

**MINUTES  
CITY OF JEFFERSON COMMON COUNCIL  
TUESDAY, MAY 19, 2009**

The Tuesday, May 19, 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. Tully, Ald. Cross, Ald. Endl, Ald. Brandel, Ald. Carnes and Ald. Oppermann. Absent was: Ald. Peachey. Also present were: City Administrator Freitag, City Attorney Brantmeier, City Clerk/Treasurer and City Engineer Zalar.

**PUBLIC PARTICIPATION**

Tim Bare – 234 East Racine Street, addressed the Council regarding the sewer connection fee. Mr. Bare stated that he felt it was only fair that the newly annexed areas pay the connection fee. He also added that the City's fees are high for new buildings and that the City should possibly considering waiving some of those fees at this time to encourage building in the community.

**AN ORDINANCE ANNEXING TERRITORY FROM THE TOWN OF AZTALAN**

Ald. Brandel introduced Proposed Ordinance #8-09 for its first reading.

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #8-09**

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 7<sup>th</sup> day of May, 2009, 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:

Lots 1 and 2 of Certified Survey Map No. 1601 recorded on June 4, 1982 in Volume 5 of Certified Surveys on Page 146 as Document No. 782753, being part of the Northeast Quarter of the Southwest Quarter of Section 35, Town 7 North, Range 14 East, Town of Aztalan, Jefferson County, Wisconsin.

A parcel of land being a part of Government Lot 3, located in the Fractional S.W. 1/4 of Section 35, Township 7 North, Range 14 East, Town of Aztalan, Jefferson County, Wisconsin bounded and described as follows:

Commencing at the aluminum monument that marks the Northwest corner of the Fractional SW Quarter of said Section 35; thence South 89 Degrees 26' 48" East along the North line of said fractional Southwest Quarter a distance of 2223.46 feet to the intersection of said North line and the Easterly right of way line (R.O.W.) of Watertown Road; thence South 07 Degrees 11' 06" West along said Easterly R.O.W. line a distance of 369.33 feet to a found 1" diameter iron pipe (F.I.P.) and to the point of beginning of the lands to be described: thence South 07 Degrees 11' 06" West a distance of 162.22 feet to a Found 3/4" Iron Rebar (F.I.R.) thence South 84 Degrees 52' 53" East a distance of 222.70 feet to a F.I.R.; thence South 76 Degrees 34' 06" East a distance of 100.62 feet to the Westerly R.O.W. line of S.T.H. "26" and to a F.I.R.; thence North 00 Degrees, 11' 50" West a distance of 171.36 feet to a F.I.P.; thence North 83 Degrees 43' 48" West to the point of beginning, containing 501.36 square feet or 1.151 acres of land, more or less.

**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 3<sup>rd</sup> 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. Tax Payment.** In compliance with Section 66.0217(14)(a) Wis. Stats., the City of Jefferson acknowledges that it must pay annually 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 2008 tax roll under Section 70.65 Wis. Stats., said amount being approximately \$6,619.05 in total for said 5 years.

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

This was first reading.

**CONSENT AGENDA**

Resolution No. 8 was introduced by Ald. Oppermann.

**CITY OF JEFFERSON  
RESOLUTION NO. 8**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for May 19, 2009 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for April and May 2009 in the amount of \$150,592.24 and \$142,393.61 and Payroll Summary for May 8, 2009 in the amount of \$127,780.11.
- ◆ Council Minutes from the May 5, 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. 8. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR AND CITY CLERK TO SUBMIT AN APPLICATION FOR A STATE TRUST FUND LOAN**

Ald. Carnes introduced Resolution No. 9.

**CITY OF JEFFERSON  
RESOLUTION NO. 9**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that it herein authorizes the City Clerk and City Administrator to submit a municipal application request for a State Trust Fund Loan in the amount of \$347,950 for purposes of financing a City Hall boiler system, brush chipper and street projects.

Ald. Carnes stated that approval of Resolution No. 9 was unanimous at Finance Committee.

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

**RESOLUTION AUTHORIZING THE REDISTRIBUTION OF THE EXCESS TID  
1 FUNDS**

Ald. Endl introduced Resolution No. 10.

**CITY OF JEFFERSON  
RESOLUTION NO. 10**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that it herein authorizes the distribution of excess Tax Increment District 1 Funds in the amount of \$210,928 to the City of Jefferson, Jefferson County, Jefferson School District and Madison Area Technical College. Said funds were not distributed when Tax Increment District 1 was abolished in 1997 because they were used to support a revolving interest rate subsidy program that was created during the high interest rate environment of the 1980s. As the obligations of all but one of these loans have been satisfied, retention of these funds is no longer required. The distribution of these funds is based upon the tax rates for the taxing jurisdictions in place at the time Tax Increment District 1 was closed (1997).

Ald. Carnes indicated that Resolution No. 10 was unanimously approved at Finance Committee.

City Administrator Freitag then provided the Council with a brief explanation.

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

**RESOLUTION APPROVING SALE OF GOODS IN PUBLIC RIGHT-OF-WAY  
(JEFFERSON AREA BUSINESS CENTER)**

Ald. Cross 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 Jefferson Area Business Center is allowed to sell desserts in Rotary Park during park and City events.

**BE IT FURTHER RESOLVED** that this permit shall run for six months (May 20-November 20, 2009).

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

**RESOLUTION APPROVING SALE OF GOODS IN PUBLIC RIGHT-OF-WAY  
(TYSON PREPARED FOODS)**

Ald. Cross introduced Resolution No. 12.

**CITY OF JEFFERSON  
RESOLUTION NO. 12**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the Tyson Prepared Foods is allowed to sell brats, hot dogs, chicken items, and beverages in Rotary/Riverfront Park and various other City locations during park and City events.

**BE IT FURTHER RESOLVED** that this permit shall run for six months (May 20-November 20, 2009). Proceeds of these sales will be donated to local charities.

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

**RESOLUTION ADOPTING THE RIVERVIEW HEIGHTS FACILITY PLAN FOR THE EXTENSION OF SANITARY SEWER SERVICE AS PREPARED BY TOWN AND COUNTRY ENGINEERING**

Ald. Carnes introduced Resolution No. 13.

**CITY OF JEFFERSON  
RESOLUTION NO. 13**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that it herein adopts and approves the Riverview Heights Facility Plan as prepared by Town and Country Engineering and authorizes the City Administrator to submit said plan to the appropriate state agencies for their review

Ald. Carnes, seconded by Ald. Brandel moved to recommend Resolution No. 13. On call of the roll, motion carried unanimously.

Ald. Brandel, seconded by Ald. Oppermann moved to adjourn to Closed Session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to Discuss the AFSCME Contract. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING THE 2009-2010 AFSCME UNION CONTRACT**

Ald. Tully introduced Resolution No. 14.

**CITY OF JEFFERSON  
RESOLUTION NO. 14**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that it herein ratifies a collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) Union for years 2009 and 2010. The terms of the agreement include across the board wage increases of 2.75% for 2009 and 2.5% for year 2010 for members of the bargaining unit which includes street department employees, wastewater treatment plant employees, ems personnel and various clerical personnel in the administration and police departments.

Ald. Tully, seconded by Ald. Endl moved to recommend Resolution No. 14. On call of the roll, motion carried unanimously.

Ald. Carnes, seconded by Ald. Cross moved to adjourn the May 19, 2009 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, May 19, 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