

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
CITY HALL MEETING ROOMS
TUESDAY, MARCH 2, 2021**

The Tuesday, March 2, 2021 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Mayor Oppermann. Members present were: Ald. Neils, Ald. Young, Ald. Beyer, Ald. Miller, Ald. Lares and Ald. Brandel. Absent: Ald. Horn and Ald. Tully. Also present were: City Administrator Freitag, Attorney Rogers, City Clerk/Deputy Treasurer Copsey and Chief Pileggi.

PUBLIC PARTICIPATION

None.

PRESENTATION: Library 2020 Year in Review. (Library Director Anderson.)

PRESENTATION: Park and Recreations 2020 Year in Review. (Park and Recreation Director Keller and Rec Supervisor Holpfer.)

Adjourn to Public Hearing to Discuss An Ordinance to Amend Section 300-19B of the Municipal Code of the City of Jefferson Related to Rezoning is amended to change district boundaries of 752 N. Dewey Ave. from AG Agricultural District to the zoning designation of R-1 Multi-Family Residential District.

- A. Call to Order.**
- B. Reading of Notice of Public Hearing by the City Administrator.**
- C. Person wishing to be heard; please state your name, address and reason for appearing.**
- D. Close of Hearing.**

ORDINANCE AMENDING SECTION 300-19B OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING IS AMENDED TO CHANGE DISTRICT BOUNDARIES OF 752 N. DEWEY AVE. FROM AG AGRICULTURAL DISTRICT TO THE ZONING DESIGNATION OF R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

(To be introduced by Ald. Lares for a second reading.)

**CITY OF JEFFERSON
ORDINANCE NO. 2-21**

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

Section 1. Section 300-19 B. of the Zoning map, City of Jefferson, Wisconsin, which is herein made a part, is amended to change district boundaries of 752 N. Dewey Ave. from AG Agricultural District to the zoning designation of R-1 Single-Family Residential District.

Description:

SW1/4 NWFRL1/4 & S165FT OF NWFRL1/4 NWFRL1/4 E OF L 550FT
E OF HGY. EX S330FT W OF HGY. EX CSM 5995-35-018, DOC
1410747.

Parcel #: 241-0614-0123-000

Address: 752 N. Dewey Ave.

Proposed Permanent Zoning Designation: R-1 Single-Family Residential District

Section 2. This ordinance shall take effect and be in full force after passage and publication as provided by law and notification and attestation of the district boundary changes incorporated herein the zoning map, City of Jefferson.

Ald. Lares, seconded by Ald. Beyer moved to approve Ordinance #2-21. On call of the roll, Motion carried unanimously.

ORDINANCE TO AMENDING § 270-3 OF THE JEFFERSON MUNICIPAL CODE

(To be introduced for its first reading by Ald. Neils.)

CITY OF JEFFERSON ORDINANCE NO. 3-21

WHEREAS, the City of Jefferson has previously enacted an Ordinance that regulates the business practices of Transient Merchants within the legal boundaries of the City of Jefferson; and

WHEREAS, questions have been raised as to what constitutes a Transient Merchant; and

WHEREAS, the Common Council of the City of Jefferson wishes to resolve these questions.

NOW THEREFORE, the Common Council does hereby ordain as follows:

Section 1. § 270-3(B) is amended to include the following definition:

Pop-Up Retail Shop – a retail enterprise that is opened temporarily to take advantage of certain trends or seasonal/holiday demand. Products offered for sale generally include handcrafted or art related items, apparel, toys, or other similar merchandise. Not included are the sale of fermented malt beverages, intoxicating liquor, wine, firearms, bows, or other weapons.

Section 2. Section 270-3(B) is hereby created to amend the definition of the term “Transient Merchant.”

“Transient Merchant – Any individual who engages in the retail sale of merchandise at any place within the legal boundaries of the City of Jefferson, Wisconsin temporarily and who does not intend to become and does not become a permanent merchant of such place. For purposes of this section, ‘sale of

merchandise’ also includes a sale in which the personal services rendered upon or in connection with the merchandise sale constitutes the greatest part of value for the price received. Included in this definition are mobile dessert establishments, mobile food establishments, pop-up retail shops, and any other arrangements in which merchandise owned by a third party are sold at a local trade area owned or controlled by a permanent merchant.”

Section 3. Section 270-3(D)3 is hereby amended to read as follows:

“At the time the registration is returned, a fee shall be paid by the applicant to the Clerk/Treasurer to cover the cost of processing the registration. For one sale event not exceeding three consecutive days, the initial fee shall be \$15.00 (for one event per year only). For all other sale events, the initial fee shall be \$50.00. The Common Council may adjust said fees on an annual basis. All permits issued under this Chapter shall expire on December 31 at 11:59 PM with no proration or reduction of the fee allowed.”

Section 4. Except as stated herein, all other provision of §270-3 are hereby affirmed and shall be in full force and effect.

Section 5. This ordinance shall be effective on the date after its enactment and publication of this ordinance as required by law.

CONSENT AGENDA

(To be introduced by Ald. Beyer.)

**CITY OF JEFFERSON
RESOLUTION NO. 84**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for March 2, 2021 is hereby adopted.

- A. Vouchers Payable for March 2021 in the amount of \$184,635.37. Payroll Summary for February 26, 2021 in the amount of \$163,977.69.
- B. Council Minutes from February 16, 2021 of the Common Council.
- C. Licenses as Approved by the Regulatory Committee.
 - 1. Operator’s Licenses-None.
 - 2. Sales of Goods in the ROW- Friends of the Library.

Ald. Beyer, seconded by Ald. Lares moved to approve Resolution No. 84. On call of the roll, Motion carried unanimously.

**RESOLUTION AWARDING CONTRACT FOR THE 2021 STREET & UTILITY
IMPROVEMENTS FOR THE PLYMOUTH STREET RECONSTRUCTION PROJECT**

(To be introduced by Ald. Miller.)

**CITY OF JEFFERSON
RESOLUTION NO. 85**

AUTHORIZING AWARD OF CONTRACT FOR THE 2021 STREET & UTILITY IMPROVEMENTS

WHEREAS, the City of Jefferson received four bids from contractors interested in completing the **2021 STREET & UTILITY IMPROVEMENTS project for Plymouth Street**; and

WHEREAS, the value of the lowest bidder is included in the following table:

Company	Base Bid Plymouth St	Alternate A (Pipe Material)	Alternate B (Warning Sign)	Supplemental Bid Items	Total
Forest Landscaping & Construction Inc	\$764,068.00	\$(26,268.00)	\$16,000.00	\$19,850.00	\$773,650

WHEREAS, Town & Country Engineering and City staff reviewed the project bid results and recommends award of the base bid and Alternates A and B and Supplemental bid items for the reconstruction of Plymouth Street; and

WHEREAS, the overall bid scope of work included a combination of storm sewer, pulverizing, milling, grading and resurfacing pavement as well as the installation of new water main and services in Plymouth Street; and

WHEREAS, of the total project bid amount of \$773,650, the streets and storm sewer portion of this bid totals \$444,464 with \$329,186 being associated with water main replacement; and

WHEREAS, monies for the project have been allocated in the 2021 Capital Budget and Storm Sewer Fund, 2021 Jefferson Utilities budget as well as CDBG grant funding;

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves the Forest Landscaping & Construction Inc bid for the **2021 STREET & UTILITY IMPROVEMENTS** in the amount of \$773,650;

BE IT FURTHER RESOLVED, by the Common Council that the City Administrator is herein authorized and directed to execute any contract or document associated with the above action on behalf of the City of Jefferson upon the review and consent of the City Attorney and after execution of a signed CDBG agreement with the Department of Administration.

Ald. Miller, seconded by Ald. Brandel moved to approve Resolution No. 85. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING BUDGET ADJUSTMENTS

(To be introduced by Ald. Brandel.)

CITY OF JEFFERSON

RESOLUTION NO. 86

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the following 2020 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>EMS</i>				
Wages – Part Time	01-52550-10-129	\$295,500	\$33,800	\$329,300
<i>Street Department</i>				
Wages	01-54310-10-113	\$241,000	\$12,200	\$253,200

BUDGET ITEM	ACCOUNT #	CURRENT BUDGET	BUDGET ADJUSTMENT	REVISED AMOUNT
Fund 15 – Taxi Fund	15-50000-50-589	\$116,000	\$56,850	\$172,850
Fund 16 – Refuse/Recycling	25-50000-30-310	\$31,000	\$5,750	\$36,750
Fund 43 – Park Devlpmnt	43-50000-40-445	\$506,100	\$96,025	\$602,125

BE IT FURTHER RESOLVED that the above budget adjustments are funded out of the respective fund balances.

Ald. Brandel, seconded by Ald. Miller moved to approve Resolution No. 86. On call of the roll, Motion carried unanimously.

RESOLUTION REVOKING A CLASS “A” INTOXICATION LIQUOR LICENSE

(To be introduced by Ald. Young.)

**CITY OF JEFFERSON
RESOLUTION NO. 87**

WHEREAS, Casey’s General Stores applied for a Class “A” Intoxication Liquor License for its store located at 507 S. Main Street, Jefferson, Wisconsin; and

WHEREAS, the Common Council of the City of Jefferson, Wisconsin approved said application on February 16, 2021 upon the recommendation of its Regulatory Committee; and

WHEREAS, §160-5L of the City of Jefferson’s Code of Ordinance prohibits the sale of intoxicating liquor upon any premise where the sale of gasoline is conducted or carried on; and

WHEREAS, since the aforementioned applicant does, in fact, sell gasoline, the Common Council had no authority to authorize a Class “A” Intoxicating Liquor License to said applicant;

BE IT FURTHER RESOLVED by the Common Council, of the City of Jefferson, Wisconsin that the license granted on February 16, 2021 to Casey's General Stores is hereby revoked for the reasons set forth above.

Ald. Young, seconded by Ald. Beyer to approve Resolution No. 87. On call of the roll, motion carried unanimously.

CONSIDERATION POSSIBLE ACTION REGARDING CITY OWNED PROPERTY

City Administrator Freitag went over a Vacant Land Offer to Purchase for the Former Spangler Property to Bond Realty, LLC or its assigns in the amount of \$90,000.

Ald. Brandel, seconded by Ald. Lares to approve the Offer to Purchase for the former Spangler Property. On call of the roll, motion carried unanimously.

DISCUSSION REGARDING PROTECTIVE CONVENANCE FOR CITY OWNED PROPERTY ACQUIRED FROM SPANGLER SEED

City Engineer Pinnow showed the Concept Plan for the former Spangler Property for the covenant which is now called the Meadows. Administrator Freitag went over the current convenance for the property. The council agreed they liked the concept plan and would like to move forward with it.

Ald. Beyer, seconded by Ald. Neils moved to adjourn the Jefferson Common Council Meeting at 8:20 p.m., carried unanimously on a voice vote.