

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, OCTOBER 20, 2009**

The Tuesday, October 20, 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. Carnes, Ald. Tully, Ald. Endl, Ald. Brandel, Ald. Peachey, Ald. Cross and Ald. Oppermann. Also present were: City Administrator Freitag, City Engineer Weiss, City Attorney Brantmeier, Parks/Recreation Director Keller and Deputy Clerk/Treasurer Baumann.

PUBLIC PARTICIPATION

None.

Mayor Myers read the Buddy Poppy Proclamation.

City Administrator Freitag presented a thorough 2010 budget update. The City of Jefferson experienced lower revenues in 2009 due to distressed economic times. A lower revenue base is expected in 2010 as well. The City has been able to retain an A-2 bond rating.

MUNICIPAL JUDGE UPDATE

Mayor Myers reported that Municipal Judge Freeberg is unable to continue to fulfill his term of office. Mayor Myers is contacting sources to seek an interim judge for the term from December 2009 through April 2010.

AN ORDINANCE TO AMEND SECTION 232-22 OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATING TO THE PROHIBITING OF THE DISCHARGE OF WATER INTO THE CITY'S SANITARY SEWER SYSTEM

Ald. Brandel introduced Proposed Ordinance #15-09 for its first reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #15-09**

An Ordinance to Amend Section 232-33 of the City of Jefferson Municipal Code Relating to the Prohibiting of the Discharge of Water into the City's Sanitary Sewer System.

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

Section 1. Section 232-33 of the City of Jefferson Municipal Code Relating To The Prohibiting of the Discharge of Water into the City's Sanitary Sewer System:

§ 232-33 Stormwater and groundwater drains.

- A. As stated in §230-10(A) of the Municipal Code: No person shall make connection of roof downspout, sump pump, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a sanitary sewer.
- B. Furthermore, no person shall discharge any clear water directly into a public street or alley from November 1 to March 31, inclusive. All discharges in this time period shall be directed in a manner to prevent the flowing of discharged water from crossing into side yards or prevented from crossing sidewalks or streets where icing conditions can occur. No person shall discharge any clear water directly into a public street or alley from April 1 to October 31, inclusive, without first obtaining a permit from the Director of Public Works.
- C. No person shall permit the drainage of water directly onto any sidewalk or other public area.
- D. Where a storm sewer is not available, the discharge of clear water shall be either:
 - (1) Into an underground conduit leading to a drainage ditch, or if no drainage ditch exists for surface water drainage, the water shall be discharged to the ground at a distance of not less than ten feet from inside the lot line in such a manner that the water shall cross the owner's property toward the street.
 - (2) Sump pump discharge shall not be directed so as to flow on adjacent property nor shall the discharge be allowed to accumulate and create ponds of standing water or other potential public nuisance. Nothing contained in this subsection shall act to relieve a person from complying with the other provisions of this Code.
- E. All existing sump pump connections, roof downspout or groundwater drains, etc., connected directly or indirectly to a sanitary sewer shall be disconnected within 10 days of the date of an official written notice from the Director of Public Works. Any person who shall thereafter continue to violate the provisions of this section shall be subject to the penalties described in Section 232-30 (7), of this Code.
- F. Any person or property owner may apply for **discharge permit from the Public Works Director to discharge during the prohibited period (Nov. 1 to March 31)**. In addition to the requirements for the issuance of a **discharge permit**, it may be granted only to the minimum extent necessary to afford relief from an unnecessary hardship.
 - (1) **The permit holder shall be responsible for ice and snow removal from the discharge area and to insure the area is maintained in a safe condition.**

- (2) **A permit under this section will be valid until the Director of Public works in her/his discretion determines that a reasonable alternative for discharge is available.**

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.

Ald. Peachey seconded by Ald. Cross moved to adjourn to public hearing.

PUBLIC HEARING ON THE PROPOSED 2010 FEE SCHEDULE FOR REFUSE AND RECYCLING

Mayor Myers called the public hearing to order. City Administer Freitag read the Notice of Public Hearing.

There was no public discussion. Mayor Myers closed the public hearing

RESOLUTION AUTHORIZING THE 2010 FEE SCHEDULE FOR REFUSE AND RECYCLING.

Ald. Peachey introduced Resolution No. 68.

**CITY OF JEFFERSON
RESOLUTION NO. 68**

A RESOLUTION SETTING THE 2010 SPECIAL FEE FOR REFUSE AND RECYCLING

BE IT RESOLVED by the Common Council of the City of Jefferson that the following fee schedule for refuse and recycling is hereby adopted and will become a part of the 2010 Schedule of Fees.

<u>STRUCTURE</u>	<u>MONTHLY FEE</u>
SINGLE FAMILY RESIDENCE (4 UNITS OR LESS)	\$13.05/UNIT
	<u>ANNUAL FEE</u>
COMMERCIAL Toter PICKUP (EQUIVALENT TO SINGLE FAMILY RESIDENTIAL)	\$183.60

BE IT FURTHER RESOLVED that all multi-family buildings with 5 or more units as well as all commercial and industrial properties located within the corporate limits must contract privately for refuse and recycling services pursuant to §235-6 of the City of Jefferson Municipal Code, unless commercial properties certify that they generate refuse and recyclable material of a quantity less than or equal to a typical residential residence and must be able to use toter pickup containers for service.

City Administrator Freitag advised the Council that the Finance Committee had recommended this resolution (with the proper modification of Ordinance #11-09).

That modification would be to create separate charges for residential and commercial accounts as opposed to blended charges as initially in the ordinance. The ordinance has to be amended to provide for this.

Motion was made by Ald. Peachey and seconded by Ald. Carnes to recommend Resolution #68. On call of the roll, motion carried 7 – 1, with Ald. Brandel dissenting.

RESOLUTION APPROVING THE EXTENSION OF THE REFUSE/RECYCLING COLLECTION CONTRACT WITH JOHN'S DISPOSAL SERVICE, INC.

Ald. Endl introduced Resolution No. 63.

**CITY OF JEFFERSON
AMENDED RESOLUTION NO. 63**

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the Contract by and between John's Disposal Service, Inc. and the City of Jefferson for refuse and recycling collection be extended from 2010 to 2015 contingent on the amendment of Ordinance No. 11-09.

Atty. Brantmeier interjected that Ordinance No. 11-09 necessitates an amendment to the ordinance in order to affect the charges in Resolution No. 68.

Ald. Endl, seconded by Ald. Peachey moved amend Resolution No. 63. Motion to amend carried unanimously on call of the roll.

Ald. Endl, seconded by Ald. Brandel moved to recommend Amended Resolution No. 63. On call of the roll, motion carried unanimously.

CONSENT AGENDA

Ald. Oppermann introduced Resolution No. 67.

**CITY OF JEFFERSON
RESOLUTION NO. 67**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for October 20, 2009 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for September and October 2009 in the amounts of \$18,029.08 and \$329,166.78 and Payroll Summary for October 9, 2009 in the amount of \$144,489.81.
- ◆ Council Minutes from the October 6, 2009 Meetings of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee.

◆ None

The motion was made by Ald. Oppermann and seconded by Ald. Tully to recommend Resolution No. 67. On call of the roll motion carried unanimously.

RESOLUTION AUTHORIZING A BID FOR IRRIGATION AT RIVERFRONT PARK

Resolution No. 69 was introduced by Ald. Beyer.

**CITY OF JEFFERSON
RESOLUTION NO. 69**

BE IT RESOLVED by the Common Council of the City of Jefferson that the Parks, Recreation and Forestry Department requested bids to place an irrigation system on ball diamonds #1 and #2 in Riverfront Park.

BE IT FURTHER RESOLVED that the department received four qualified bids.

BE IT FURTHER RESOLVED that the City of Jefferson authorizes the City Administrator to enter into an agreement with the Sprinkler Company to complete this work in the amount not to exceed \$7,330 with the monies coming from the Park Development Fund.

Ald. Carnes reported that this was recommended in Finance.

Ald. Beyer, seconded by Ald. Peachey, moved to recommend Resolution No. 69. On call of the roll, motion carried unanimously.

Ald. Peachey, seconded by Ald. Beyer moved to adjourn the October 20, 2009 meeting of the Common Council. Motion carried unanimously on call of the roll.

The minutes of the Tuesday, October 20, 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