

**MINUTES  
CITY OF JEFFERSON COMMON COUNCIL  
TUESDAY, JULY 7, 2009**

The Tuesday, July 7, 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, Ald. Endl, Ald. Carnes and Ald. Oppermann. Also present were: City Administrator Freitag, City Attorney Brantmeier, City Clerk/Treasurer and City Engineer Zalar.

**PUBLIC PARTICIPATION**

Randy Fisher, First Street, addressed the Council regarding the Aumann property located at Garity/Riverview Drive. Mr. Fisher stated that he was unsatisfied with the planting and topsoil and construction debris in the tree lawn. He asked the Council to do what they could to have these issues corrected.

**APPOINTMENTS – CDBG CITIZEN PARTICIPATION COMMITTEE**

Ald. Oppermann, seconded by Ald. Tully moved to recommend the following individuals to the Wisconsin Small Cities Community Development Block Grant – Emergency Assistance Program Committee

Gail Vogel  
Peggy Bare  
Ald. Dave Carnes  
Terry Ludeman  
Wayne Hartwig  
Paul Camacho

On call of the roll, motion carried unanimously.

**PRESENTATION-RIVERWALK MASTER PLAN**

Craig Ellsworth then presented the Council with an overview of the draft Riverwalk Master Plan. He outlined the focus area and indicated that the project involved a combination of public and private properties. He noted that this is a multi-phased project – and the phasing will be largely determined by economics...therefore the project timeline is really a moving target. He added that during the public input sessions, the overriding sentiment was that the private homeowners do not want the walk in their backyards. Ellsworth indicated that it would be his recommendation to do just that and work around these properties to the existing sidewalk and then snake back to the Riverwalk. He stated that the Commercial properties in the area are a different story and some of the adjacent owners, such as Soleska are already interested in participating.

Ellsworth then focused attention on Eiffler Alley and the improvements there that could tie into the Riverwalk project as well as the Master Plan – this would be an alternative to locating the walk directly on the river.

Ellsworth then went over in detail the projects along the west side of the river from immediately north of the Racine Street Bridge to the south end of the Lewis parcel. He outlined a conceptual plan that encompassed existing City right of way and cooperative property owners. Ellsworth gave considerable time to explaining how the Soleska properties could be modified and adapted to fit into the larger Riverwalk vision. The plan encompassed rip rapping, potential docks, a variety of lighting strategies, cement and asphalt path as well as shoring up foundations of existing buildings and adding observation decks in front of them. Ellsworth noted that the plan also accommodates fishermen/women along the Lewis property.

He concluded by stating that the completed plan would be brought before the Council at the next regularly scheduled meeting for their approval. It was also noted that the Park and Recreation Commission would be meeting prior to the meeting as well so their input would be known by the Council adoption is requested.

**MAYORAL COMMENT REGARDING BRIGGS AND STRATTON**

Mayor Myers stated that the City and City Officials were caught completely by surprise by the announcement by Briggs and Stratton last week. He stated that the City Administrator and himself had an opportunity to speak (at length) one on one with the President about their decision. He indicated that the decision was a reluctant one, but a rationally based business decision. Myers noted that the City did ask what we could do to change their mind, but the decision was firm. He added that Briggs is being very cooperative and explained that they will be assisting their employees with a job placement service (until no longer needed) and will also be working closely with the City to market the facility. Myers also stated that Senator Fitzgerald and Representative Jorgensen had also put in calls offering support and any help they could offer.

Mayor Myers concluded by stating that the community is losing a great corporate citizen and will be greatly missed by the citizens and businesses of this community.

**AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF JEFFERSON FROM THE TOWN OF AZTALAN**

Ald. Brandel introduced Proposed Ordinance #8-09 for its second 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 has recommended a temporary zoning designation of Single Family Residential (R-1).

**SECTION 4. Ward Designation.** The territory described in Section 1 of this ordinance is hereby made a part of the 2<sup>nd</sup> Ward, District A 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.

Ald. Brandel, seconded by Ald. Beyer moved to recommend Proposed Ordinance #8-09. On call of the roll, motion carried unanimously.

**CONSENT AGENDA**

Ald. Oppermann introduced Resolution No. 29.

**CITY OF JEFFERSON  
RESOLUTION NO. 29**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for July 7, 2009 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for July 2009 in the amount of \$194,920.72 and Payroll Summary for June 19, 2009 in the amount of \$155,955.56.
- ◆ Council Minutes from the June 16, 2009 Regular Meeting of the Common Council and June 16, 2009 Committee of the Whole Minutes.
- ◆ Gemuetlichkeit Days Subsidy - \$3,000.
- ◆ Licenses as Approved by the Regulatory Committee.
  - ◆ Operator's Licenses
  - ◆ Special Class B Licenses

Ald. Oppermann, seconded by Ald. Brandel moved to recommend Resolution No. 29. On call of the roll, motion carried unanimously. Ald. Carnes abstained from the approval of the minutes due to his absence.

**RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF AN AGREEMENT FOR THE 2009 SANITARY SEWER SYSTEM EXTENSIONS – RIVERVIEW HEIGHTS SUBDIVISION**

Ald. Peachey introduced Resolution No. 30.

**CITY OF JEFFERSON  
RESOLUTION NO. 30**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the City of Jefferson obtained sixteen bids for the completion of 2009 Sanitary System Extension – Riverview Heights Subdivision, which will provide sanitary sewer service to an area that has been experiencing serious concerns and problems with malfunctioning individual septic systems due to high ground water and low soil permeability.

**WHEREAS**, the lower bidder for the 2009 Sanitary System Extension – Riverview Heights Subdivision was S & L Underground of Sauk City, Wisconsin.

**BE IT FURTHER RESOLVED** that the City of Jefferson authorizes the City Administrator to award the bid and enter into an agreement with S & L Underground for Base Bid for the contract amount of \$514,226.00 with the contingency that they will honor the alternate bid items and the supplemental bid items.

Ald. Brandel indicated that approval of Resolution No. 30 was unanimous at Streets Committee. Ald. Peachey indicated that approval was unanimous at Finance Committee.

Mayor Myers indicated that both Gene Laschinger and Engineer Zalar support the resolution as well.

Ald. Peachey, seconded by Ald. Endl moved to recommend Resolution No. 30. On call of the roll, motion carried unanimously.

**RESOLUTION APPROVING A CONTRACT FOR PHASE ONE RENEW ENERGY ASSESSMENT SERVICES FROM GDS ASSOCIATES, INC.**

Ald. Carnes introduced Resolution No. 31.

**CITY OF JEFFERSON  
RESOLUTION NO. 31**

**THEREFORE BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that it herein authorizes the City Administrator to execute a contract with GDS Associates, Inc. in an amount not to exceed \$10,000 for the provision of technical and professional services required to complete Phase One of a Jefferson Renewable Energy Park Feasibility Assessment. In order to advance discussions with potential Park businesses an initial asset assessment must be conducted as detailed in Task 1 of the GDS Associates, Inc. Contract. The completion of Phase One of the Feasibility Assessment is approximately 60 days. WPPI Energy has committed \$10,000 to fund completion of the Feasibility Assessment.

Ald. Carnes, seconded by Ald. Brandel moved to recommend Resolution No. 31. On call of the roll, motion carried unanimously.

**RESOLUTION ADOPTING THE RECENTLY UPDATED DRUG AND ALCOHOL POLICIES MANUAL WHICH RELATES TO THE 5311 MASS TRANSIT (TAXI) PROGRAM**

Ald. Cross introduced Resolution No. 32.

**CITY OF JEFFERSON  
RESOLUTION NO. 32**

**BE IT RESOLVED** by the Common Council of City of Jefferson, Wisconsin that the Council hereby adopts the recently updated drug and alcohol policies manual which relates to the 5311 mass transit (taxi) program.

Ald. Cross, seconded by Ald. Peachey moved to recommend Resolution No. 32. On call of the roll, motion carried unanimously.

**RESOLUTION AUTHORIZING SUPPORT FOR THE ESTABLISHMENT OF A  
GLACIAL HERITAGE AREA (GHA)**

Ald. Endl introduced Resolution No. 33.

**CITY OF JEFFERSON  
RESOLUTION NO. 33**

***SUPPORT FOR THE ESTABLISHMENT OF THE STATE OF WISCONSIN GLACIAL  
HERITAGE AREA (GHA)***

**WHEREAS**, Jefferson County is located within 50 miles of 50% of Wisconsin's population, and

**WHEREAS**, the Wisconsin Department of Natural Resources proposes to allocate \$125 to \$175 million over the next thirty years towards the establishment of a Glacial Heritage Area (GHA) with the possibility of further funds for land acquisitions made available through the Working Lands Initiative, the Wisconsin Department of Transportation and various federal agencies, and

**WHEREAS**, the state funded acquisition of undeveloped unique properties from voluntary sellers within Jefferson County will protect the environment and preserve the properties for recreational use generating attendant tourism and economic benefits, and

**WHEREAS**, Jefferson County's Agricultural Preservation and Land Use Plan, the Parks Recreation and Open Space Plan, the Bicycle and Pedestrian Plan and the Economic Development Plan support the establishment of more outdoor recreational opportunities and the related expansion of tourism, and

**WHEREAS**, public hearings and informational sessions over the past three years involving hundreds of citizens and community leaders have helped shape this project, and

**WHEREAS**, concrete planning and long term vision for the GHA will have positive effect on Jefferson County's future similar to the creation of the Kettle Moraine area eighty years ago, and

**WHEREAS**, the Jefferson County Economic Development Consortium unanimously supports the GHA concept, and

**WHEREAS**, local governments and businesses strongly support the GHA concept for its economic stimulus estimated at \$50 to \$100 million annually after full development and its job creation potential of up to 1,000 jobs, and

**WHEREAS**, the State's proposal offers the County a great opportunity to leverage state funds into land preservation, recreational opportunities and economic development and tourism,

**THEREFORE, BE IT RESOLVED** that the City of Jefferson Common Council supports the efforts of the Jefferson County Board of Supervisors to establish a Glacial Heritage Area and petitions the Natural Resources Board to approve the GHA Plan, vision and funding for the initiative.

Ald. Endl, seconded by Ald. Beyer moved to recommend Resolution No. 33. On call of the roll, motion carried unanimously.

Ald. Brandel, seconded by Ald. Carnes moved to adjourn to Closed Session pursuant to Section 19.85(1)(e) of the Wisconsin State Statutes Regarding to Optioning of Property for a Proposed Relocation of Tyson. On call of the roll, motion carried unanimously.

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

Ald. Peachey, seconded by Ald. Oppermann moved to adjourn the July 7, 2009 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, July 7, 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