

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, MAY 6, 2008**

The Tuesday, May 6, 2008 meeting of the City of Jefferson Common Council was called to order at 7:30 p.m. by Mayor Myers. Members present were: Ald. Beyer, Ald. Oppermann, Ald. Cross, Ald. Endl, Ald. Tully, Ald. Brandel, Ald. Cross and Ald. Peachey. Also present were: City Administrator Freitag, City Engineer Ludwig and City Clerk/Treasurer Stewart.

PUBLIC PARTICPATION

None.

PUBLIC HEARING AND ACTION ON AN ORDINANCE TO CREATE SECTION 294-5 H. OF THE CITY OF JEFFERSON MUNICIPAL CODE AS IT RELATES TO THE MINIMUM LOT OR PARCEL SIZE FOR LOTS OR PARCELS IN THE CITY'S EXTRATERRITORIAL PLAT APPROVAL JURISDICTION

Mayor Myers called the public hearing to order.

City Administrator Freitag 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. Beyer introduced Proposed Ordinance #4-08 for its second reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #4-08**

An Ordinance to Create Section 294-5 H. of the City of Jefferson Municipal Code as it Relates to the Minimum Lot or Parcel Size for Lots or Parcels in the City's Extraterritorial Plat Approval Jurisdiction.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO
ORDAIN AS FOLLOWS:**

Section 1. Section 294-5 H. is hereby recreated as it relates minimum lot or parcel size for lots or parcels in the city's extraterritorial plat approval jurisdiction.

§294-5 GENERAL PROVISIONS.

(8) MINIMUM LOT OR PARCEL SIZE FOR LOTS OR PARCELS IN THE CITY'S EXTRATERRITORIAL PLAT APPROVAL JURISDICTION.

(1) General Regulations.

(a) Preamble. The City of Jefferson has an inherent interest in maintaining the quality of land division and the orderly layout and use of land and preventing undue concentration of population using private sanitary systems and private wells, so as to protect the groundwater and the environment and to ensure the best possible environment for human occupation. The City is also interested in limiting the potential impact that future development in the extraterritorial areas will have on City provided services, such as City parks, police services and streets. The City has an interest in promoting the wise use, conservation, protection and proper development of the extraterritorial area's soil, water, wetland, woodland and wildlife resources, and to attain a proper adjustment of land use and development to the supporting and sustaining of a natural resource base. The City's interest is to further the ordinary layout and appropriate use of land and to provide adequate light and air, and to prevent the overcrowding of land, and to regulate and control urban sprawl, and improve the quality of development. The City desires to preserve natural vegetation and cover and promote the natural beauty of the extraterritorial area. It is in the City's interests to promote the goals and plans as set forth in the City's Comprehensive Plan, which is incorporated by reference, including preserving quality agricultural lands for that purpose when located in an area designated for preservation. The City further seeks to provide the best possible environment for human habitation and by encouraging the most appropriate use of land throughout the City's extraterritorial plat approval jurisdiction. The City further declares goals to insure that new development will not be detrimental to the physical, social and economic well-being of residents of the City, to direct new growth to those areas capable of providing a full range of urban services and facilities, to prevent scattered and noncontiguous development without discouraging new and desirable development, and to discourage new developments in those areas that are premature in terms of planning and timing for the provision of adequate public services and facilities. Based upon the foregoing, it is necessary in the interest of public health, safety and welfare to establish minimum lot or parcel sizes for any lot or parcel in the City's extraterritorial plat approval jurisdiction provided for in §236.10, Wisconsin Statutes.

(b) The minimum lot or parcel size for a lot or parcel to be used for residential purposes shall be **one (1) acre with a maximum density of one house per 35 acres**. The minimum lot or parcel size for a lot or parcel to be used for a commercial, business or industrial use shall be **35** acres. In order to meet the minimum lot or parcel size requirements of this subsection, the lot or parcel shall be a single piece of contiguous land

undivided by and excluding from area measurement any street, railroad right-of-way, or navigable waterway.

(c) Nothing in this section shall be construed as to limit the minimum lot size of parcels existing or to be created within any Sanitary District, provided that such lots meet the minimum size requirements of the Sanitary District or Jefferson County, whichever shall be the most restrictive.

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

Ald. Beyer, seconded by Ald. Brandel moved to recommend Proposed Ordinance #4-08. On call of the roll, motion carried unanimously.

Mayor Myers then turned over the meeting to Ald. Tully.

ACCEPTANCE OF PETITION FOR ANNEXATION

Ald. Oppermann introduced Resolution No. 5.

**CITY OF JEFFERSON
RESOLUTION NO. 5**

WHEREAS, a petition for direct annexation of the following territory of the Town of Aztalan, Jefferson County, Wisconsin, lying contiguous to the City of Jefferson, Wisconsin, was filed with the City Clerk on April 21, 2008.

Legal Description on File in the Office of City Clerk

WHEREAS, the City Clerk has investigated the petition and certified to the Common Council that it was signed by the owner of all of the real property in the proposed area in the territory proposed for annexation as of the date of filing of the petition and that the territory to be annexed is properly described in the petition and shown on the scale map attached thereto, is contiguous to the City of Jefferson and is unincorporated;

NOW THEREFORE, the Common Council of the City of Jefferson, Wisconsin, determines that the petition for annexation of the above-described territory is a sufficient and legal petition conforming to the requirements of sec. 66.0217(7)(a)2 of the Wisconsin Statutes.

Ald. Oppermann, seconded by Ald. Endl moved to recommend Resolution No. 5. On call of the roll, motion carried unanimously.

AN ORDINANCE TO ANNEX TERRITORY FROM THE TOWNSHIP OF AZTALAN COMMONLY REFERRED TO AS THE “BEILKE PROPERTY”

Ald. Tully introduced Proposed Ordinance #7-08 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #7-08**

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

SECTION 1. Territory Annexed. In accordance with Section 66.0217 of the Wisconsin Statutes and the petition for direct annexation filed with the City Clerk on the 21st day of April, 2008, signed by a number of electors residing in the territory equal to at least the majority of votes cast for governor in the territory at the last gubernatorial election and the owners of at least ½ of the land in area and real property in assessed value in the territory, the following described territory in the Town of Aztalan, Jefferson County, Wisconsin, is annexed to the City of Jefferson, Wisconsin:

Legal description 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. Temporary Zoning Classification. The Plan Commission is directed to designate a temporary zoning for the proposed annexation territory and to submit its recommendation to the Common Council prior to the second reading of such ordinance.

SECTION 4. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of the 3rd Ward, District B of the City of Jefferson, subject to the ordinances, rules and regulation of the City of Jefferson governing wards.

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 provision or application of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 6. Payment to Town. Pursuant to Wis. Stat. sec. 66.0217(14), the Common Council agrees to pay annually to the Town of Aztalan, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stat. sec. 70.65 in 2007.

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

This was a first reading.

**RESOLUTION AUTHORIZING HWY 26 INTERCHANGES – SANITARY
SEWER AND LIFT STATION ENGINEERING SCOPE OF SERVICES**

Ald. Brandel introduced Resolution No. 10.

**CITY OF JEFFERSON
RESOLUTION NO. 10**

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Jefferson, Wisconsin authorize the City Administrator to retain the services of Town and Country Engineering, Inc. for the purpose of completing design engineering for the extension of sanitary sewer service to the proposed Hwy 26 Bypass North Interchange area in the amount of \$42,500.

Ald. Brandel, seconded by Ald. Endl moved to recommend Resolution No. 10. On call of the roll, motion carried unanimously.

Mayor Myers then returned to the meeting. It was approximately 7:40 p.m.

**AN ORDINANCE TO RECREATE SECTION 197-12 OF THE CITY OF
JEFFERSON MUNICIPAL CODE RELATED TO A PROPERTY
MAINTENANCE CODE FOR THE CITY OF JEFFERSON**

Ald. Carnes introduced Proposed Ordinance #8-08.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #8-08**

An Ordinance to Recreate Section 197-12 of the City of Jefferson Municipal Code Related to a Property Maintenance Code for the City of Jefferson.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO
ORDAIN AS FOLLOWS:**

Section 1. Section 230-5 is hereby recreated as it relates to Property Maintenance Code for the City of Jefferson

§197-12 Property Maintenance Code

Complete text on file in the office of the City Clerk.

This was a first reading.

AN ORDINANCE TO CREATE CHAPTER 232 OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO A STORMWATER ORDINANCE

Ald. Brandel introduced Proposed Ordinance #9-08 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #9-08**

An Ordinance to Create Chapter 232 of the City of Jefferson Municipal Code Related to the Creation of an Erosion Control and Stormwater Management Ordinance for the City of Jefferson.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO
ORDAIN AS FOLLOWS:**

Section 1. Chapter 232 is hereby created as the Erosion Control and Stormwater Management Ordinance for the City of Jefferson

Chapter 232
Complete text on file in the office of the City Clerk.

This was a first reading.

CONSENT AGENDA

Ald. Oppermann introduced Resolution No. 6.

**CITY OF JEFFERSON
RESOLUTION NO. 6**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for May 6, 2008 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable April and May 2008 in the amounts of \$1,184.86 and \$206,157.22 and Payroll Summary for April 11 & 25, 2008 in the amounts of \$127,694.14 and \$133,021.30.
- ◆ Council Minutes from the Regular and ~~Organizational~~ Meetings of the April 15, 2008 Common Council Meetings.
- ◆ Licenses as Approved by the Regulatory Committee.
 - ◆ Operator's Licenses
 - ◆ Special Class B Licenses
 - ◆ Class A Beer and Liquor License – Wal-Mart.

Ald. Oppermann, seconded by Ald. Tully moved to recommend Resolution No. 6. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING A NAME CHANGE FOR OAKRDIGE PARK

Ald. Peachey introduced Resolution No. 7.

**CITY OF JEFFERSON
RESOLUTION NO. 7**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that Oakridge Park be renamed to Lions Oakridge Park.

BE IT FURTHER RESOLVED that the City of Jefferson accepts the donation of the Health Quest Fitness Cluster from the Jefferson Lions Club.

BE IT FURTHER RESOLVED that the City of Jefferson authorizes the City Administrator to purchase a new sign for the park from Great Lakes Specialty Products in an amount not to exceed \$800 with the money coming from the Materials to Maintain Land and Improvement account from the Parks Department.

WHEREAS BE IT FURTHER RESOLVED the City of Jefferson is grateful that the Jefferson Lions Club has adopted Oakridge Park and that they are looking forward to a wonderful partnership for the community of Jefferson.

Ald. Peachey, seconded by Ald. Endl moved to recommend Resolution No. 7. On call of the roll, motion carried unanimously.

RESOLUTION GIVING APPROVAL OF AN INVESTMENT FIRM FOR THE LENGTH OF SERVICE AWARD PROGRAM (LOSAP)

Ald. Cross introduced Resolution No. 8.

**CITY OF JEFFERSON
RESOLUTION NO. 8**

BE IT RESOLVED, that the Common Council of the City of Jefferson, Wisconsin hereby approves the “Corporate Resolutions”, which is attached to the Resolution as “Exhibit A,” with UBS Financial Services Inc., of Madison, Wisconsin to oversee the investment of funds going in the Length of Service Program for the City of Jefferson Fire Department.

Ald. Cross, seconded by Ald. Brandel moved to recommend Resolution No. 8. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING SALE OF GOODS IN PUBLIC RIGHT-OF-WAY FOR TYSON FOODS AND THE UNITED METHODIST CHURCH

Ald. Tully introduced Resolution No. 9.

**CITY OF JEFFERSON
RESOLUTION NO. 9**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that Tyson Foods is hereby allowed to sell brats and hot dogs in Rotary Park during “Concerts in the Park” from June thru August.

BE IT FURTHER RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the United Methodist Church is hereby allowed to sell ice cream desserts and corn on the cob in Rotary Park beginning on June 1st through December 31st, 2008.

Ald. Tully, seconded by Ald. Beyer moved to recommend Resolution No. 9. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE HIRE OF A STATION MANAGER FOR THE PEG CHANNEL AND THE ASSOCIATED BUDGET ADJUSTMENTS

Ald. Brandel introduced Resolution No. 11.

**CITY OF JEFFERSON
RESOLUTION NO. 11**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the Council hereby authorizes the position of PEG Station Manager.

BE IT FURTHER RESOLVED, that the position is anticipated to work 8-10 hours per week with a maximum of 400 total hours in 2008. The pay range for such position shall be \$8.00 to \$12.00/hour. This position will not be eligible for benefits.

BE IT FURTHER RESOLVED, that the following associated budget adjustment is being approved to allocate funds for the position:

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMENT	REVISED AMOUNT
Operating & Program Supplies	52-50000-30-342	\$5,000	(-\$4,800.00)	\$200.00
Wages	52-50000-10-129	\$0.00	\$4,800.00	\$4,800.00
Office Supplies & Expense	52-50000-30-331	\$1,500.00	(-\$370.00)	\$1,130.00
Social Security	52-50000-10-142	\$0.00	\$370.00	\$370.00

Ald. Brandel, seconded by Ald. Peachey moved to recommend Resolution No. 11. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING A PROPOSAL FOR A GEOGRAPHIC INFORMATION SYSTEM

Ald. Peachey introduced Resolution No. 12.

**CITY OF JEFFERSON
RESOLUTION NO. 12**

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Jefferson, Wisconsin authorize the City Administrator to retain the services of Town and Country Engineering, Inc. for the purpose of surveying storm water and wastewater utility infrastructure and integrating said data into a geographic information system (GIS) database at a cost not to exceed \$27,600.

Ald. Peachey, seconded by Ald. Brandel moved to recommend Resolution No. 12. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING A WISCONSIN WATERFRONT PLANNING GRANT

Ald. Cross introduced Resolution No. 13.

**CITY OF JEFFERSON
RESOLUTION NO. 13**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the City of Jefferson is authorized to apply for a Wisconsin Waterfront Planning Grant of \$25,000 and the City will contribute up to \$10,000 as the City share for the project. This project will allow the City of Jefferson to plan for a river walk on both sides of the Rock River from Puerner Street to Riverview Drive.

WHEREAS, this grant will allow the city of Jefferson to provide a detailed plan for the river walk from Racine Street to the edge of city property on both sides of the Rock River. This application will also account for an arts interpretation area.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council does approve and authorize the preparation and filing of an application for the above-named project(s); and the Mayor is hereby authorized to sign all necessary documents on behalf of the City; and that authority is hereby granted to the City Administrator and Parks, Recreation and Forestry Director to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution

Ald. Cross, seconded by Ald. Beyer moved to approve Resolution No. 13. On call of the roll, motion carried unanimously.

Ald. Peachey, seconded by Ald. Oppermann moved to adjourn the Tuesday, May 6, 2008 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, May 6, 2008, 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