

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

The Tuesday, December 15, 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. Endl, Ald. Peachey, Ald. Cross, Ald. Brandel and Ald. Oppermann. Absent was Ald. Carnes. Also present were: City Administrator Freitag, City Clerk/Treasurer Stewart, City Engineer Weiss and City Attorney Brantmeier.

PUBLIC PARTICIPATION

Janet Werner, Jefferson Chamber of Commerce provided the Council with a Chamber report.

MEETING WITH TYSON FOODS

Mayor Myers provided a summary of the meeting with Tyson Foods to the council.

The Mayor also congratulated City Engineer Weiss and the DPW Crew for the snow removal during the big snowstorm.

CDBG-EAP GRANT AMENDMENT APPLICATION

City Administrator Freitag provided a summary of the CDBG-EAP Grant Application.

APPOINTMENT OF ELECTION WORKERS

Ald. Cross, seconded by Ald. Tully moved to recommend the appointment of the following election workers:

Delight	Albrecht		Bob	Harrold		Ellin	Monogue
Sheryl	Albrecht		Wayne	Harter		Carol	Morgan
Greg	Ashburn		Jean	Hartwig		Katie	Morrill
Marge	Ashburn		Barb	Hauser		David	Nevin
Marcia	Bare		Ken	Heitz		Bonnie	Noonan
Gretchen	Bayorgeon		Shirley	Heitz		Lois	Reindl
Rose	Behncke		Rosie	Henning		Barb	Russell
Cathy	Beilke		Grace	Huebner		Vicki	Schicker
Evelyn	Bleecker		Marilyn	Keiser		DuWayne	Springer
Mary	Block		Kaye	Kinateder		Joyce E	Stelter
Mike	Bolger		Wally	Kinateder		Connie	Stengel
Bill	Brandel		Les	Kloss		Jane	Stetzer
Carol	Brandel		Gayle	Krek		Marion	Streich
Barb	Crook		Marion	Kukla		Fran	Wettengel
Harvey	Dooge		John	LaDien		Jane	Zweifel
Jean	Dooge		Lois	LaDien			

Barb	Endl		Donna	Lane		
Carolyn	Figlesthaller-Vogel		Ginny	Lehman		
Bee	Fischer		Harold	Lehman		
Al	Foskett		Patti	Lorbecki		
Judy	Foskett		Kate	Lorenz		
Janet	Gaugert		Joan	Lutz		
Maryann	Gleisner		Jean	Lynch		
Roland	Gleisner		Dave	Magner		
Charlotte	Goers-Nevin		Judy	Mero		
Judy	Gruennert		Millie	Meudt		
Gloria	Haas		Judy	Mewis		
Barb	Hamann		Carole	Miller		

On call of the roll, motion carried by a vote of 5 to 0. Ald. Brandel and Ald. Endl abstained from the vote.

AN ORDINANCE TO AMEND SECTIONS 33-1, 33-2 AND 33-5 OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATED TO THE CITY OF JEFFERSON MUNICIPAL COURT

Ald. Cross introduced Proposed Ordinance #18-09 for its second reading.

**CITY OF JEFFERSON
PROPOSED ORDINANCE #18-09**

An Ordinance to Amend Sections 33-1, 33-2 and 33-5 of the City of Jefferson Municipal Code Related to the City of Jefferson Municipal Court.

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

Section 1. Section 33-1 is hereby amended as follows:

§33-1 MUNICIPAL COURT. (Cr. #17-93)(Am. #18-05). (1) MUNICIPAL COURT CREATED. There is hereby amended and established in a Municipal Court under the provisions of Chapter 755 of the Wisconsin Statutes to be designated as “Municipal Court for Central Jefferson County” which shall consist of the City of Jefferson, the Village of Johnson Creek, the Town of Aztalan and the **Town of Sumner**.

Section 2. Section 33-2 is hereby amended as follows:

(§33-2) MUNICIPAL JUDGE. Such Court shall be under the jurisdiction of and presided over by a Municipal Judge, who shall be an attorney licensed to practice law in Wisconsin and who resides in the City of Jefferson, the Town of Aztalan, the Village of Johnson Creek or the Town of Sumner. Such Municipal Judge shall be elected at large in the spring election for a term of four years commencing May 1, 2007. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in §8.10, Wis. Stats., and selection at a primary election if such is held as provided in §8.11,

Wis. Stats. The Common Council of the City of Jefferson, the Village Board of the Village of Johnson Creek and the Town Board of the Town of Aztalan, **and the Town Board of the Town of Sumner** shall provide for a primary election in the event that more than two candidates file nomination papers for such position of Municipal Judge as provided in § 8.11(1)(a), Wis. Stats., and such primary election shall be held on the third Tuesday of February as provided in § 5.02(22), Wis. Stats.

Section 3. Section 33-2(c) is hereby amended as follows:

(§33-2(c)) SALARY. (Am. #32-97) The salary of the Municipal judge shall be fixed by the Common Council of the City of Jefferson, the Village Board of Johnson Creek, the Town Board of the Town of Aztalan **and the Town Board of the Town of Sumner** at \$7,254 per year which shall be in lieu of fees and costs. No salary shall be paid for any time during the term during which such Judge has not executed the official bond or official oath, as required by §755.03 Wis. Stats., and filed pursuant to §19.01(4)(c) Wis. Stats. The municipalities may by separate ordinance allocate funds for the administration of the Municipal Court pursuant to §66.30 Wis Stats. for the term ending April 30, 2000, the Village of Johnson Creek shall tender the sum of \$4,500 per year, commencing May 1, 1998, and annually thereafter to the City of Jefferson. The Town of Aztalan **and the Town of Sumner** shall tender **\$25** per case administered to the City of Jefferson. City of Jefferson shall pay the Municipal Judge's salary as set forth above. The City of Jefferson shall pay the Municipal Clerk's salary as budgeted from time to time.

Section 4. Section 33-5 is hereby amended as follows:

(§33-5) FORFEITURES. The Municipal Judge may impose punishment and sentences as provided by Chapter 800 Wis. Stats., and as provided in the ordinances of the City of Jefferson, the Town of Aztalan, **the Town of Sumner** and the Village of Johnson Creek. All forfeitures, fees, penalty assessments and costs shall be paid to the Treasurer of the municipality within which the case arose within 7 days after receipt of the money by the Municipal Judge or other court personnel. At the time of the payment, the Municipal Judge shall report to the Treasurer the title of the action, the offense for which the forfeiture was imposed, and the total amount of the forfeiture, fees, penalty assessment and costs, if any. **The City of Jefferson shall retain all forfeitures after township trials.**

Section 5. This ordinance shall take effect upon passage and publication as required by law.

Ald. Cross, seconded by Ald. Brandel moved to recommend Proposed Ordinance #18-09. On call of the roll, motion carried unanimously.

RESOLUTION FOR THE MULTI-JURISDICTIONAL JUDGE APPOINTMENT FOR THE CITY OF JEFFERSON, VILLAGE OF JOHNSON CREEK AND THE TOWN OF AZTALAN-NOT FOR ACTION, JUST MAYORAL CONSIDERATION

For Reference

**CITY OF JEFFERSON
RESOLUTION NO. 78**

**JOINT RESOLUTION
MULTI-JURISDICTIONAL JUDGE APPOINTMENT
CITY OF JEFFERSON, VILLAGE OF JOHNSON CREEK AND TOWN OF
AZTALAN**

Resolution to confirm appointment of interim municipal judge.

WHEREAS, The City of Jefferson, Village of Johnson Creek and Town of Aztalan have created a joint-municipal court pursuant to §755.01(4) Wis. Stats.

WHEREAS, on October 12, 2009, the current joint municipal judge, the Honorable Bruce W. Freeberg, informed the City of Jefferson that he had resigned as the joint municipal judge and indicated that it would be in the best interest of the Court to appoint a judge to fill out his term.

WHEREAS, pursuant to §8.50(4)(f)(4)(fm) permanent vacancy can be filled by temporary appointment of the governing bodies of the joint municipal court. A person, once confirmed, shall serve out the residue of the unexpired term.

WHEREAS, the expiration of the current joint municipal court judge's term will be May 1, 2011.

WHEREAS, the municipalities appointment of an interim municipal judge will be effective December 4, 2009 through May 1, 2010 or when a duly elected individual takes the oath of office from the spring election. The duly elected judge will then serve the balance of the term or until May 1, 2011.

THEREFORE, we, the legislative branch of our respective jurisdictions within the joint municipal court, hereby confirm the appointment of Joann Miller as our interim joint municipal judge as hereinabove stated.

City Attorney Brantmeier noted his error and informed the Council that the Mayor does get to break the tie. He apologized for his advice.

Mayor Myers then stated that he would like to vote yes to the motion.

CONSENT AGENDA

Ald. Oppermann introduced Resolution No. 84.

**CITY OF JEFFERSON
RESOLUTION NO. 84**

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

The consent agenda for tonight includes:

- ◆ Vouchers Payable for November and December 2009 in the amounts of \$1,264.88 and \$290,562.37 and Payroll Summary for December 4, 2009 in the amount of \$139,481.50.
- ◆ Council Minutes from the July 31, 2008 and December 1, 2009 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. 84. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING A CONTRACT WITH WISCONSIN BUILDING INSPECTION

Ald. Peachey introduced Resolution No. 85.

**CITY OF JEFFERSON
RESOLUTION NO. 85**

BE IT RESOLVED by the Common Council of City of Jefferson, Wisconsin that the "Contract for Services" between the City of Jefferson and WBI, LLP is herein approved. Per the terms of the "Contract" the City agrees to pay WBI, LLP the annual sum of \$50,000 for building inspection and zoning related services. The "Contract" shall become effective January 1, 2010. The City Administrator is authorized to enter into this "Contract" on behalf of the City of Jefferson.

Ald. Oppermann asked if the hours in the contract could be amended to add hours.

Ald. Peachey, seconded by Ald. Beyer moved to recommend Resolution No. 85. On call of the roll, motion carried unanimously.

RESOLUTION AFFIRMING THE RECOMMENDATION OF THE SHARED RIDE TAXI PROGRAM EVALUATION COMMITTEE

Ald. Endl introduced Resolution No. 86.

**CITY OF JEFFERSON
RESOLUTION NO. 86**

Resolution for Shared Taxi Ride Program

THEREFORE BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that it herein affirms the recommendation of the Shared Taxi Ride Program Evaluation Committee to award a contract for Shared Taxi Ride Program Services with Brown Cab Service, Inc. commencing January 1, 2009. The contract period is for one year commencing January 1, 2010 with renewal options for four additional one-year periods. The contract automatically extends into the second, third, fourth and fifth one-year option periods unless the contractor is notified in writing by the City 90 calendar days prior to the expiration of the initial and/or succeeding contract option period(s).

BE IT FURTHER RESOLVED by the Common Council that the City Administrator and City Clerk-Treasurer are herein authorized to execute all contract documents on behalf of City of Jefferson with Brown Cab Service, Inc. subject to review by the City Attorney.

Ald. Endl, seconded by Ald. Brandel moved to recommend Resolution No. 86. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING THE 2010 CITY OF JEFFERSON SCHEDULE OF FEES

Ald. Brandel introduced Resolution No. 87.

**CITY OF JEFFERSON
RESOLUTION NO. 87**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Council hereby adopts the 2010 Schedule of Fees (as attached).

Ald. Brandel, seconded by Ald. Tully moved to recommend Resolution No. 87. On call of the roll, motion carried unanimously.

Ald. Beyer, seconded by Ald. Cross moved to adjourn to closed session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to Discuss the Compensation of Non-Union Employees. On call of the roll, motion carried unanimously.

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

RESOLUTION AUTHORIZING 2010 NON-UNION COMPENSATION PLAN AND 2010 COST OF LIVING INCREASE

Ald. Tully introduced Resolution No. 88.

**CITY OF JEFFERSON
RESOLUTION NO. 88**

BE IT RESOLVED by the Common Council of the City of Jefferson that the 2010 Non-union Compensation Plan be adopted and that the non-union salaries and hourly rates for 2010, not specifically delineated below, merit increase of 2%. *(Complete detail on file in the office of the City Clerk)*

HOURLY RATES:

2010

<i>Senior Center Coordinator</i>	18.1224
<i>Part-time (Aux) Patrolperson</i>	15.6489
<i>Fire Dept Secretary-LTE</i>	10.2000
<i>Police Typist-FT</i>	11.5357
<i>Police Typist-PT</i>	10.9026
<i>Police Dispatch-PT</i>	11.6635
<i>General Admin Receptionist-LTE</i>	12.7672
<i>Cable Coordinator</i>	12.2400
<i>Cable Production Assistants</i>	8.1600

BE IT RESOLVED, that summer part-time help in the Public Works and Parks Department be hired in accordance with the following schedule:

Year	Without CDL	With CDL
Start	\$7.25	\$8.25
2 nd Year	8.00	9.00
3 rd Year	8.75	9.75
4 th Year*	9.50	10.50

BE IT RESOLVED, that the compost site attendant be hired in accordance with the following schedule:

Year	Wage
Start	\$7.25
2 nd Year	7.50
3 rd Year	7.75
4 th Year*	8.00

BE IT RESOLVED, that the crossing guards* be hired in accordance with the following schedule:

Year	Wage
Start	\$8.00
2 nd Year	8.25
3 rd Year	8.50
4 th Year*	8.75

**increase to be given on employee anniversary of hire*

BE IT RESOLVED, that election personnel be hired in accordance with the following schedule:

Year	Wage
Chf Election Wrkr	\$7.50
Election Wrkr	\$7.25

BE IT RESOLVED, that announcers used during the broadcasting of athletic games shall be paid \$25 per game.

BE IT FURTHER RESOLVED, that the auxiliary emergency medical technicians and drivers be paid in accordance with the following schedule:

EMT Basic \$2.00/hr on call rate
 \$10.00/hr run time rate

EMT IV Tech \$2.00/hr on call rate
 \$12.00/hr run time rate

Drivers: \$2.00/hr on call rate
 \$8.00/hr run time rate

Standby: \$8.00/hr

BE IT FURTHER RESOLVED, that the part-time recreational wages are hereby adopted.

**CITY OF JEFFERSON
WAGE STRUCTURE FOR PART-TIME SEASONAL EMPLOYEES**

	1st Year	2nd Year	3rd Year	4th Year *
Adult Sport Umpire/Referee				
Men/Women Softball one umpire system	17.50	18.00	18.50	19.00
Volleyball "A" League **	11.00	11.50	12.00	12.50
Volleyball "B" League **	7.50	8.00	8.50	9.00
Pony League/Umpire **	27.50	30.00	32.50	35.00
KickBall Umpire	13.00	13.50	14.00	14.50
Youth/Adult Activity-Instructor				
T-Ball/Scorekeeper Coordinator	8.00	8.25	8.50	8.75
Minor League Supervisor	7.25	8.25	9.25	10.25
Aquatics/Lessons Instructor				
Water Exercise	7.25	7.15	7.75	8.00

Aquatic Center Manager	9.50	10.00	10.50	11.00
Swim Lesson Coordinator	9.00	9.25	9.50	10.00
Swim Lesson Instructor	8.00	8.50	9.00	9.50
Head Lifeguard	8.40	8.65	8.90	9.15
Concession	6.55	6.80	7.05	7.30
Lifeguard	7.45	7.70	7.95	8.20
Youth Sport Umpire/Referee				
Flag Football	7.25	7.50	7.75	8.00
Outdoor Soccer	7.25	7.50	7.75	8.00
Youth Baseball - Bases ** Solo	16.00	16.25	16.50	16.75
Youth Softball ** Solo/Volleyball	11.25	12.00	12.75	13.50
Open Gym Supervisor	7.25	7.50	7.75	8.00
Skating Rink Supervisor	7.25	7.50	7.75	8.00
Scorekeeper - Adult Volleyball	7.25	7.50	7.75	8.00
Scorekeeper - Men's Basketball	7.25	7.50	7.75	8.00
Scorekeeper - Adult Softball	7.25	7.50	7.75	8.00
Youth Activity Helper - T-Ball/Mnr Lge	7.25	7.50	7.75	8.00
Scorekeeper-Youth Baseball	7.25	7.50	7.75	8.00
Indoor Soccer	7.25	7.50	7.75	8.00

*After the 4th year of employment, the rate of increase will only be the cost of living percentage determined by the Common Council.

**These activities may be more or less than one hour in duration. The rates reflect game/match amount paid rather than hourly rates.

***If an employee is making minimum wage during the year and the minimum wage changes, the rate will be changed to comply with State and/or Federal regulations. If substantial changes to the schedule above are required, Personnel Committee approval will be requested.

Excerpt from June 6, 2006 Personnel Committee Minutes:

SEASONAL STAFF WAGE SCALE

Director Keller explained that she has a couple of returning staff members who have worked past the 4th year on the wage scale and have now chosen to receive their lifeguard certification. According to the wage scale their pay would take them to a first year lifeguard, which would result in a pay decrease.

Director Keller asked that any staff involved in this situation be paid their current wage and brought to the second year level next year.

Ald. Havill seconded by Ald. Tully moved to approve paying the seasonal staff their current wage while taking on a different position and to receive the second year level next year. On call of the roll, motion carried unanimously.

Non-Union employee contribution to health insurance premium shall be 10% of the premium per month.

Ald. Tully, seconded by Ald. Endl moved to recommend Resolution No. 88. On call of the roll, motion carried unanimously.

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

The minutes of the Tuesday, December 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