

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, JUNE 16, 2009**

The Tuesday, June 16, 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. Brandel, Ald. Peachey, Ald. Tully and Ald. Oppermann. Absent was: Ald. Endl and Ald. Carnes. Also present were: City Administrator Freitag, City Attorney Brantmeier, City Clerk/Treasurer and City Engineer Zalar.

PUBLIC PARTICIPATION

Dave Grooman, City of Jefferson Cable Coordinator, then presented the Council with a six month rundown of the Cable Programs progress. He thanked the Council for their support and stated that he looks forward to working with them in the future.

CDBG AWARD

City Administrator Freitag drew the Council's attention to the press release from the State of Wisconsin regarding the receipt of federal supplemental funds under the CDBG Program. Freitag noted that he believed that the improvements to the WWTP were going to be funded at about 100%. He added that the funding will be used to "flood proof" the WWTP.

City Administrator Freitag also noted that Dennis Heling from the County had also wrote a grant application and received two million dollars to be used for Jefferson County Businesses which were impacted by the flood.

AN ORDINANCE TO AMEND SECTION 300-19 B. OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO REZONING

Ald. Tully introduced Proposed Ordinance #9-09 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #9-09**

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 deleting the following area from **Industrial** to **Mixed Use**:

Description: BEG NW/C LOT 4, BLK 3 WEST JEFFERSON PLAT,
S17DG28'W ALG E/L WISC DR. 29FT, S72 DG32'E 171.39' TO R, N34DG 6'E
38.82FT ALG R. WALL, N72DG32'W 52.17FT, N17DG28'E
85.16FT,N31DGE170.75FTN59DG W 3.50FT, N31DGE 120FT, N18 DGE

66.71FT, N59DGW 21FT, S56DG51'W 72.24FT, N50DG38'W 20.22FT, N72DG32'W 10.58FT TO POB. ALSO ROW IN 278-595. ALSO ESMT IN DOC 1112900. ALSO COM NW/C W1/4 S88DG13' E 1843.14FT, S01DG46'W 605.77FT TO POB, S55DG39'E 24.88FT, S27DG49'W 184.79FT, S34DG17'W 159.02FT, S25DG15' W 24.99FT, N69DG17'W 27.22FT N20DG48'E 85.33FT, N34DG20'E 170.75FT, N55DG39'W 3.50FT, N34DG20'E 120FT TO POB. EX COM NW/C NW1/4, S88DG13'E 1843.14FT, S01DG46'W 605.77 FT, S55DG39'E 24.88FT, S27DG49'W 184.79FT, S34DG17' W 159.02FT, S25DG15'W 24.99 FT TO POB, S25DG15'W 37.22FT S69DG17'E 17.82FT, NELY ALG RIV 38.75FT, N69DG17'W 26.05 FT TO POB.

Parcel #: 241-0614-1121-068

Address: 218 Wisconsin Drive

Proposed Permanent Zoning Designation: Mixed 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 of the district boundary changes incorporated herein the zoning map, City of Jefferson.

This was a first reading.

AN ORDINANCE TO AMEND SECTION 300-19 B. OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO REZONING

Ald. Beyer introduced Proposed Ordinance #0-09 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #10-09**

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 boundaries by deleting the following area from **Business Commercial** to **Residential**:

Description: Lot 3, Blk 3, Orig Plat of Jefferson

Parcel #: 241-0614-1112-014

Address: 117 South Whitewater Avenue

Proposed Permanent Zoning Designation: R-1 (Single 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.

CONSENT AGENDA

Ald. Oppermann introduced Resolution No. 18.

**CITY OF JEFFERSON
RESOLUTION NO. 18**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for June 16, 2009 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for May and June 2009 in the amounts of \$5,078.18 and \$417,819.88 and Payroll Summary for June 5, 2009 in the amount of \$128,400.03.
- ◆ Council Minutes from the June 2, 2009 Regular and Closed Session Meetings of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee.
 - ◆ Operator's Licenses (New/Renewal)
 - ◆ Special Class B Licenses

Ald. Oppermann, seconded by Ald. Tully moved to recommend Resolution No. 18. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE BORROWING OF FUNDS FROM THE TRUST FUND OF THE STATE OF WISCONSIN FOR THE PURPOSE OF FINANCING STREET AND BOILER PROJECTS AS WELL AS PURCHASING CAPITAL EQUIPMENT

Ald. Peachey introduced Resolution No. 19.

**CITY OF JEFFERSON
RESOLUTION NO. 19**

THEREFORE, BE IT RESOLVED, that the City of Jefferson in the County of Jefferson, Wisconsin borrow from the Trust Funds of the State of Wisconsin the sum of Three Hundred Forty Seven Thousand Nine Hundred Fifty and 00/100 Dollars (\$347,950.00) for the purpose of financing street and boiler projects as well as purchasing capital equipment.

The loan is to be payable within 10 years from the 15th of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the

rate of 4.50 percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the City of Jefferson, in the County of Jefferson, Wisconsin a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the City of Jefferson by such loan from the state be applied or paid out for any purpose except financing street and boiler projects as well as purchasing capital equipment without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the mayor and clerk of the City of Jefferson, in the County of Jefferson, Wisconsin, are authorized and empowered, in the name of the city to execute and deliver to the Commission, certificates of indebtedness in such form as required by the Commission, for any sum of money that may be loaned to the city pursuant to this resolution. The mayor and clerk of the city will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this city forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Ald. Peachey indicated that Resolution No. 19 was unanimously approved at Finance Committee at a past meeting.

Ald. Peachey, seconded by Ald. Beyer moved to recommend Resolution No. 19. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING AN APPLICATION FOR A STATE TRUST FUND LOAN FROM AND THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS TO THE STATE OF WISCONSIN BOARD OF COMMISSIONERS OF PUBLIC LANDS, AND MAKING CERTAIN COVENANTS RELATING TO THE BUILD AMERICA BOND PROGRAM

Ald. Brandel introduced Resolution No. 20.

**CITY OF JEFFERSON
RESOLUTION NO. 20**

A complete copy is on file in the office of the City Clerk and is available for public inspection.

Ald. Brandel, seconded by Ald. Beyer moved to recommend Resolution No. 20. On call of the roll, motion carried unanimously.

TEMPORARY CLOSURE AND LEASE OF A PORTION OF SOUTH FISCHER AVENUE

Ald. Cross introduced Resolution No. 21.

**CITY OF JEFFERSON
RESOLUTION NO. 21**

BE IT RESOLVED by the Common Council of City of Jefferson, Wisconsin that the 100 block of South Fischer Avenue is hereby temporarily closed on August 1st, 2009 from 3:00 pm to 11:00 pm, to have a pig roast/block party, and

BE IT FURTHER RESOLVED that said right-of-way is hereby leased to Jared Beauchamp and Orlando Moreira in the sum of \$50.00 for said time-frame.

Ald. Cross, seconded by Ald. Brandel moved to recommend Resolution No. 21. On call of the roll, motion carried unanimously.

RESOLUTION SETTING CABLE ADVERTISING RATES

Ald. Cross introduced Resolution No. 22.

**CITY OF JEFFERSON
RESOLUTION NO. 22**

THEREFORE BE IT RESOLVED by the Common Council of the City of Jefferson herein approves the JPEG-TV 96 Advertising Rates as recommended by the Jefferson Cable Television Committee and Jefferson Finance Committee. Said rates are to be incorporated into the City of Jefferson Fee Schedule adopted for charges to the public for service.

Ald. Peachey indicated that Resolution No. 22 was unanimous at Finance Committee.

Ald Beyer stated that she hoped that the Cable Program would one day be self sufficient.

Ald. Cross, seconded by Ald. Brandel moved to recommend Resolution No. 22. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING THE COMPLIANCE MAINTENANCE ANNUAL REPORT

Ald. Brandel introduced Resolution No. 23.

**CITY OF JEFFERSON
RESOLUTION NO. 23**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the 2008 Compliance Maintenance Annual Report has been reviewed and approved.

Wastewater Treatment Plant Superintendent Kelly then reviewed the CMAR with the Council. The Plant received the “A” grade in all but one area.

Ald. Brandel stated that Resolution No. 23 was unanimously approved and recommended by the Streets Committee.

Ald. Brandel, seconded by Ald. Peachey moved to recommend Resolution No. 23. On call of the roll, motion carried unanimously.

PRELIMINARY RESOLUTION TO AUTHORIZE SPECIAL ASSESSMENTS FOR SANITARY SEWER IN THE RIVERVIEW HEIGHTS SUBDIVISION AND WATERTOWN AVENUE

Ald. Tully introduced Preliminary Resolution No. 24.

**CITY OF JEFFERSON
PRELIMINARY RESOLUTION NO. 24**

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

1. That the Common Council declares its intention under Section 66.070(1) of the Wisconsin Statutes to levy special assessments upon the following described properties benefited by the proposed improvements, which improvements and assessments constitute an exercise of the City’s police powers:

2069 Linear Feet of Sanitary Sewer including Lateral Installation and Street Reconstruction along Hillebrand Drive

708 Linear Feet of Sanitary Sewer along Limited Lateral Installation and Limited Street Reconstruction along Watertown Road

941 Linear Feet of Sanitary Sewer including Lateral Installation and Street Reconstruction along Thrush Lane

336 Linear Feet of Sanitary Sewer including Lateral Installation and Street Reconstruction along Hillcrest Lane

367 Linear Feet of Sanitary Sewer including Lateral Installation and Street Reconstruction along Aztalan Court

2. The Common Council determines that the improvements and assessments constitute an exercise of the City’s police powers, properties to be assessed are

benefited by the project and the amounts assessed against each parcel shall be based on a per lot basis.

3. The Assessments against any parcel may be paid in full or in annual installments, the number of which shall be determined at the public hearing on the proposed assessments.
4. The City Engineer (or their designee) shall prepare a report that will consist of the following:
 - a. Plans and specifications for the improvements
 - b. An estimate of the entire cost of the improvements.
 - c. Schedule of proposed assessments.
5. The City Administrator is hereby directed to give a Class One Notice of public hearing pertaining to the proposed projects as specified in Section 66.070(1) of the Wisconsin Statutes, scheduled for August 4, 2009 at 7:30 p.m. in the City Council Chambers, 317 S. Main Street, Jefferson, Wisconsin.

City Administrator Freitag then provided the Council with a rundown of important dates as it relates to the Special Assessment/Construction process. Freitag indicated that the public hearing on the special assessments is scheduled for August 4th with a public meeting tentatively scheduled on June 30th to with Town and Country Engineering and city staff. He noted that the bid award will be brought forth at the July 7th meeting and that at this time three of the 16 bids were being reviewed for potential award. Freitag indicated that an unprecedented number of contractors, 16, had submitted bids and the the bids were very favorable. He estimated that at this time it appears that the per lot assessment may be as low as \$15,000. (A consensus of the Council was then taken regarding the second lift of asphalt – it was the consensus that the City should fund the second lift – which may in fact reduce assessments to the \$14,000 range.)

Freitag then informed the Council of a potential financial commitment to Braun's Inc regarding the lift station that was put in when Brauns/Pete Wenzel developed the Riverview Heights subdivision. He stated that if the City is figuring that their may be as much as \$800/lot fee for some of the parcels in the annexed area. He noted that the City is working with Mr. Wenzel to come to some type of revised agreement.

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

RESOLUTION TO APPROVE THE ASSIGNMENT OF THE DEVELOPMENT INTEREST IN SANCTUARY RIDGE

**CITY OF JEFFERSON
RESOLUTION NO. 25**

REMOVED FROM THE AGENDA.

RESOLUTION APPROVING PARTICIPATION IN AND THE SIGNING OF THE MERCURY GREEN TIER CHARTER

Ald. Oppermann introduced Resolution No. 26.

**CITY OF JEFFERSON
RESOLUTION NO. 26**

APPROVING PARTICIPATION IN AND THE SIGNING OF THE MERCURY GREEN TIER CHARTER

WHEREAS, the Jefferson City Council recognizes that the reduction of mercury contaminants from specific community sources in advance of state imposed limits with fixed discharge permit deadlines will provide greater flexibility to meet reduction goals; and,

WHEREAS, participation in a Mercury Green Tier Charter offered by the DNR will benefit the city from collective actions and collaboration with the DNR and other community Pollutant Minimization Programs (PMPs); and

WHEREAS, participation in the Mercury Green Tier Charter could eliminate the need to hire outside consultants resulting in minimal costs to each community;

NOW, THEREFORE, BE IT RESOLVED that the Jefferson City Council hereby declares and directs as follows on behalf of the City of Jefferson:

1. That Jefferson Wastewater become a Signatory to the Mercury Green Tier Charter along with the Department of Natural Resources, the Municipal Environmental Group (MEG), and other MEG member communities; and
2. That the Jefferson City Council authorizes Wastewater Treatment Superintendent Mike Kelly to sign the Mercury Green Tier Charter on behalf of Jefferson Wastewater Treatment.

Ald. Brandel indicated that Resolution No. 26 was unanimously approved at the Streets Committee.

Ald. Oppermann, seconded by Ald. Beyer moved to recommend Resolution No. 26. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING PARTICIPATION IN THE WISWARN MUTUAL AID AND ASSISTANCE PROGRAM

Ald. Tully introduced Resolution No. 27.

**CITY OF JEFFERSON
RESOLUTION NO. 27**

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE WisWARN MUTUAL AID AND ASSISTANCE PROGRAM**

WHEREAS, Wis. Stats. §66.0301, authorizes a municipality to enter into an agreement with other municipalities for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law; and

WHEREAS, pursuant to Wis . Stats. §66.0301, Wisconsin municipalities together seek to create and participate in an intrastate program for mutual aid and assistance for water and wastewater systems called WisWARN; and

WHEREAS, the purpose of WisWARN is to provide for cooperation and coordination of activities relating to emergency and disaster mitigation, preparedness, response, and recovery for municipal water and wastewater systems; and

WHEREAS, WisWARN is established by municipalities adopting the WisWARN Mutual Aid and Assistance Agreement pursuant to Wis. Stats. §66.0301 and becoming a member of WisWARN; and

WHEREAS, the governing body of the City of Jefferson considers it to be in the best interests of the City to be a party to the WisWARN Mutual Aid and Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the CITY OF JEFFERSON:

1. Authorizes the Wastewater Superintendent to sign the WisWARN Mutual Aid and Assistance Agreement, and deliver it to (a) the Chair of the WisWARN Steering Committee, or (b) if the WisWARN Steering Committee has not yet been established, the Wisconsin Department of Natural Resources, c/o Gabrielle Petersen, Water Security Specialist, 101 S. Webster Street, P.O. Box 7921 - DG/5, Madison, WI 53707-7921; and
2. Agrees the City of Jefferson will comply with all terms of the Agreement.

PASSED AND ADOPTED, this 16th day of June, 2009.

Ald. Tully, seconded by Ald. Brandel moved to recommend Resolution No. 27. On call of the roll, motion carried unanimously.

RESOLUTION TO APPROVE CONCEPTUAL DOWNTOWN PARKING

Ald. Brandel introduced Resolution No. 28.

**CITY OF JEFFERSON
RESOLUTION NO. 28**

WHEREAS the Jefferson Redevelopment Authority has developed a Conceptual Phased Downtown Parking Improvement Plan with a goal of increasing available parking

in the Central Business District and improving the functionality, efficiency and appearance of existing, available parking in the Central Business District; and

WHEREAS the Jefferson Redevelopment Authority has solicited input from business owners, the public and representatives of Jefferson County Government regarding the Conceptual Phased Downtown Parking Improvement Plan; and

WHEREAS the Jefferson Redevelopment Authority has recommended adoption of the Conceptual Phased Downtown Parking Improvement Plan to the Common Council;

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Jefferson that it herein approves the Conceptual Phased Downtown Parking Improvement Plan. It is recognized that the implementation will be completed in phases, with each phase subject to the availability of funding. Common Council approval of each individual phase of the Plan is required prior to implementation.

Ald. Brandel stated that the Jefferson Redevelopment Authority has met and discussed this issue at length. Brandel stated that this resolution is approving a concept not anything specific and emphasized that before any project could proceed Council approval would be needed.

Ald. Oppermann asked Police Chief Bleecker for his opinion on the plan. Chief Bleecker stated that he has been kept up to date and is pretty much on board with the plan. He stated that he is not fond of one way streets and it would not be his choice, but he will work with the Council as these plans develop and proceed.

Ald. Oppermann stated that he likes portions of the plans very much and hopes that the City proceeds with the parking on the corner where the City recently purchased the old Carroll Electric Building. However, he stated that there are portions of the plan that he cannot even support in concept...such as one way streets and angle parking. He stated that he realizes that this plan will afford for more parking, but is unsure if it is the best choice for our community. Oppermann added that he spoke with Chairperson Schmeling about the parking needs of the courthouse as well...and it appears that at this time, additional parking is not needed. He noted that at this point he feels this plan is addressing a problem that may not exist yet.

Ald. Brandel, seconded by Ald. Cross moved to recommend Resolution No. 28. On call of the roll, motion carried by a vote of 5 to 1. Ald. Oppermann cast the dissenting vote.

Ald. Peachey, seconded by Ald. Beyer moved to adjourn the June 16, 2009 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, June 16, 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