

**MINUTES  
CITY OF JEFFERSON COMMON COUNCIL  
TUESDAY, SEPTEMBER 2, 2008**

The Tuesday, September 2, 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. Carnes, Ald. Cross, Ald. Oppermann, Ald. Brandel, Ald. Tully and Ald. Peachey. Absent was: Ald. Endl. Also present were: City Administrator Freitag, City Attorney Brantmeier, City Clerk/Treasurer Stewart and City Engineer Ludwig.

Mayor Myers indicated that the City had received news of the resignation of City Engineer Dan Ludwig. He thanked Ludwig for all of his hard work over the years and especially noted his crucial role in the formation and implementation of the Master Plan.

**PUBLIC PARTICPATION**

Kevin Wenzel, N5059 Thrush Lane addressed the Council regarding Resolution No. 40. He urged the Council to approve Resolution No. 40 so the park can be in good shape for the Spring baseball season.

**AN ORDINANCE TO AMEND SECTION 300-17 OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO SWIMMING POOLS**

Ald. Cross introduced Proposed Ordinance #4-08 for its first reading.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #14-08**

An Ordinance to Amend Section 300-17 of the City of Jefferson Municipal Code Related to Swimming Pools.

The Common Council, of the City of Jefferson, Jefferson County, Wisconsin hereby ordains as follows:

**Section 1.** Section 300-17 of the Zoning code entitled "POOL" shall remain as written, but amended to read and provide as follows:

**Sec. 300-17 SWIMMING POOLS**

(b) Exempt pools.

- (1) Storable swimming or wading pools having a dimension of eighteen (18) feet or less and a wall height of forty-two (42) inches or less and which are constructed in such a way as to be readily disassembled for storage and reassembled to original integrity;
- (2) Storable swimming or wading pools with nonmetallic inflatable walls regardless of dimension.
- (3) All temporary swimming pools shall be removed and stored by November 1. Swimming pools shall not be allowed in

front yards. Swimming pools on side or in back yards shall be a minimum of 15 feet from the property line.

- (4) All swimming pools shall be covered and ladders removed when not in use.

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

This was a first reading.

**AN ORDINANCE TO CREATE SECTIONS 139-9, 139-10 AND 139-11 OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATING TO FIRE INSPECTION FEES**

Ald. Tully introduced Proposed Ordinance #15-08 for its first reading.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #15-08**

An Ordinance to Create Section 139-9, 139-10 and 139-11 of the City of Jefferson Municipal Code Relating to Fire Inspection Fees.

The Common Council, of the City of Jefferson, Jefferson County, Wisconsin hereby ordains as follows:

**Section 1.** Section 139-9, 139-10 and 139-11 of the City Of Jefferson Municipal Code Relating To Fire Inspection Fees is hereby created:

**§ 139-9 SPECIAL INSPECTIONS REQUIRED.**

- A. At the adoption of this code, all CBRF's, adult family homes, adult daycare centers and child daycare centers (group) will be inspected no less than once a year by the fire department. Courtesy fire inspections are recommended for all family child daycares. This inspection will be in addition to any and all commercial premises located within the City of Jefferson. This ordinance exempts any and all premises/facility owned by a governmental body from the requirements of payments of fees.
- B. Furthermore, at the adoption of this code, all other buildings subject to the Wisconsin Commercial Building Code require an annual inspection and be subject to the fee set annually by the Common Council in sec. \_\_\_\_ of this code.

**§ 139-10 FIRE INSPECTION FEES.**

- A. An annual fire inspection fee shall be charged to the property owner for required inspections of each building, structure, and premises.

- B. The annual fees shall constitute a special charge against the property inspected and shall be entered upon the tax roll as a charge against the property and all proceedings in relation to the collection, return, and sale of the property for delinquent real estate taxes shall apply to the inspection fee.
- C. The fee for the required fire inspection shall be established by the City Council Resolution from time to time.

**§ 139-11 FEES RELATING TO FIRE PROTECTION SYSTEMS.**

- A. Fees shall be established for certificates, approvals, and other functions performed under this code and shall be payable to the Municipality. Such fees shall accompany each application for such approval, certificate, or other fee related code provision. Fees are subject to change. All fees pertain to new construction and remodeling of existing buildings or occupancy.

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

This was a first reading.

**AN ORDINANCE TO CREATE SECTION 300-24.2 RELATED TO A MIXED USE ZONING DISTRICT**

Ald. Brandel introduced Proposed Ordinance #16-08.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #16-08**

An Ordinance to Create Section 300-24.2 Relating to a Mixed Use Zoning District.

The Common Council, of the City of Jefferson, Jefferson County, Wisconsin hereby ordains as follows:

**Section 1.** Section 300-24.2 of the City of Jefferson Municipal Code Relating To a Mixed Use Zoning District is hereby created:

**§ 300-24.2 MIXED USE (M-U)**

- A. The (M-U) mixed residential and business district is intended to provide for a number of uses deemed appropriate in areas of historical significance with existing buildings or otherwise unique characteristics. These include residential, as well as business uses. This district is intended to be used for larger areas which require careful advanced planning and coordination to ensure the proper execution of development plans. It is also intended that this zoning district be used in conjunction with the requirements and procedures of a Planned Unit Development (§ 300-29(A)) and that plans to be developed in the mixed residential and business district be subject to rezoning through the Planned Unit Development in the City zoning ordinance. This will give the developer the greatest flexibility in

redeveloping these larger parcels and the City greatest control over the design of the development and the image it creates within the City.

(1) Permitted uses.

a. Due to the unique historical features and characteristics of areas designated for redevelopment within the City and the stated intent that this underlying zoning district be used in association with the Planned Unit Development provisions of this chapter, any and all uses allowed in any residential business or industrial district are allowed as part of an approved Planned Unit Development.

(2) Lot area and width. Lots shall contain sufficient area and width to implement Redevelopment Plans as determined and approved by the Plan Commission and the City Council for the City of Jefferson.

(3) Building height and area.

a. There shall be no maximum height restriction for principal structures in the M-U mixed residential and business district, however, adequate measures shall be provided to afford adequate fire protection.

b. No accessory building shall exceed 15 feet in height.

c. The sum total of the floor area of the principal building(s) and all accessory buildings shall not exceed 50 percent of the lot area.

(4) Parking requirements.

a. Off-street parking and loading areas are required as described in Chapters 265 and 300 of the City zoning ordinance.

(5) Erosion control.

a. See \_\_\_\_\_.

(6) Land use density and other standards.

a. Land use density and other standards shall, insofar as possible, be maintained in compliance with the requirements set forth in the underlying basic zoning district which most closely, as determined by the Plan Commission and City Council for the City of Jefferson, approximates the uses in one (1) of the business and/or industrial districts.

(7) Plans and specifications to be submitted to the Plan Commission. To encourage a residential and business environment that is compatible with the residential character of the City, building permits for permitted uses in the M-U mixed residential and business district shall not be issued without review and approval of the City of Jefferson Plan Commission pursuant to the guidelines set forth in Chapter 300 of this code. Said review and approval shall be concerned with general layout, business plans, ingress and egress, parking, loading and unloading, landscaping, and open space utilization.

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

This was a first reading.

**RESOLUTION APPROVING A CONTRACT FOR ENVIRONMENTAL SERVICES FROM BT2**

Removed from the agenda...

**CONSENT AGENDA**

Ald. Oppermann introduced Resolution No. 36.

**CITY OF JEFFERSON  
RESOLUTION NO. 36**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for September 2, 2008 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for August 2008 in the amount of \$141,154.64 and Payroll Summary for August 15, 2008 in the amount of \$140,946.15.
- ◆ Council Minutes from the August 19, 2008 Committee of the Whole and the August 19, 2008 Regular Session Meeting of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee.
  - ◆ Operator's Licenses
  - ◆ Special Class B Licenses

Ald. Peachey and Ald. Brandel noted a few changes to the attendance portion of the August 19<sup>th</sup> minutes.

Ald. Oppermann, seconded by Ald. Tully moved to recommend Resolution No. 36. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE LEASE AND CLOSURE OF CITY RIGHT OF WAY TO THE JEFFERSON CHAMBER OF COMMERCE**

Ald. Beyer introduced Resolution No. 37.

**CITY OF JEFFERSON  
RESOLUTION NO. 37**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin

that the 100 block of East Milwaukee Avenue is hereby temporarily closed on October 4, 2008, from 1:00 p.m. to 5:00 p.m. in conjunction with Autumn Fest; and

**BE IT FURTHER RESOLVED** that said right-of-way is hereby leased to the Jefferson Chamber of Commerce in the sum of \$1.00 for said time-frame.

Ald. Beyer, seconded by Ald. Oppermann moved to recommend Resolution No. 37. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE LEASE AND CLOSURE OF CITY RIGHT OF WAY TO HERBERT BLASING, DBA: HERBIE'S BAR**

Ald. Carnes introduced Resolution No. 38.

**CITY OF JEFFERSON  
RESOLUTION NO. 38**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the South end of the Milwaukee Street Parking Lot is hereby temporarily closed on September 4, 2008, from 10:00 a.m. to 6:00 p.m. in conjunction with Gemuetlichkeit Days; and

**BE IT FURTHER RESOLVED** that said right-of-way is hereby leased to the Herbert Blasing DBA: Herbie's Bar in the sum of \$50.00 for said time-frame.

**BE IT FURTHER RESOLVED** that the approval is subject to a discussion with the Police Chief regarding the parking lot usage.

Ald. Oppermann indicated that the Regulatory Committee was recommending that the entire 100 block be closed down for pedestrian traffic only after the parade. They felt that this would be a great safety enhancement.

Ald. Carnes, seconded by Ald. Brandel moved to recommend Resolution No. 38. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE WASTEWATER TREATMENT PLANT**

Ald. Brandel introduced Resolution No. 39.

**CITY OF JEFFERSON  
RESOLUTION NO. 39**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the Wastewater Treatment Plant Superintendent is hereby authorized to purchase a 2009 Ford Escape from Capital Ford, Madison in an amount not to exceed \$15,674.

Ald. Peachey indicated that Resolution No. 39 was unanimous at Finance Committee.

Ald. Brandel, seconded by Ald. Peachey moved to recommend Resolution No. 39. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING A PROPOSAL FOR THE RESEEDING OF RIVERFRONT PARK**

Ald. Peachey introduced Resolution No. 40.

**CITY OF JEFFERSON  
RESOLUTION NO. 40**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that due to the flood of June 2008 the grass at Riverfront Park needs to be restored and is not eligible for FEMA reimbursement.

**BE IT FURTHER RESOLVED** that the City of Jefferson received two proposals to till and seed as well as fertilize the grass at Riverfront Park. .

**BE IT FURTHER RESOLVED** that the City of Jefferson authorizes the City Administrator to enter into an agreement with Jaeger Landscaping in the amount not to exceed \$18,000

Ald. Peachey stated that approval of Resolution No. 40 was unanimous at Finance Committee and that they felt that time is of the essence. He stated that the contractors have indicated that they would be ready to start within 2-3 days...weather dependent.

Ald. Peachey, seconded by Ald. Carnes moved to recommend Resolution No. 40. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE “NEXT STEPS” IN RELATION TO THE CITY HALL PARKING LOT AND CERAMIC TILE REDEVELOPMENT SITES**

Ald. Brandel introduced Resolution No. 41.

**CITY OF JEFFERSON  
RESOLUTION NO. 41**

**RESOLUTION AUTHORIZING LEASE OF CITY HALL PARKING LOT FOR  
DOWN TOWN AND RIVERFRONT REDEVELOPMENT.**

**WHEREAS**, the City of Jefferson has retained Vandewalle and Associates to undergo an extensive Downtown and Riverfront Revitalization Plan.

**WHEREAS**, as part of that plan, the City Hall parking lot site is intended to be renovated to include a mix of civic and residential uses as itemized in the plan.

**WHEREAS**, the Jefferson RDA has recommended that the City Council move forward with the development of the City Hall renovations and that the Council secure an assignable option of the ceramic tile site.

**THEREFORE, BE IT RESOLVED** that the City of Jefferson hereby publicly expresses its willingness to enter into a long term lease of the City Parking lot for the specific purpose of developing and implementing the Downtown and Riverfront District No.1 plans.

**BE IT FURTHER RESOLVED** that the RDA has directed to solicit bid proposals for the City Hall parking lot renovation project and to begin the discussions of potentially acquiring an assignable option to purchase the Jefferson Ceramic Tile site.

Ald. Brandel stated that this resolution was unanimous at the RDA meeting. He stated that the authority feels good about the potential projects and further indicated that this project has always been given the number one spot in the Development Plan.

City Administrator Freitag stated that he is not sure about securing an option at the tile site. He added that the approval of this resolution would allow the City to solicit for RFQs. He stated that there is interest in the property, but it will take a lot work to make the numbers work.

Ald. Brandel, seconded by Ald. Cross moved to recommend Resolution No. 41. On call of the roll unanimously.

Ald. Peachey, seconded by Ald. Tully moved to adjourn to Closed Session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to discuss the continued employment and compensation of the LTE General Administration Receptionist. On call of the roll, motion carried unanimously.

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

**RENEWAL OF EMPLOYMENT FOR LTE GENERAL ADMINISTRATION RECEPTIONIST**

Ald. Tully introduced Resolution No. 42.

**CITY OF JEFFERSON  
RESOLUTION NO. 42**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the employment of Sarah Copsey as LTE General Administration Receptionist be renewed at an hourly wage rate of \$12.15.

**BE IT FURTHER RESOLVED**, that this position is for a limited term of one year and will be reviewed by the Personnel Committee in August of 2009. However, the status of the LTE nature of the position may be reviewed sooner.

Ald. Tully, seconded by Ald. Beyer moved to recommend Resolution No. 42. On call of the roll, motion carried unanimously.

Ald. Peachey, seconded by Ald. Beyer moved to adjourn the Tuesday, September 2, 2008 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, September 2, 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