

**MINUTES  
CITY OF JEFFERSON COMMON COUNCIL  
TUESDAY, MARCH 3, 2009**

The Tuesday, March 3, 2009 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. Cross, Ald. Tully, Ald. Oppermann, Ald. Brandel, Ald. Endl, Ald. Carnes and Ald. Peachey. Also present were: City Administrator Freitag, City Attorney Brantmeier, City Clerk/Treasurer Stewart, City Engineer Zalar and Assistant City Engineer Jenkins.

**PUBLIC PARTICPATION**

None.

**AN ORDINANCE TO AMEND SECTION 197-6 F OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO NOXIOUS WEEDS**

Ald. Cross introduced Proposed Ordinance #6-09 for its first reading.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #6-09**

An Ordinance to Amend Section 197-6 F Relating to Noxious Weeds.

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

**Section 1.** Section 197-6 F. of the City of Jefferson Municipal Code relating to Noxious Weeds is hereby amended:

**§ 197-6. Public nuisances affecting health.**

F. Noxious weeds.

- (1) Any weeds such as jimson, burdock, ragweed, thistle, cocklebur or other weeds of a like kind found growing on any lot or tract of land in the City are hereby declared to be a nuisance, and no person shall permit any such weeds to grow or remain in any such place.
- (2) No person shall permit any weeds, grass or plants, other than trees, bushes, flowers, and cultivated agricultural or other ornamental plants, to grow to a height exceeding **4 inches** anywhere in the City. Any such plants or weeds exceeding such height are hereby declared to be a nuisance.
- (3) The City shall notify property owners of a violation of this Subsection F by mail. Owners shall be given five days from receipt to cut all noxious weeds and any other weeds, grass or plants which exceed **4 inches**. [Added 8-20-2002 by Ord. No. 9-02]
- (4) If the owner fails to comply with the notice provided for in Subsection F(3) above, the work may be performed by the City, in which case the property owner shall be charged actual wages per hour for labor and machinery costs

per hour. In addition, the owner will be subject to the penalty charge as stipulated in Chapter 1, § 1-4C of this Code. [Added 8-20-2002 by Ord. No. 9-02<sup>1</sup>]

**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.

**CONSENT AGENDA**

Ald. Oppermann introduced Resolution No. 100.

**CITY OF JEFFERSON  
RESOLUTION NO. 100**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for March 3, 2009 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for March 2009 in the amount of \$223,705.15 and Payroll Summary for February 13, 2009 in the amount of \$125,280.73.
- ◆ Council Minutes from the February 17, 2009 Regular and Closed Session Meetings of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee.
  - ◆ Operator's Licenses
  - ◆ Special Class B Licenses

Ald. Oppermann, seconded by Ald. Tully moved to recommend Resolution No. 100. On call of the roll, motion carried unanimously. Ald. Brandel abstained from the approval of the minutes due to his absence.

**AUTHORIZING BUDGET ADJUSTMENTS**

Ald. Peachey introduced Resolution No. 101.

**CITY OF JEFFERSON  
RESOLUTION NO. 101**

**BE IT RESOLVED** by the Common Council of the City of Jefferson that the following 2008 budget adjustments are hereby authorized and shall be funded out of the General Fund fund balance:

	<b>CURRENT</b>	<b>BUDGET</b>	<b>REVISED</b>
--	----------------	---------------	----------------

---

<b>BUDGET ITEM</b>	<b>ACCOUNT #</b>	<b>BUDGET</b>	<b>ADJUSTMNT</b>	<b>AMOUNT</b>
<i>City Hall</i>				
Serv. To Maint. Bldg	01-51510-20-263	\$3,000.00	<b>\$4,300.00</b>	\$7,300.00
<i>Police Department</i>				
Wages – Part time Sworn	01-52110-10-127	\$28,000.00	<b>\$25,000.00</b>	\$53,000.00
Police Retirement	01-52110-15-141	\$125,900.00	<b>\$11,000.00</b>	\$136,900.00
Gasoline & Oil	01-52110-30-341	\$18,650.00	<b>\$11,000.00</b>	\$29,560.00
Electric, Water, Sewer	01-52110-20-254	\$16,500.00	<b>\$8,000.00</b>	\$24,500.00
<i>EMS</i>				
Wages – Part Time	01-52550-10-129	\$89,150.00	<b>\$10,000.00</b>	\$99,150.00
<i>Street &amp; Highway Maint.</i>				
Snow & Ice Control	01-54310-30-372	\$28,000.00	<b>\$76,000.00</b>	\$104,000.00
<i>Museum</i>				
Electric, Water, Sewer	01-55120-20-254	\$300.00	<b>\$30.00</b>	\$330.00
<i>Senior Center</i>				
Natural Gas	01-55220-20-256	\$2,500.00	<b>\$1,525.00</b>	\$4,025.00
<i>Park Maintenance</i>				
Electric, Water & Sewer	01-55510-10-114	\$2,500.00	<b>\$80.00</b>	\$2,580.00
<i>Forestry</i>				
Forestry Services	01-55610-20-232	\$9,200.00	<b>\$210.00</b>	\$9,410.00

<b>BUDGET ITEM</b>	<b>ACCOUNT #</b>	<b>CURRENT BUDGET</b>	<b>BUDGET ADJUSTMENT</b>	<b>REVISED AMOUNT</b>
Fund 16 – Recycling Fund	16-50000-10-113	\$26,850.00	<b>\$3,600.00</b>	\$30,450.00
Fund 75 – GIS Fund	75-50000-20-210	\$1,500.00	<b>\$895.00</b>	\$2,395.00

**BE IT FURTHER RESOLVED** that the above budget adjustments are funded out of the respective fund balances.

It was noted that the approval was unanimous at Finance Committee.

Ald. Peachey, seconded by Ald. Brandel moved to recommend Resolution No. 101. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING SUBMISSION OF CDBG-EMERGENCY ASSISTANCE GRANT**

Ald. Beyer introduced Resolution No. 102.

**CITY OF JEFFERSON  
RESOLUTION NO. 102**

**Authorizing Submission of the Application**

Relating to the City of Jefferson's participation in the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance program.

**WHEREAS**, Federal monies are available under the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance program, administered by the State of Wisconsin, Department of Commerce, Bureau of Community Finance, for the purpose of disaster recovery; and

**WHEREAS**, after public hearing and due consideration, the Finance Committee has recommended that an application be submitted to the State of Wisconsin for the following projects:

***Flood Protection for WWTP Facility***

**WHEREAS**, it is necessary for the City Council, to approve the preparation and filing of an application for the City of Jefferson to receive funds from this program; and

**WHEREAS**, the City Council has reviewed the need for the proposed projects and the benefits to be gained therefrom;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Jefferson does APPROVE and authorize the **Finance Committee** to prepare and file an emergency application for funds under this program in accordance with this resolution; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to sign all necessary documents on behalf of the City of Jefferson.

Ald. Beyer, seconded by Ald. Peachey moved to recommend Resolution No. 102. On call of the roll, motion carried unanimously.

**RESOLUTION ADOPTING A CITIZEN PARTICIPATION PLAN FOR A CDBG-EAP GRANT**

Ald. Tully introduced Resolution No. 103.

**CITY OF JEFFERSON  
RESOLUTION NO. 103**

**ADOPTING A CITIZEN PARTICIPATION PLAN**

**WHEREAS**, the City of Jefferson has applied for a Community Development Block Grant Emergency Assistance Program (CDBG-EAP) grant for housing rehabilitation.

**WHEREAS**, the State of Wisconsin Department of Commerce and the U.S. Department of Housing and Urban Development (HUD) require recipients of Community

Development Block Grant Emergency Assistance monies to have in place a Citizen Participation Plan; and

**WHEREAS**, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low- to moderate-income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings, provide for a complaint procedure and accommodate non-English speaking residents; and

**WHEREAS**, the City of Jefferson has prepared and publicly reviewed a Citizen Participation Plan.

**NOW THEREFORE BE IT RESOLVED**, the Common Council of the City of Jefferson officially adopts the Citizen Participation Plan.

Ald. Tully, seconded Ald. Peachey moved to recommend Resolution No. 103. On call of the roll, motion carried unanimously.

Ald. Peachey, seconded by Ald. Beyer moved to adjourn to closed session pursuant to Section 19.85(1)(g) of the Wisconsin State Statutes Regarding Potential Litigation about the Brickyard Subdivision Agreement/Flooding Abatement and to Discuss Potential Litigation as it Relates to Walmart and Prevailing Wage Rates. On call of the roll, motion carried unanimously.

Ald. Beyer, seconded by Ald. Peachey moved to reconvene to open session. On call of the roll, motion carried unanimously.

Ald. Peachey, seconded by Ald. Beyer moved to adjourn the March 3, 2009 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, March 3, 2009, 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