

MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, JUNE 5, 2018

The Tuesday, June 5, 2018 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Mayor Oppermann. Members present were: Ald. Peachey, Ald. Miller, Ald. Beyer, Ald. Lares, Ald. Horn, Ald. Brandel, Ald. Tully and Ald. Krause. Also present were: City Administrator Freitag, City Engineer Pinnow, City Attorney Rogers and City Deputy Clerk/Treasurer Copsey.

PUBLIC PARTICIPATION

None.

APPOINTMENTS BY MAYOR AND CONFIRMED BY COUNCIL

Ald. Lares, seconded by Ald. Miller moved to approve the following Mayoral appointments:

Tourism Committee.....Jen Pinnow

Motion carried unanimously on call of the roll.

**PUBLIC HEARING ON THE IMPOSITION OF SPECIAL ASSESSMENTS FOR THE
EXTENSION OF SANITARY SEWER AND WATER MAIN TO THE HWY 26 INTERCHANGE**

Mayor Oppermann called the public hearing to order.

City Administrator Freitag read the Notice of Public Hearing and City Engineer Pinnow gave an explanation of the special assessments and the scope of the project. Administrator Freitag also explained the reason for the public hearing, how the special assessment amounts are figured and that the payments would be made over 10 years with interest. City Engineer Pinnow gave an explanation of the extension.

The public was invited to speak regarding the proposed special assessments.

Bob Rupprecht, and Amy Cramer of 1144 Watertown Ave, spoke together wanting clarification of what is being voted on. Mayor Oppermann gave an explanation.

Hearing from no one else, Mayor Oppermann closed the public hearing.

RESOLUTION AUTHORIZING THE IMPOSITION OF A SPECIAL ASSESSMENT

Ald. Horn introduced Resolution No. 24.

**CITY OF JEFFERSON
RESOLUTION NO. 24**

WHEREAS, the City of Jefferson, (the “City”) has undertaken a project in which certain improvements have been made to the benefit of twelve parcels of land located on the north side of the City; and

WHEREAS, said improvements involve the extension of sanitary sewer and water services to the aforementioned parcels of land; and

WHEREAS, this project is known as the Highway 26 Interchange Utility Extension Project, and

WHEREAS, the City has complied with the provisions of Sections 66.0703 and 66.0707, Wis. Stats., including a public hearing held on August 16, 2016; and

WHEREAS, the City now wishes to be reimbursed the reasonable costs of the Highway 26 Interchange Utility Extension Project by means of a special assessment upon the parcels of land benefited by this Project; and

WHEREAS, this special assessment is made as an exercise of the City's police powers; and

WHEREAS, the parcels of land being benefited are being assessed based on the area being served by the Highway 26 Interchange Utility Extension Project which is deemed to be a reasonable basis to impose this special assessment;

NOW THEREFORE, the City hereby imposes a special assessment in the gross amount of \$814,234.15 for the total construction and engineering costs of the aforementioned Project (and as shown specifically in the attached Exhibit "A"), subject to the following conditions:

- 1) The owners of each parcel of land may pay to the City the special assessment over a ten year period commencing with the 2018 real estate tax payment. The annual payment shall include a sum that includes 10% of the principal amount of the special assessment imposed on that parcel plus an administrative fee of .25%, and a reasonable interest rate of 2.977%, all pursuant to §66.0715, Wis. Stats.
- 2) The special assessment on any parcel of land that is not presently located within the legal boundaries of the City is hereby deferred until such time said parcel is annexed into the City, at which time the full amount of the special assessment shall be paid. Interest upon the principal assessment will begin at the time a statement of final assessment against the benefited property is sent to each property owner. Interest will accrue against the principal until the balance is paid in full.

Ald. Horn, seconded by Ald. Brandel moved to approve Resolution No. 24. On call of the roll, motion carried unanimously.

AN ORDINANCE TO AMEND SECTIONS 230-3 AND 230-5 OF THE MUNICIPAL CODE CONCERNING SEWER SERVICE CHARGES

Ald. Brandel introduced Ordinance #5-18 for its first reading.

**CITY OF JEFFERSON
ORDINANCE # 5-18**

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

Section 1: Section 230-3 of the City of Jefferson Municipal Code Relating to the basis of variable charges is hereby repealed and restated as follows:

§ 230-3 Basis for variable charges.

- A. Sewer users served by Water Utility water meters.
 - (1) With the exception of Residential class customers, each lot, parcel of land, building or premises having a connection with the wastewater system and being served with water solely by the Water Utility, the quantity of wastewater for billing purposes shall be measured by the Water Utility water meter used upon the premises.
 - (2) If a user feels that a significant amount of water metered does not reach the sanitary sewer due to lawn or garden watering, etc., said user can, at his/her own expense, through the approving authority, install a second water meter and/or service that would monitor flow of water used for lawn and garden watering, non-contact cooling water or other similar purposes. Charges for sewer use would be made based on the difference between the two meter readings. If a second meter and service are installed, charges for sewer use shall be based on the actual water metered from the service which ultimately discharges into the sanitary sewer system.
 - (3) Requests for usage adjustments, or a second meter or service, shall be made in writing to the approving authority. Charges for a second meter or service shall be made in accordance with Subsection B below.
 - (4) If the high-volume commercial or industrial user produces evidence satisfactory to the approving authority that more than 20% of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the approving authority and the user. Satisfactory evidence shall be evidence obtained by approved metering.
- B. Sewer users served by private wells. Sewer users served by private wells shall be required to do the following:
 - (1) If a person discharging into the public sanitary sewer system procures any part or all of his water sources from other than the Water Utility, all or part of which is discharged into the public sewer system, the person shall be required to have water meters installed for the purpose of determining the volume of water obtained from each of these other sources. Where sewage meters are already installed, the water meters will not be required. The water meters shall be furnished by the Jefferson Utilities and installed under their supervision, all costs being at the expense of the person acquiring the meter.
 - (2) The Jefferson Utilities shall charge for each meter a rental charge set by the Utility to compensate for the cost of furnishing and servicing the meter. The rental charge shall be billed at the time the sewer service charge is billed. [1]
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. Measurement of flow from high-strength or toxic waste discharges. The volume of flow used for computing the variable charge shall be the metered water consumption of the user as shown in the records of the meter readings maintained by the Water Utility, except as noted in Subsection D below.
- D. Metering and sampling of high-strength or toxic wastes. See § 230-11E of this chapter. [2]
Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- E. Free service. No user shall receive free service or pay a sewerage service charge less than the user's proportional share of all costs as defined in § 230-2 of this article.
- F. Outside service. All users within the sewer service area shall be treated equally as to operation, maintenance and replacement sewer use charges regardless of their location with respect to the corporate limits. All users located outside of the corporate limits will be charged 125% of the

sewerage service charges. Total service charges may be adjusted to reflect variations in capital costs for outside users.

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Section 2: Section 230-5 of the City of Jefferson Municipal Code Relating to the amount of user charges is hereby repealed and restated as follows.

§ 230-5. Amount of user charges.

[Amended 10-18-2005 by Ord. No. 16-05; 10-18-2005 by Ord. No. 17-05; 3-18-2008 by Ord. No. 3-08; 5-18-2010 by Ord. No. 6-10; 11-13-2012 by Ord. No. 14-12; 11-18-2014 by Ord. No. 16-14; 1-5-2016 by Ord. No. 16-15]

A. Sewerage service charges. There is hereby levied and assessed upon each lot, parcel of land, building, premises or unit having a connection with the wastewater works a sewerage service charge based upon the quantity of wastewater discharged, pursuant to § 66.0821, Wis. Stats., as amended or renumbered from time to time. Such sewerage service charges shall be billed to the person owning, using or occupying the property served. The sewerage service charges, with the exception of Residential customers, shall consist of a fixed monthly and a variable charge as set forth in the following sections. Residential class sewerage service charges shall consist of a fixed charge only as set forth in the following section.

B. Fixed charge.

(1) With the exception of Residential customers, the fixed monthly charge shall be a minimum monthly charge based, in part, upon the number of meters connected to the wastewater works and, in part, upon the size of such meter or meters. Significant contributors shall have a separately computed fixed charge which will exclude bond depreciation, bond reserve account and new debt retirement (other than I/I) components from the fixed charge shown in the following schedule, such components to be paid for pursuant to § 230-3 of this article. Residential customers will be placed into one of three tiers based on average water use as described in subsection E.

(2) Fixed service charges are as follows:

Meter Size

(Inches)

Monthly Charges Effective September 1, 2018

5/8	\$16.30
¾	\$24
1	\$40
1 ½	\$81
2	\$129
3	\$242
4	\$403
6	\$806
6 contract	\$468
Rural customer surcharge:	25%

(3) Fixed service charge for Residential class customers are as follows:

Average Monthly Water Usage	Monthly charges effective September 1, 2018
0-300 cubic ft	\$21.00
300-600 cubic ft	\$30.00
600-up cubic ft	\$43.00

- C. Variable charge.
- (1) Users will be billed on a monthly basis for the volume and strength of wastewater discharged to the wastewater works.
 - (2) Normal domestic sewage. Effective September 1, 2018: \$4.29 per 1,000 gallons or \$3.20 per 100 cubic feet.
 - (3) Sewage of greater than normal strength.
 - (a) Charges to users discharging wastewater of greater than normal strength will be assessed a surcharge based on the amount by which the wastewater exceeds the normal strength of wastewater, which is 275 milligrams per liter BOD5, 320 milligrams per liter SS, 23 milligrams per liter NH3-N and eight milligrams per liter P. The following rates will be used:

Parameter	Monthly Charges Effective September 1, 2018
BOD5	\$0.538 per lb.
SS	\$0.275 per lb.
N (ammonia)	\$1.699 per lb.
P (phosphorus)	\$7.730 per lb.

- (b) Charges to users discharging wastewater of greater than normal strength shall be computed in accordance with the formula presented below:

Effective September 1, 2018:

$$C = \$4.29 \times V + .00834 \times V \times [(\$0.538 \times B) + (\$0.275 \times S) + (\$1.699 \times N) + (\$7.730 \times P)]$$

Where:

- C = Charge to sewer user for operation, maintenance and replacement costs for treatment works.
- V = Wastewater volume in 1,000 gallons.
- B = Concentration of BOD from a user above the normal strength of 275 mg/l.
- S = Concentration of suspended solids from a user above the normal strength of 320 mg/l.
- N = Concentration of ammonia nitrogen from a user above the normal strength of 23 mg/l.
- P = Concentration of phosphorus from a user above the normal strength of 8 mg/l.
- \$4.29 = Charge for that portion of the waste equal to normal strength wastewater. Includes cost for treating 275 mg/l BOD5, 320 mg/l SS, 23 mg/l N and 8 mg/l P.
- 0.00834 = Conversion factor (mg/l to lb.)

- (c) Surcharges will be computed by multiplying flow times strength (mg/l) daily and adding the pounds for the month. Total flow for the month will be multiplied by the residential strength and the result compared to the actual pounds discharged. Surcharges will be applied to pounds in excess of residential strength on the basis of the month's results. In no event will a user pay less per 1,000 gallons of flow than the charge for normal strength wastewater, which includes an imputed level of BOD, SS, NH3-N and P.

(4) Holding tank and septic waste charges to licensed dischargers shall be computed on the following basis:

(a) Holding tank discharges shall include the following:

Charge	Amount
Total volume/strength charge	\$8.49
Surcharge of 25%	\$2.12
Dumping charge	\$5
Total charge per thousand gallons	\$15.61

(b) Septic waste discharges shall include the following:

Charge	Amount
Total volume/strength charge	\$44.31
Surcharge of 25%	\$11.08
Dumping charge	\$7.50
Total charge per thousand gallons	\$62.89

D. Special assessments. Not included in the sewerage service charges above are the costs associated with providing local collecting facilities to users, which the City may assess by special assessment, in whole or in part, to the property benefited thereby.

E. Residential fixed charge. Residential sewer customers shall pay a fixed monthly charge, as set forth in Subsection B(3) for all months. The following method for calculating the volume shall be used to determine which of three tiers the Residential customer falls:

- (1) During the month of May each year, the Water Utility shall calculate the four-month average water usage for each residential customer. The four-month average shall be based on the actual water usage during the preceding four-month period (January through April, inclusive). The calculated average shall be used for each respective residential customer's sewer charge and determine which billing tier the customer will be placed for the next twelve (12) months.
- (2) If a residential customer is establishing new service during the year and no average water usage can be determined, the customer shall be placed into the 300-700 cubic feet usage tier.

Section 3. This ordinance shall take effect after passage, publication, and attestation as required by law.

CONSENT AGENDA

Ald. Tully introduced Resolution No. 25.

CITY OF JEFFERSON RESOLUTION NO. 25

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for June 5, 2018 is hereby adopted.

- A. Vouchers Payable for April, 2018 in the amount of \$21,717.66 and June, 2018 in the amount of \$287,122.68. Payroll Summary for May 25, 2018 in the amount of \$149,795.14.
- B. Council Minutes from the May 15, 2018 Meetings of the Common Council.
- C. Licenses as Approved by the Regulatory Committee

1. Operator's Licenses – New and Renewal
2. Special Class B Licenses
3. Alcohol Beverage Licenses – New and Renewal
4. Cigarette License Renewals

Ald. Tully seconded by Ald. Beyer moved to approve Resolution No. 25. On call of the roll, motion carried unanimously.

RESOLUTION ACKNOWLEDGING THE REVIEW OF THE 2017 CMAR

Ald. Beyer introduced Resolution No. 26.

CITY OF JEFFERSON RESOLUTION NO. 26

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources, for the City of Jefferson to file a Compliance Maintenance Annual Report (CMAR) by June 30th annually for its wastewater treatment system under Wisconsin Administrative Code NR 208; and

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the Compliance Maintenance Annual Report (CMAR); and

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Common Council hereby informs the Department of Natural Resources that said Council has reviewed the Compliance Maintenance Annual Report for the calendar year 2017.

Motion was made by Ald. Beyer, seconded by Ald. Horn to approve Resolution No. 26. Motion carried unanimously on call of the roll.

RESOLUTION AUTHORIZING BUDGET ADJUSTMENT

Ald. Peachey introduced Resolution No. 27.

CITY OF JEFFERSON RESOLUTION NO. 27

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the following 2018 budget adjustments are hereby authorized and shall be funded out of the General Fund fund balance:

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMENT	REVISED AMOUNT
<i>Capital Project Fund</i>				
Police Facility Expenses	66-50000-40-413	\$6,500	\$54,500	\$61,000

Ald. Peachey, seconded by Ald. Krause moved to approve Resolution No. 27. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING AWARD OF BIDS FOR THE 2018 SIDEWALK IMPROVEMENT PROGRAM

Ald. Krause introduced Resolution No. 28.

**CITY OF JEFFERSON
RESOLUTION NO. 28**

WHEREAS, the City of Jefferson received one bid from contractors interested in completing work for the “**2018 Sidewalk Improvement Program**” and

WHEREAS, the City of Jefferson sidewalk program allows for landowners to privately contract to repair damaged sidewalk or may work with the City of Jefferson to have the sidewalk repaired as detailed within the City of Jefferson Municipal Code 240-2; and

WHEREAS, of the one bid received, Lyons Concrete Construction LLC was the lowest qualified bidder for concrete sidewalk replacement;

NOW, THEREFORE BE IT RESOLVED that the City of Jefferson authorizes the City Administrator to enter into an agreement with Lyons Concrete Construction LLC for the 2018 Sidewalk Improvement Program for the following bid schedule where unit pricing holds depending on the total quantity of work completed as part of the 2018 Sidewalk Improvements Program:

EXISTING SIDEWALK REPLACEMENT

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITY VARIATIONS</u>	<u>UNIT PRICE</u>
1a	4" CONCRETE SIDEWALK	SQ. FT.	< 750	\$8.50
1b	4" CONCRETE SIDEWALK	SQ. FT.	> 750 - < 1200	\$8.25
1c	4" CONCRETE SIDEWALK	SQ. FT.	> 1200	\$8.00
2a	6" CONCRETE SIDEWALK	SQ. FT.	< 100	\$9.00
2b	6" CONCRETE SIDEWALK	SQ. FT.	> 100 - < 300	\$8.75
2c	6" CONCRETE SIDEWALK	SQ. FT.	> 300	\$8.50

NEW SIDEWALK INSTALLATION

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>ESTIMATED QUANTITY</u>	<u>UNIT PRICE</u>
S1	INSTALL DETECTABLE WARNING PLATES (PLATES PROVIDED – 48” x 24” 2 PLATES IN EACH INSTALLATION) - ADA COMPLIANT	EACH	1	\$100.00
S2	COMPLETE INSTALLATION OF NEW 4" CONCRETE SIDEWALK – ADA COMPLIANT	SQ. FT.	1,000	\$7.75
S3	COMPLETE INSTALLATION OF NEW 6" CONCRETE SIDEWALK- ADA COMPLIANT	SQ. FT.	100	\$8.25
S4	CURB REMOVAL AND DISPOSAL	LF	100	\$10.00
S5	TOPSOIL RESTORATION, SEEDING, FERTILIZING AND MULCHING	SQ. YD	100	\$10.00

Motion was made by Ald. Krause, seconded by Ald. Brandel to approve Resolution No. 28. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE SALE OF GOODS IN CITY RIGHT-OF-WAY FOR THE JEFFERSON LIVE MUSIC FOUNDATION

Ald. Lares 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 Jefferson Live Music Foundation is hereby allowed to sell brats, hamburgers, hot dogs, soda, chips and ice cream bars at the Rotary Park concession stand for Concerts in the Park from June through August, 2018.

Ald. Lares seconded by Ald. Miller moved to approve Resolution No. 29. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING REPLACEMENT OF A LIFE PAK CARDIAC MONITOR FOR JEFFERSON EMERGENCY MEDICAL SERVICE

Ald. Peachey introduced Resolution No. 30.

**CITY OF JEFFERSON
RESOLUTION NO. 30**

WHEREAS, the Jefferson Emergency Medical Service (EMS) solicited quotations for the scheduled replacement of a Life Pak 12 Cardiac Monitor because the current unit will not be serviced after January 1, 2019; and

WHEREAS, the City of Jefferson 2018 Capital Improvement Project and Equipment Replacement Fund included an appropriation in the amount of \$40,000 to fund the replacement of the Life Pak 12 Cardiac Monitor; and

WHEREAS, two cardiac monitor equipment companies provided quotations to replace the Life Pak 12 Cardiac Monitor with a Life Pak 15 Cardiac Monitor with the low price quotation being from Physio-Control, Inc. of Remond, Washington in the amount of \$27,854.62 (amount includes a \$5,000 trade-in allowance on the cardiac monitor being replaced); and

WHEREAS, the EMS Director is recommending the proposal from Physio-Control as the low cost qualified vendor and the Finance Committee has concurred with the recommendation of the EMS Director; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein authorizes the purchase of a replacement Life Pak 15 Cardiac Monitor from Physio-Control, Inc. of Remond, Washington in the amount of \$27,854.62 with funding provided by an appropriation in the Capital Improvement Project and Equipment Replacement Fund.

Motion was made by Ald. Peachey, seconded by Ald. Beyer to approve Resolution No. 30. Motion carried unanimously on call of the roll.

Adjourn to Closed Session Pursuant to Section 19.85 (1)(c) of the Wisconsin State Statutes to Consider Hiring a Part-time Police Department Administrative Assistant

Ald. Krause, seconded by Ald. Peachey moved to adjourn to Closed Session. On call of the roll, motion carried unanimously.

Motion was made by Ald. Lares, seconded by Ald. Brandel to reconvene to open session. Motion carried unanimously on a voice vote.

RESOLUTION AUTHORIZING THE HIRE OF A POLICE DEPARTMENT PART-TIME ADMINISTRATIVE ASSISTANT

Ald. Miller introduced Resolution No. 23.

**CITY OF JEFFERSON
RESOLUTION NO. 23**

WHEREAS, by the Common Council of the City of Jefferson, Wisconsin that the Chief of Police is herein authorized to hire a part-time Administrative Assistant for the City of Jefferson Police Department. The initial rate of pay shall be as outlined in the Wage Scale Structure, Classification #1 step #1 at \$14.40 per hour. This position is a replacement for a recent sudden resignation and is a 50% Part-Time Employee position with limited benefits, allowing for a maximum of 1,040 hours yearly, staff is recommending the re-hiring of Joyce Kirkvold;

WHEREAS, by the Common Council of the City of Jefferson, Wisconsin that the Chief of Police has part-time funds allocated in his 2018 budget for this part-time Administrative Assistant;

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Chief of Police is authorized to proceed with the hiring of a part-time Administrative Assistant for the City of Jefferson Police Department. The initial rate of pay shall be as outlined in the Wage Scale Table, Classification #1 step #1 at \$14.40 per hour. This position is a replacement for a recent sudden resignation and is a 50% Part-Time Employee position with limited benefits, allowing for a maximum of 1,040 hours yearly, staff is recommending the re-hiring of Joyce Kirkvold. This position shall have an effective start date of Monday, June 11th, 2018.

Motion was made by Ald. Miller, seconded by Ald. Tully to approve Resolution No. 23. Motion carried unanimously on call of the roll.

Ald. Peachey, seconded by Ald. Lares moved to adjourn the June 5, 2018 meeting of the Common Council at 7:51 p.m. On a voice vote, motion carried unanimously.

The minutes of the June 5, 2018 meeting of the Common Council are uncorrected. Any corrections made thereto will be noted in the proceedings at which time the minutes are approved and referenced above.