

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, SEPTEMBER 15, 2009**

The Tuesday, September 15, 2009 meeting of the City of Jefferson Common Council was called to order at 7:34 p.m. by Mayor Myers. Members present were: Ald. Beyer, Ald. Carnes, Ald. Tully, Ald. Endl, Ald. Brandel, Ald. Peachey, Ald. Cross and Ald. Oppermann. Also present were: City Administrator Freitag and City Engineer Zalar.

PUBLIC PARTICIPATION

Patricia Pohlman, 312 Ruth Drive, addressed the Council regarding the new trash and recycling charges. She stated that she owns a three-unit apartment building and lives in the City of Jefferson and this would cost her over \$600. She also stated that she anticipated that the City would be raising taxes and she could not afford these changes.

Mayor Myers stated that the decision on raising taxes had not been made yet. He also stated that we were currently working on the budget but hoped with changing the refuse and recycling to the utility bill, we hoped that no tax increase would be necessary.

APPOINTMENT – LIBRARY BOARD

Ald. Brandel, seconded by Ald. Endl moved to appoint Nona Schrader to replace Michael Swartz on the Library Board. On call of the roll, motion carried unanimously.

AN ORDINANCE TO AMEND SECTION 265-D(8) OF THE CITY OF JEFFERSON MUNICIPAL CODE TO CREATE A NO PARKING ZONE IN THE ALLEY ADJACENT TO BURGER CORNER

Ald. Tully introduced Proposed Ordinance #12-09 for its second reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #12-09**

An Ordinance to Amend Section 265-4 D(8) of the City of Jefferson Municipal Code to Create a No Parking Zone in the alley adjacent to Burger Corner.

The Common Council of the City of Jefferson, do ordain as follows:

Section 1. The following portion of Section 265-4 D(8) is hereby amended:

§ 265-4 Parking restrictions.

D. No parking.

(8) No person shall at any time park on any of the following:

Name of Street	Side	Location
Unnamed Alley	Both	Alley bounded to the north by East Walworth

Street and to the south by East Dane Street and parallel to South Main Street directly to the west and South Center Avenue directly to the east.

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

Ald. Tully, seconded by Ald. Oppermann moved to recommend Proposed Ordinance #12-09 for its second reading. On call of the roll, motion carried unanimously.

AN ORDINANCE TO AMEND SECTIONS 1-4 C (1) AND 265-4 H OF THE CITY OF JEFFERSON RELATED TO PARKING FEES

Ald. Beyer introduced Proposed Ordinance #3-09 for its second reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #13-09**

An Ordinance to Amend Sections 1-4 C (1) and 265-4 H of the City of Jefferson Municipal Code Related to Parking Fees.

The Common Council of the City of Jefferson, do ordain as follows:

Section 1. The following portion of Section 1-4 C (1) is hereby amended:

§ 1-4 Citations.

C. Schedule of deposits.

- (1) The following schedule of cash deposits is established for use with citations issued under this section: [Amended 8-6-2002 by Ord. No. 8-02; 5-20-2003 by Ord. No. 8-03; 7-1-2003 by Ord. No. 9-03; 12-19-2006 by Ord. No. 19-06; 5-1-2007 by Ord. No. 5-07]

Section Number	Offense	Deposits and Costs
265-4F	Compact cars only	\$10 \$20

Section 2. The following portion of Section 265-4 H is hereby amended:

§ 265-4 Parking restrictions.

- H. Parking restriction forfeitures. All violations of this section providing for a forfeiture of \$10 shall **double** increase to \$20 if the original forfeiture of \$10 is not paid within 15 days after the date of violation, unless the citation is contested in court.

Section 3. This ordinance shall take effect and be in full force after passage and publication as provided by law and notification and attestation.

Ald. Oppermann asked when the fee had been changed.

Police Chief Bleecker stated that the change for all cars had occurred two years ago but the ordinance had never been amended for the compact cars.

Ald. Oppermann stated that people who park on the street likely do not have another place to park. He was not sure how he had voted on the fee change but felt that it is punitive and is not the way we should be trying to raise revenue.

Ald. Beyer stated that it is enacted for compact cars. She stated that off of South Center on Dodge there is parking for compact cars only. This restriction is due to safety and sight distance concerns. With the fee being more it may reduce the number of cars that violate the restriction.

Ald. Oppermann stated that he was opposed to the fee increase for all cars.

Ald. Beyer, seconded by Ald. Cross moved to recommend Proposed Ordinance #13-09 for its second reading. On call of the roll, motion carried by a vote of 7 to 1. Ald. Oppermann cast the dissenting vote.

RESOLUTION AUTHORIZING BUDGET TRANSFER FROM PARK DEVELOPMENT FUND FOR RESTORATION OF BALL DIAMONDS

Ald. Peachey introduced Resolution No. 52.

**CITY OF JEFFERSON
RESOLUTION NO. 52**

BE IT RESOLVED by the Common Council of the City of Jefferson that due to the flood of June 2008 the ball diamonds at Riverfront Park needs to be restored and are not eligible for FEMA reimbursement.

BE IT FURTHER RESOLVED that the City of Jefferson has put together a plan to work on the fields, by adding an irrigation system to the infields.

BE IT FURTHER RESOLVED that the City of Jefferson authorizes the City Administrator to allow the Park and Recreation Director to enter into agreements to complete this work in the amount not to exceed \$13,000 with the monies coming from the Park Development Fund.

Mayor Myers stated that this was approved by the Finance Committee.

Ryan Whisner, of the Daily Jefferson County Union, asked if this is what was tabled last meeting.

Mayor Myers stated that it was and that he had removed it from the agenda, because it had been table at the Finance Committee.

Ald. Beyer requested that the actual plan for the fields needed more discussion and due diligence to verify that what is done to the fields is correct with the monies put forth.

Ald. Oppermann asked if there would be other bids obtained.

Mayor Myers stated that there would be and Park and Recreation Director Keller confirmed this.

Ald. Peachey, seconded by Ald. Endl moved to recommend Resolution No. 52. On call of the roll, motion carried unanimously.

CONSENT AGENDA

Ald. Oppermann introduced Resolution No. 53.

**CITY OF JEFFERSON
RESOLUTION NO. 53**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for September 15, 2009 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for August and September 2009 in the amounts of \$52,648.26 and \$144,309.23 and Payroll Summary for August 28, 2009 in the amount of \$132,917.33.
- ◆ Council Minutes from the September 1, 2009 Meetings of the Common Council (Open and Closed).
- ◆ Licenses as Approved by the Regulatory Committee.
 - ◆ Operator's Licenses
 - ◆ Special Class B Licenses – Jefferson County Snowmobile Club at Fair Park

Ald. Carnes stated that the last page of the minutes needed to be corrected from Bare to Beyer.

Ald. Oppermann, seconded by Ald. Tully moved to recommend Resolution No. 53 with the correction to the minutes. On call of the roll, motion carried unanimously. Ald. Cross abstained from the approval of the minutes due to their absence.

**RESOLUTION APPROVING THE GENERAL PURPOSE FINANCIAL
STATEMENTS AND AUDIT REPORT**

Ald. Endl introduced Resolution No. 54.

**CITY OF JEFFERSON
RESOLUTION NO. 54**

BE IT RESOLVED by the Common Council of the City of Jefferson that the 2008 General Purpose Financial Statement and Audit Report are hereby accepted.

Ms. Heather Acker of Baker Tully described that they are still the same company as Virchow Krause but that they have just made a name change.

Ms. Acker started with the City Financial Statements for 2008. She discussed that in the beginning of the document there is the auditor's report which is basically a general summary of the audit. She stated that our audit received a "clear" opinion which is the highest level of assurance. In the next section, the Management Discussion and Analysis provides a summary of the annual financial activities. She said of page 4 of the Statements, there is the general fund balance sheet. It shows that the City had a reserve of 1.2 million, which is general considered enough and very good since the City would have enough reserve to cover approximately 25% of a year's expenditures. Typically, it is recommended that a community is between 15% and 25%. Page 6, provides revenue information and more detailed information is contained on pages 56-59. There was \$209,000 in operating revenue which was a very good thing considering that some communities have much net income. In 2008, there were the floods that caused there to be extra expenditures, but some of those were covered by FEMA. The middle section of the report provides more information on debt.

Ms. Acker then moved onto discussing a second report, Report of Internal Control. She discussed that the report contained information regarding internal controls and recommendations to have more internal control over funds. She stated that there are material weaknesses which most communities have unless they add additional staff. This is evaluated every year. Also, it is recommended that the City work on collateral agreements with their banking institutions to cover funds in excess of FDIC regulations.

Administrator Freitag stated that the fund balance is increasingly more important on how you cash flow your operations and in August of every year funds get very tight waiting for revenue to come in.

Ms. Acker recognized that importance of maintaining a fund balance and stated that every community is different. Some communities do short term loans to cover temporary short falls. She said that the City may want to look at this further and set policy to try to ensure a specific fund balance.

Administrator Freitag stated banks will pledge funds and assets to cover monies over the FDIC regulations.

Ms. Acker stated that some banks will consider pledging assets to cover monies. She stated that this is very important to have these agreements. She had a client that recently lost \$400,000 do to a bank failing and they are still trying to recover these monies.

Ald. Endl, seconded by Ald. Brandel moved to recommend Resolution No. 54. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING THE SEWER UTILITY FINANCIAL STATEMENTS AND AUDIT REPORT

Ald. Carnes introduced Resolution No. 55

**CITY OF JEFFERSON
RESOLUTION NO. 55**

BE IT RESOLVED by the Common Council of the City of Jefferson that the 2008 Sewer Utility Financial Statement and Audit Report are hereby accepted.

Mr. John Andres for Baker Tully presented the Jefferson Sewer & Stormwater Utilities Financial Statement. He handed out a sheet that he stated provided the important points of the report. He started with discussing the sanitary sewer. He said that the utility is in good position but that there are some items that need to be considered. There was less billable volume in 2008 than in 2007. This really means that there is less water being used, which he said water usage was down throughout Wisconsin. This means that the Utility would not get as much revenue. A two step rate increase had been implemented. There have been a 5% rate increases one on April 2008 and an additional on April 2009. He recommended continuing rate increases on an annual basis to marginalize the impacts to customers. The high strength customers have reduced their usage in 2008 as well. This is likely partly to do with the flooding but after the flood their usage continued to lower than the pre-flood usage. Mr. Andres continued that the overall usage was down and even with the rate increases the overall operating income was less. Also, he stated due to the low building climate there was very little revenue from new building connection fees. He continued that the Utility is required to have a debt coverage ratio of 1.10 and for 2008 the Utility had a 1.36 but again that was down from the 2007 ratio of 1.50. In unrestricted cash and investments the Utility could operate for 6 months. Also in 2008 that Utility owned outright 54% of their wastewater treatment plant.

Mr. Andres went on to discuss the Stormwater Utility. In 2008, the Utility was right on budget, being within in \$5,000. The Utility complied with all the requirements and is currently debt free. It has three months worth of cash on hand and appears to be working as it was expected.

Administrator Freitag asked if depreciation was factored into the operating expenses.

Mr. Andres stated that is an accounting standard to factor in depreciation.

Ald. Carnes, seconded by Ald. Peachey moved to recommend Resolution No. 55. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING A CONTRACT WITH NEUMAN POOLS FOR FACILITY COMPLIANCE

Ald. Beyer introduced Resolution No. 56.

**CITY OF JEFFERSON
RESOLUTION NO. 56**

BE IT RESOLVED by the Common Council of the City of Jefferson that the City Administrator is herein authorized to enter into a contract with Neuman Pools to perform the recommendations to bring our facility into compliance with Federal legislation called the Virginia Graeme Baker Pool and Spa Safety Act.

BE IT FURTHER RESOLVED that the recommendations from Neuman Pools is in an amount not to exceed \$4,710.50 to replace 7 grates, install a baffle pump and file the report with the State of Wisconsin. This amount will be allocated from the Capital Improvements Fund.

Ald. Oppermann asked if there was more than one bid and asked why this was not part of the approved budget.

Park and Recreation Director Keller explained that this is very specialized work and that there was only one bid obtained. She stated that the work began by Neuman Pools in April and that in August she received the report. She further stated that \$500 would come out of this year's budget and the remaining amount would come out of the 2010 budget.

Ald. Peachey stated that the work would be completed on the pool in April of 2010.

Ald. Beyer asked if the contact was signed on April and the report was provided in August.

Park and Recreation Director Keller confirmed that that was the timeframe.

Ald. Beyer, seconded by Ald. Peachey moved to recommend Resolution No. 56. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING A GRANT AGREEMENT WITH THE OFFICE OF ENERGY INDEPENDENCE

Ald. Brandel introduced Resolution No. 57.

**CITY OF JEFFERSON
RESOLUTION NO. 57**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves a Grant Agreement with the Office of Energy Independence in the amount of \$24,500 for the purpose of funding a component of the Combined Heat and

Power District Feasibility Study and authorizes the City Administrator to execute all required documents associated with the acceptance of these grant funds.

Ald. Brandel, seconded by Ald. Tully moved to recommend Resolution No. 57. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING A GRANT AGREEMENT WITH FOCUS ON ENERGY

Ald. Cross introduced Resolution No. 58.

**CITY OF JEFFERSON
RESOLUTION NO. 58**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves a Grant Agreement with Focus on Energy in the amount of \$29,500 for the purpose of funding a component of the Combined Heat and Power District Feasibility Study and authorizes the City Administrator to execute all required documents associated with the acceptance of these grant funds.

Ald. Cross, seconded by Ald. Peachey moved to recommend Resolution No. 58. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING PAY RATE FOR ANNOUNCERS AT TELEVISED HIGH SCHOOL GAMES

Ald. Tully introduced Resolution No. 59.

**CITY OF JEFFERSON
RESOLUTION NO. 59**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the announcers at high school games that are televised by the City's PEG Channel shall be compensated at a rate of \$25/game.

BE IT FURTHER RESOLVED, that the announcers will be paid retroactively to the first game that was televised.

Ald. Tully, seconded by Ald. Endl moved to recommend Resolution No. 59. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING COMPLETION OF A SEWER RATE STUDY

Ald. Peachey introduced Resolution No. 60.

**CITY OF JEFFERSON
RESOLUTION NO. 60**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein authorizes the City Administrator and Wastewater Utility Superintendent to

engage the services of Baker Tilly, formerly Virchow Krause & Company, for the purpose of completing a sanitary sewer rate study in an amount not to exceed \$13,000. The Jefferson Wastewater Utility is required by the Department of Natural Resources to review its rate structure every two years as a condition of its clean water fund loan obligations. The rate structure was last reviewed in 2007.

Ald. Peachey, seconded by Ald. Oppermann moved to recommend Resolution No. 60. On call of the roll, motion carried unanimously.

Ald. Peachey, seconded by Ald. Beyer moved to adjourn the September 15, 2009 meeting of the Common Council. On call of the roll, motion carried unanimously.

The minutes of the Tuesday, September 15, 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