

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, JULY 1, 2008**

The Tuesday, July 1, 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. Brandel, Ald. Carnes, Ald. Endl and Ald. Peachey. Absent was: Ald. Cross and Ald. Tully. Also present were: City Administrator Freitag, City Attorney Brantmeier, City Engineer Ludwig and City Clerk/Treasurer Stewart.

FLOOD INFORMATION

A flood overview was then presented by City Officials.

PUBLIC PARTICIPATION

Nicole Lippert, 316 North Main Street addressed the Council regarding the City's regulations on temporary pools. She stated that she felt that they should be treated as the temporary structures that they are and asked that the policy be restructured.

Dave Lorbecki, 714 Windsor Terrace, addressed the Council regarding the temporary road. He asked the Council to support a permanent access road.

Ron Michaelis, 900 West Racine Street, addressed the Council regarding the temporary road. Mr. Michaelis discussed the reasons he supports and the installation of a permanent road and the benefits it would have for that side of the community. He asked the Council to support a permanent access road.

Marla Michaelis, 900 West Racine Street, addressed the Council regarding the temporary road. Ms. Michaelis also asked the Council to support a permanent access road.

Tom Rueth, 943 West Racine Street, addressed the Council regarding the temporary access road. Mr. Rueth indicated that the road does aid the businesses in the area, but not the owners of the adjacent property which will have to pay the special assessments for the road. He felt that it would be unfair to assess him.

Mayor Myers left the Council Chambers and turned the meeting over Ald. Brandel. (8:03 pm)

PUBLIC HEARING AND ACTION ON AN ORDINANCE TO AMEND SECTION 300-19B OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO THE REZONING OF THE PROPERTY CURRENTLY REFERRED TO AS THE "BEILKE PROPERTY"

Ald. Brandel called the public hearing to order.

Ald. Brandel read the Notice of Public Hearing.

City Engineer Dan Ludwig gave an explanation of the proposed amendment to the official map.

A discussion was then held regarding the recommendation of the Plan Commission versus the language of Proposed Ordinance.

Ald. Brandel 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, Ald. Brandel closed the public hearing.

Ald. Carnes introduced Proposed Ordinance #11-08 for its second reading.

CITY OF JEFFERSON PROPOSED ORDINANCE #11-08

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:

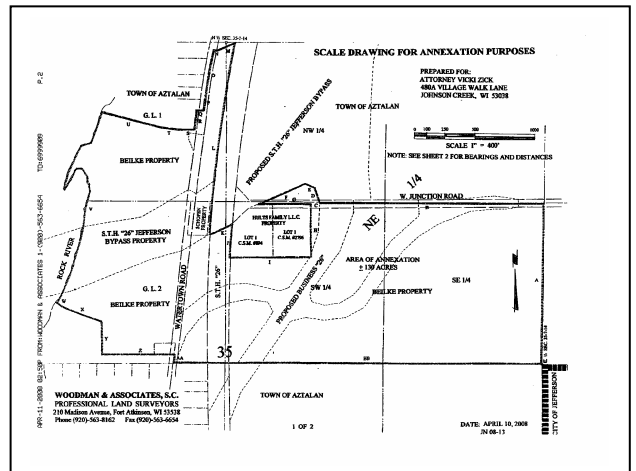
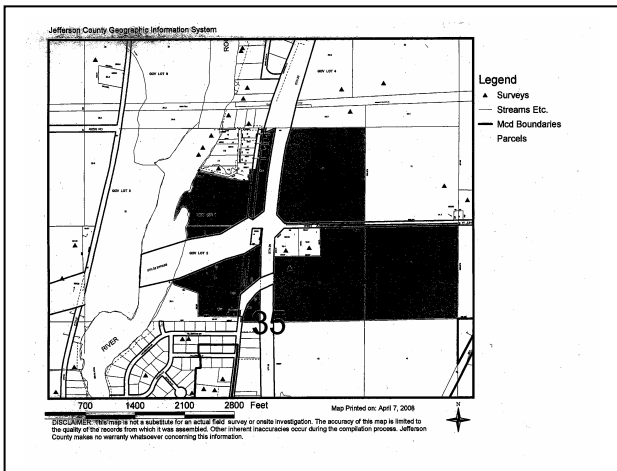
Section 1. Section 300-19 B. of the zoning map, City of Jefferson, Wisconsin, which is herein made a part, is amended to change district boundaries by designating a formal zoning designations of AG (Agriculture) and BHN (Highway and Neighborhood Business District)

Description: Please see Map

Parcel #: Multiple

Address: N5111 Watertown Road

Proposed Permanent Zoning Designation: All property West of Watertown Road to be zoned AG (Agriculture) and All property to the East of Watertown Road to be zoned BHN (Highway & Neighborhood Business District) excluding property belonging to the State of Wisconsin for highway purposes and property belonging to Randy Schopen (Capn's Corner)



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.

There was a general discussion regarding the area to be rezoned (as written in the ordinance) versus the zoning that the Plan Commission believed was being requested.

After a lengthy discussion and review of the original petition submission, the Council came to the conclusion that the Plan Commission had misunderstood the petition in front of them. After careful review of the originally submitted petition, the Council made the following motion.

Ald. Carnes, seconded by Ald. Oppermann moved to recommend Proposed Ordinance #11-08. On call of the roll, motion carried unanimously.

Mayor Myers then returned to the meeting. (8:34 am)

AN ORDINANCE TO AMEND SECTION 300-19B OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE REZONING OF THE PROPERTY LOCATED AT 978 NORTH WATERTOWN AVENUE

Ald. Brandel introduced Proposed Ordinance #12-08 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #12-08**

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 designating a formal zoning designation of RM (Multi-Family Residential).

Description: Beg. 312.80 Ft. W of N ¼ P, W 403.75 Ft. to Old Hwy 26, S 105.22 Ft, E 410.55 Ft., N105 Ft. to POB.

Parcel #: 241-0614-0221-000

Address: 978 North Watertown Avenue

Proposed Permanent Zoning Designation: RM (Multi-Family Residential)

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.

RESOLUTION ADDRESSING THE PERMANENCE OF A TEMPORARY ROAD BETWEEN MILWAUKEE STREET AND RACINE STREET AND FINANCING ALTERNATIVES WHICH MAY INCLUDE SPECIAL ASSESSMENTS

Mayor Myers stated that the Council really has two things to discuss tonight: if they want to make the road permanent and how they want to pay for the road.

In the absence of a pre-written resolution, Mayor Myers asked for input from the alderpersons.

Ald. Endl stated that he felt we should wait until one month after construction is complete to evaluate the use of the right-of-way.

Mayor Myers stated that he believed that the City was trying to utilize economies of scale to construct the road, therefore construction being necessary prior to the completion of Highway 18/Racine Street.

Cost savings was then discussed with the City Engineer. It was discussed that approximately \$16,000 for storm sewer could be deferred until the 2009 budget.

**CITY OF JEFFERSON
RESOLUTION NO. 23**

BE IT RESOLVED, by the Common Council of the City of Jefferson, WI that the Common Council hereby recommends that the temporary access road between Milwaukee Street and Racine Street becomes permanent and that the construction costs are funded out of the City budget.

Ald. Brandel, seconded by Ald. Oppermann moved to recommend Resolution No. 23.

Ald. Brandel asked if the alley was plowed and graveled. The Engineer answered yes.

Ald. Brandel then stated that the temporary road had been constructed in a manner which would support a permanent road. He stated that he believed that the road should be constructed in a permanent manner and if not, the road should be dedicated back to the property owners and the maintenance default back to the adjacent property owners.

Ald. Carnes asked if it would be precedent setting to not assess the property owners for street. He also asked if sidewalk would be mandatory if the street was permanent.

Ald. Oppermann stated that an agreement was reached with the golf course regarding Dewey Avenue...so the City has taken different stances on assessing at times.

City Engineer Ludwig indicated that all new streets have sidewalk.

Ald. Oppermann stated that he does see some traffic benefits to the street and that there would be a benefit to the school. He stated that he would support the resolution.

Ald. Beyer voiced her concern over putting another street onto an already busy Highway 18. Beyer stated that she felt Ald. Endl had a very valuable point and that the City should wait even if it means the project cost would increase.

Ald. Peachey stated that originally he felt that this would alleviate a lot of the congestion at West Elementary. However, after thinking more about it, kids would be crossing the street, there could be problems with walking in the road if there were no sidewalks, and another intersection would be introduced to an already busy location. He felt that the safety concerns would be overwhelming.

The Mayor then asked Chief Bleecker his opinion.

Chief Bleecker stated that he sees benefits and problems. He noted that he has concerns about an offset intersection with Piggly Wiggly, but also noted that some concerns could be quelled by making the street a one way (like Jackson). He stated that he also sees a need for sidewalk and noted the increased speed in the area. Bleecker stated that it really depends upon the stance you take, safety vs. traffic and/or business vs. homeowner.

Ald. Oppermann stated that he would feel more comfortable if the street was lined up with the Piggly Wiggly parking lot entrance. He also stated that he felt that sidewalks would be needed. Oppermann noted that the 100 block of South Taft Street also needs to be considered for sidewalk.

Ald. Carnes stated that he felt the street would be used by a lot of students and also agreed that we should probably monitor the flow of traffic on the street first.

Ald. Endl stated that he opposed the street even in its temporary state and stated that he remains convinced that it is not needed. He added that he felt that it would add to congestion in the area and felt that if the Council wanted to proceed, they should wait until the Highway 18 construction is complete and evaluate the flow then.

Ald. Peachey also stated that it may be a good idea to take a wait and see approach.

The Council then discussed the installation of curbing on Highway 18 for the temporary road. It was noted that even with the recent delay in work on the project, the street is still scheduled to be finished by November 1st.

Ald. Peachey asked if the school had been asked their opinion. It was noted that the school superintendent had been asked and he had no comment.

On call of the roll, motion failed by a vote of 4 to 2. Ald. Brandel and Ald. Oppermann voted in favor of Resolution No. 23.

CONSENT AGENDA

Ald. Oppermann introduced Resolution No. 24.

**CITY OF JEFFERSON
RESOLUTION NO. 24**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for July 1, 2008 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for July 2008 in the amount of \$704,371.58 and Payroll Summary for June 20, 2008 in the amount of \$151,098.00
- ◆ Council Minutes from the June 12, 2008 Special Meeting of the Common Council and the June 17, 2008 Regular Session Meeting of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee.
 - ◆ Operator's Licenses
 - ◆ Special Class B Licenses

Ald. Oppermann, seconded by Ald. Beyer moved to recommend Resolution No. 24. On call of the roll, motion carried unanimously.

Ald. Oppermann, seconded by Ald. Peachey moved to adjourn the Tuesday, July 1, 2008 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, July 1, 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