he did not have enough information to support annexation and he stated that he does not believe that it is right that the petition did not include all of the lots.

George Hilby, N5049 Hillebrand Drive, addressed the Council in opposition to the annexation. Mr. Hilby stated that he has two working septic systems and that he would not even consider annexation. He noted his future concerns about snow removal and the cost of a new street.

Bruce Folbrecht, N5030 Aztalan Court, addressed the Council in opposition to the annexation. Folbrecht requested that the Council reject the ordinance because people want and need information. He then read letters from the following people who oppose the annexation: James Wolff-N5086 Thrush Lane, Tim & Sharon Crotteau-N5026 Aztalan Court and Gary & Cathy Neisen-N5140 Hillebrand Drive.

Tanya Wenzel, N5059 Thrush Lane, addressed the Council in opposition to the annexation. Ms. Wenzel then read a letter from the Hudson Family, N5043 Thrush Lane, opposing the annexation petition and supporting the referendum petition.

Richard Wendt, W5595 Hillcrest Lane, addressed the Council in opposition to the annexation. Mr. Wendt stated that he was strongly opposed to the annexation and that the area needs more information if annexation is to take place.

Kristin DeBlare, N5061 Thrush Lane, addressed the Council in opposition to the annexation. Ms. DeBlare stated her opposition for all the reasons stated by the other speakers.

Dave Lenz, W5576 Hillcrest Lane, addressed the Council regarding the proposed annexation. He stated that he doesn't know if he is for or against an annexation, but agreed with everyone that more information is needed. He noted that he understands that there are things that the City can and cannot do, but stressed the importance of providing more information to the neighborhood.

Bob Rupperecht, Jann Road, Johnson Creek, addressed the Council in favor of the annexation. Mr. Rupperecht stated that the proposed annexation includes 50 residential lots and approximately 38 acres in a large cesspool. He stated that the soils do not support the septic systems in the area and that most have been replaced (in some cases with holding tanks), are failing or are on a limited life cycle. He added that something permanent needs to be done in this area. He stated that the current situation is not sanitary. He added that the residents are not going to find a better deal than the terms which the City would most likely offer if sanitary sewer is extended to the area for replacement of their systems. He stated that the City needs to progress.

Wayne Hartwig, N5041 Hillebrand Drive, addressed the Council in favor of the annexation. Mr. Hartwig stated that some of the comments he was hearing were very surprising because he did not understand why you would sign a petition if you were not sure what it meant. He stated that before he signed the petition, he came down to City Hall to get his questions answered. Hartwig stated that even the people that are in opposition to the petition acknowledge that at some point they will “need to do something” and that becoming part of the City is a strong likelihood...so when is the right time? He stated that all the septic systems will never fail at the same time, always making it a “bad time” for someone. He stated that he believes the time for annexation is now.

AN ORDINANCE TO ANNEX TERRITORY FROM THE TOWNSHIP OF AZTALAN FOR PARCELS LOCATED IN THE RIVERVIEW HEIGHTS SUBDIVISION

Ald. Brandel introduced Proposed Ordinance #17-07 for its first second reading.

**CITY OF JEFFERSON
AMENDED PROPOSED ORDINANCE #17-07**

**~~ANNEXING TERRITORY FROM THE TOWNSHIP OF AZTALAN~~
ACCEPTANCE OF ANNEXATION PETITION**

SECTION 1. Annexation Petition. . In accordance with s. 66.0217(3)(a) of the Wisconsin Statutes of 2004, the Notice of Intent to Circulate an Annexation Petition was filed with the City Clerk on the 2nd day of October, 2007. A Petition for Annexation was presented to the City Clerk of the City of Jefferson on the 18th of October, 2007 under statutory authority of Section 66.0217(3) of the Wisconsin State Statutes. The petition was signed by a majority of electors and property owners of at least one-half of the proposed area for annexation (to the best of our knowledge); and, said Petition for Annexation and Notice contain a legal description of the territory proposed to be annexed sufficiently accurate to determine its location, designates the area to be annexed to the City of Jefferson, designates the area as being proposed to be detached from the Town of Aztalan. And, the proposed petition for annexation was submitted to the State of Wisconsin Department of Administration for review; and, the State of Wisconsin Department of Administration has found the proposed annexation to be in the public interest. *Be it further resolved that such petition is hereby accepted.*

~~SECTION 2. Territory Annexed.~~ In accordance with s. 66.0217(3) of the Wisconsin Statutes of 2004, the Petition for Annexation described the following territory as being detached from the Town of Aztalan, Jefferson County, Wisconsin, and annexed to the City of Jefferson, Wisconsin:

~~Legal description and map attached~~

SECTION 3. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 2 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 4. Ward Designation. The territory described in Section 2 of this ordinance is hereby made a part of the 3rd Ward of the City of Jefferson, subject to the ordinances, rules and regulations of the City governing wards.~~

~~SECTION 5. 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.~~

~~SECTION 6. 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 2 7. Effective Date: This ordinance shall take effect upon passage and publication as provided by law.

Ald. Beyer asked if we can provide the public with more information.

Atty. Brantmeier stated that we can, according to the League of Municipalities, but in no way can the City's actions be construed as offering any type of "incentive" for annexing. He stated that the City could offer a public forum for informational purposes and we would still be in compliance with the law.

Ald. Havill clarified that an affirmative action on the vote would mean that the Council is in favor of accepting the petition, but not acting on the actual annexation.

Atty. Brantmeier stated yes. He also clarified that the City's public notice was still sufficient for Council action this evening, because acceptance of the petition was the first paragraph in the actual annexation ordinance.

Ald. Brandel, seconded by Ald. Tully moved to recommend Amended Proposed Ordinance #17-07. On call of the roll, motion carried unanimously.

CONSENT AGENDA

Ald. Peachey introduced Resolution No. 80.

CITY OF JEFFERSON RESOLUTION NO. 80

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for December 18, 2007 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for November and December 2007 in the amounts of \$1,088.49 and \$156,014.33 and Payroll Summary for December 7, 2007 in the amount of \$129,772.82.
- ◆ Council Minutes from the Regular and Closed Session Meeting of the December 4, 2007 Common Council Meeting.
- ◆ Licenses as Approved by the Regulatory Committee.
 - ◆ Operator's Licenses
 - ◆ Special Class B Licenses

Ald. Peachey, seconded by Ald. Tully moved to recommend Resolution No. 80. On call of the roll, motion carried unanimously. Ald. Havill abstained from the approval of the minutes due to his absence.

RESOLUTION AUTHORIZING A CHANGE IN INSURANCE CARRIER

Ald. Havill introduced Resolution No. 81.

**CITY OF JEFFERSON
RESOLUTION NO. 81**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Common Council hereby approves the proposal of the League of Wisconsin Municipalities Mutual Insurance for liability, property and workers compensation insurance in the amount of \$192,201, and authorizes the City Administrator to execute the Acceptance of Proposal on behalf of the City of Jefferson. Said Proposal to take effect April 30, 2007, which is the date that the City of Jefferson's current liability, property and workers compensation policies expire.

Ald. Havill, seconded by Ald. Brandel moved to recommend Resolution No. 81. On call of the roll, motion carried unanimously.

RESOLUTION CONSIDERING CREATION OF JOINT FIRE AND EMS DEPARTMENTS UNDER A UNIFIED COMMAND

Ald. Beyer introduced Resolution No. 82.

**CITY OF JEFFERSON
RESOLUTION NO. 82**

WHEREAS, the City of Jefferson is extraordinarily grateful to its volunteer firefighters and department as of well as the dedicated members of its Emergency Medical Service;

WHEREAS, the City of Jefferson recognizes that in order to continue to provide for the public safety needs of our growing community, ongoing enhancements of its EMS and fire protection services will be required in the areas of professional training,

emergency preparedness, public education, financial oversight, personnel management and general administration;

WHEREAS, other Wisconsin cities of similar size and circumstance to the City of Jefferson have found that a unified command structure for both EMS and the fire department has demonstrated significant operational and financial benefit for the municipalities and for the public safety;

THEREFORE, be it resolved that the City is considering creation of the position of full-time Fire Chief/EMS Director and merging the Jefferson Fire Department with the Emergency Medical Services under a single command structure to better serve and meet the needs of the growing community;

FURTHER, the City of Jefferson hereby directs the City Administrator to begin immediately to develop a plan and timetable that will allow for a combination of the departments on or before January 1, 2009.

FURTHER, drafts of the planning document will be reviewed from time to time by appropriate standing committees of the Council and ultimately the entire Council prior to implementation. The City Administrator is hereby directed to submit a recommendation to the City of Jefferson committees and Council on or before July 1, 2008.

FURTHER, as part of said plan, the City Administrator is directed to include appropriate job descriptions, budget forecasts, facility and equipment reviews, and other operational and administrative issues so as to assure that the combination of the two departments under a unified command is in the best interest of the City and will not interrupt or otherwise jeopardize the public safety.

Ald. Beyer stated that this was brought forth on recommendation from the Ambulance Committee. She stated that the Committee wants to have more details on the proposal before making any type of recommendation for the future of the EMS and Fire Departments.

Ald. Tully questioned the role of the Police and Fire Commission.

Ald. Oppermann questioned if the Ambulance Committee would be abolished.

Ald. Brandel commented that it would be very important to work closely with the Fire Chief and EMS Director for their valuable input.

Ald. Beyer, seconded by Ald. Oppermann moved to recommend Resolution No. 82. On call of the roll,

RESOLUTION APPROVING THE 2008 CITY OF JEFFERSON MUNICIPAL CODE SCHEDULE OF FEES

Ald. Oppermann introduced Resolution No. 83.

**CITY OF JEFFERSON
RESOLUTION NO. 83**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Council hereby adopts the 2008 Schedule of Fees (as attached).

Ald. Havill indicated that approval of Resolution No. 83 was unanimous at Finance Committee.

Ald. Oppermann, seconded by Ald. Havill moved to recommend Resolution No. 83. On call of the roll, motion carried unanimously.

RESOLUTION WRITING OFF UNCOLLECTIBLE ACCOUNTS RECEIVABLE

Ald. Beyer introduced Resolution No. 84.

**CITY OF JEFFERSON
RESOLUTION NO. 84**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is hereby authorized to delete the following delinquent Accounts Receivable:

CITY OF JEFFERSON EMS

Total outstanding TRIP patients.

YEAR 2003	\$4,420.01
2004	15,084.21
2005	12,143.17
2006	18,407.19
2007	<u>11,830.07</u>
	\$61,884.65

Total outstanding COLLECTION patients.

YEAR 2003	\$2,771.00
2004	3,318.00
2005	5,142.00
2006	<u>1,158.09</u>
	\$12,289.09

CITY OF JEFFERSON SEWER UTILITY

Outstanding AR-Untraceable \$12,000.00

CITY OF JEFFERSON GENERAL FUND

2005101	Jam & Sons	\$409.65
2004085	Missy L DeCelle	93.34
		<u>\$502.99</u>

Ald. Havill indicated that approval of Resolution No. 84 was unanimous at Finance Committee.

Ald. Beyer, seconded by Ald. Havill moved to recommend Resolution No. 84. On call of the roll, motion carried unanimously.

RESOLUTION ACKNOWLEDGING A PALPABLE ERROR IN THE 2007 ASSESSMENT ROLL, AUTHORIZING A BUDGET ADJUSTMENT TO APPROPRIATE FUNDS FOR THE 2007 TAXES AND AUTHORIZING THE CHARGEBACK OF TAXES TO OTHER TAXING JURISDICTIONS

Ald. Brandel introduced Resolution No. 85.

**CITY OF JEFFERSON
RESOLUTION NO. 85**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the City acknowledges that an assessing error was made on the properties owned by the United Migrant Opportunity Services Inc located on Sherwood Lane and Wisconsin Drive (241-0614-1043-012 & 241-0614-1043-017) under Wisconsin State Statutes 74.33(1)(b),

BE IT FURTHER RESOLVED, that the Council accepts that the property should have been exempt for the 2007 assessment roll and

THEREFORE, approves the following budget amendment and hereby directs the City Clerk/Treasurer to submit an “Inquiry Related to Rescinded or Refunded Taxes” (PC-201) to the Department of Revenue by October 1, 2008.

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMNT	REVISED AMOUNT
<i>General Miscellaneous</i>				
Illegal Taxes	01-51910-70-711	\$0.00	\$635.28	\$635.28
Funded From				
Contingencies	01-51910-75-789	\$35,000.00	\$635.28	\$34,364.72

Ald. Brandel, seconded by Ald. Peachey moved to recommend Resolution No. 85. On call of the roll, motion carried unanimously.

CANCELATION OF COMMON COUNCIL MEETING

Ald. Cross introduced Resolution No. 86.

**CITY OF JEFFERSON
RESOLUTION NO. 86**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the regular Common Council meeting night of January 1, 2008, is hereby cancelled.

Ald. Cross, seconded by Ald. Brandel moved to recommend Resolution No. 86. On call of the roll, motion carried unanimously.

Ald. Brandel, seconded by Ald. Peachey moved to adjourn to Closed Session Pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to Discuss the Compensation of Non-Union Employees and the City of Jefferson Non-Union Compensation Plan. On call of the roll, motion carried unanimously.

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

**RESOLUTION AUTHORIZING 2008 NON-UNION COMPENSATION PLAN
AND 2008 COST OF LIVING INCREASE**

Ald. Tully introduced Resolution No. 87.

**CITY OF JEFFERSON
RESOLUTION NO. 87**

BE IT RESOLVED by the Common Council of the City of Jefferson that the 2008 Non-union Compensation Plan be adopted and that the non-union salaries and hourly rates for 2008, not specifically delineated below, be given a merit increase of 3.25%. *(Complete detail on file in the office of the City Clerk)*

BE IT RESOLVED, that summer part-time help in the Public Works and Parks Department be hired in accordance with the following schedule:

Year	Without CDL	With CDL
Start	\$7.25	\$8.25
2 nd Year	8.00	9.00
3 rd Year	8.75	9.75
4 th Year*	9.50	10.50

BE IT RESOLVED, that the compost site attendant be hired in accordance with the following schedule:

Year	Wage
Start	\$7.00
2 nd Year	7.25
3 rd Year	7.50

4 th Year*	7.75
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BE IT RESOLVED, that the crossing guards* be hired in accordance with the following schedule:

Year	Wage
Start	\$8.00
2 nd Year	8.25
3 rd Year	8.50
4 th Year*	8.75

**increase to be given on employee anniversary of hire*

BE IT RESOLVED, that election personnel be hired in accordance with the following schedule:

Year	Wage
Election Wrkr	\$6.50

BE IT FURTHER RESOLVED, that the auxiliary emergency medical technicians and drivers be paid in accordance with the following schedule:

EMT Basic \$2.00/hr on call rate
 \$10.00/hr run time rate

EMT IV Tech \$2.00/hr on call rate
 \$12.00/hr run time rate

Drivers: \$2.00/hr on call rate
 \$8.00/hr run time rate

Standby: \$8.00/hr

BE IT FURTHER RESOLVED, that the part-time recreational wages are hereby adopted.

**CITY OF JEFFERSON
 WAGE STRUCTURE FOR PART-TIME SEASONAL EMPLOYEES**

	1st Year	2nd Year	3rd Year	4th Year *
Adult Sport Umpire/Referee				
Men/Women Softball one umpire system	17.50	18.00	18.50	19.00
Volleyball "A" League **	11.00	11.50	12.00	12.50
Volleyball "B" League **	7.50	8.00	8.50	9.00
Pony League/Umpire **	25.00	27.50	30.00	32.50

KickBall Umpire	13.00	13.50	14.00	14.50
Youth/Adult Activity-Instructor				
T-Ball/Scorekeeper Coordinator	8.00	8.25	8.50	8.75
Minor League Supervisor	7.00	8.00	9.00	10.00
Aquatics/Lessons Instructor				
Water Exercise	6.90	7.15	7.40	7.65
Senior Water Exercise	6.90	7.15	7.4	7.65
Aquatic Center Manager	8.65	9.15	9.65	10.15
Swim Lesson Coordinator	8.15	8.40	8.65	8.90
Swim Lesson Instructor	7.40	7.90	8.40	8.90
Head Lifeguard	7.65	7.90	8.15	8.40
Concession	5.90	6.15	6.40	6.65
Lifeguard	6.75	7.00	7.25	7.50
Youth Sport Umpire/Referee				
Flag Football	6.35	6.60	6.85	7.10
Outdoor Soccer	6.35	6.60	6.85	7.10
Youth Baseball - Bases ** Solo	15.00	15.25	15.50	15.75
Youth Softball ** Solo/Volleyball	11.00	11.75	12.50	13.25
Open Gym Supervisor	7.00	7.25	7.50	7.75
Skating Rink Supervisor	6.35	6.60	6.85	7.10
Scorekeeper - Adult Volleyball	7.00	7.25	7.50	7.75
Scorekeeper - Men's Basketball	7.00	7.25	7.50	7.75
Scorekeeper - Adult Softball	6.85	7.10	7.35	7.60
Youth Activity Helper - T-Ball/Mnr Lge	6.35	6.60	6.85	7.10
Scorekeeper-Youth Baseball	6.60	6.85	7.10	7.35
Indoor Soccer	6.35	6.60	6.85	7.10

*After the 4th year of employment, the rate of increase will only be the cost of living percentage determined by the Common Council.

**These activities may be more or less than one hour in duration. The rates reflect game/match amount paid rather than hourly rates.

***If an employee is making minimum wage during the year and the minimum wage changes, the rate will be changed to comply with State and/or Federal regulations.

Excerpt from June 6, 2006 Personnel Committee Minutes:

SEASONAL STAFF WAGE SCALE

Director Keller explained that she has a couple of returning staff members who have worked past the 4th year on the wage scale and have now chosen to receive their lifeguard certification. According to the wage scale their pay would take them to a first year lifeguard, which would result in a pay decrease.

Director Keller asked that any staff involved in this situation be paid their current wage and brought to the second year level next year.

Ald. Havill seconded by Ald. Tully moved to approve paying the seasonal staff their current wage while taking on a different position and to receive the second year level next year. On call of the roll, motion carried unanimously.

Employee contribution to health insurance premium shall be 10% of the premium per month.

Ald. Tully, seconded by Ald. Beyer moved to recommend Resolution No. 87. On call of the roll, motion carried unanimously.

Ald. Brandel, seconded by Ald. Oppermann moved to adjourn the Tuesday, December 18, 2007 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, December 18, 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