

**MINUTES  
CITY OF JEFFERSON COMMON COUNCIL  
CITY HALL COUNCIL CHAMBERS  
TUESDAY, OCTOBER 19, 2021**

The Tuesday, October 19, 2021 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Mayor Oppermann. Member's present were: Ald. Neils, Ald. Brandel, Ald. Young, Ald. Lares, Ald. Teeter, Ald. Beyer and Ald. Tully. Absent: Ald. Miller. Also present were: City Attorney Rogers, City Engineer Pinnow, City Clerk/Deputy Treasurer Copsey, and Police Chief Pileggi.

**PUBLIC PARTICIPATION**

Jim Kuehn from 315 Brickyard Court, Jefferson would like to give an update on his spring pond that is in his backyard of his condo association.

**PROCLAMATION**

**CITY OF JEFFERSON  
PROCLAMATION**

**WHEREAS**, since joining the department on September 27, 1993, David Hubbard served the City of Jefferson for more than 28 years in the Public Works Department working as both Mechanic and Public Works Foreman until his retirement on October 1, 2021; and

**WHEREAS**, David Hubbard has been instrumental in the successful maintenance of the City's vehicle and equipment fleet as well as the maintenance of the City's infrastructure and construction of new projects in the City Public Works Department and maintaining our streets through snow plowing during winter months, where all services are of vital importance to the health, safety and well-being of the citizens and businesses of Jefferson; and

**WHEREAS**, during his time of service to the City, David Hubbard, served the citizens and businesses of this community tirelessly and without complaint, being on call twenty-four hours per day, seven days per week, three hundred sixty-five days per year; and

**WHEREAS**, David Hubbard has been completely dedicated and showed exemplary care in all the work he has done, truly caring about the City's needs, and its citizens and businesses;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Common Council of the City of Jefferson, and on behalf of the citizens of the City of Jefferson, that with gratitude and appreciation thank David Hubbard for his 28 years of dedicated service to the City of Jefferson and extend best wishes to him and his family for a healthy and happy retirement, on this day, October 19, 2021.

Dale Oppermann  
**MAYOR**

Timothy Freitag  
**CITY ADMINISTRATOR**

**Council Members**

William Brandel  
Laurie Teeter

Peg Beyer  
Richard Lares

Ron Miller  
Alan Young

Chick Neils  
Toby Tully, Jr.

**ORDINANCE TO ANNEX PROPERTY FROM THE TOWNSHIP OF AZTALAN**

(Property owned by Todd and Rachelle Zorn.) (To be introduced for its second reading by Ald. Tully.)

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #8-21**

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

**SECTION 1. Territory Annexed.** In accordance with Section 66.0217 of the Wisconsin Statutes and the petition for direct annexation filed with the City Clerk on the 15th day of September, 2021, signed by a number of electors residing in the territory equal to at least the majority of votes cast for governor in the territory at the last gubernatorial election and the owners of all of the land in area and real property in assessed value in the territory, the following described territory in the Town of Aztalan, Jefferson County, Wisconsin, is annexed to the City of Jefferson, Wisconsin:

A part of Government Lot 2, in Section 35, Township 7 North, Range 14 East, Town of Aztalan, Jefferson County, Wisconsin, bounded as follows: Commencing at a point in the South line of said Lot 2 where it intersects with the centerline of the public highway known and commonly called the Watertown and Jefferson Road; thence North 7° 20' East along the center of said highway 20.82 feet to a point; thence West parallel with the South line of said Lot 2, 598.30 feet to a point; thence North 1° 54' West, 322.25 feet to a point; thence North 71° 4' West 351 feet to a point; thence North 51° 10' West, 75 feet to the bank of Rock River; thence South 26° 30' West along said river bank 550 feet to a point in the South line of said Lot 2; thence East along said South line, 1252 feet to the place of beginning.

ALSO that part of Government Lot 2 in Section 35, Township and Range aforesaid, bounded and described as follows: Commencing at a point 20.82 feet North of the South line of said Lot 2 and lying and being in the centerline of public highway known and commonly called the Watertown and Jefferson Road and also known as State Trunk Highway No. 26 (now known as Watertown Road); thence running North 7° 20' East along the center of said highway 45.18 feet to a point; thence running West and parallel with the South line of said Lot 2, 604.20 feet to a point; thence running South 45.18 feet to a point 20.82 feet North of the South line of said Lot 2; thence running East and parallel with the South line of said Lot 2, 598.30 feet to the point of beginning

**SECTION 2. Effect of Annexation.** From and after the date of this ordinance the territory described in section 1 shall be a part of the City of Jefferson for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Jefferson.

**SECTION 3. Temporary Zoning Classification.** The Plan Commission has recommended a temporary zoning designation of SR-2.

**SECTION 4. Ward Designation.** The territory described in Section 1 of this ordinance is hereby made a part of the 3<sup>rd</sup> Ward, District B of the City of Jefferson, subject to the ordinances, rules and regulation of the City of Jefferson governing wards.

**SECTION 5. Severability.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provision or application of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 6. Payment to Town.** Pursuant to Wis. Stat. sec. 66.0217(14), the Common Council agrees to pay annually to the Town of Aztalan, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stat. sec. 70.65 in 2007.

**SECTION 7. Effective Date.** This ordinance shall take effect upon passage and publication as provided by law.

Ald. Tully, seconded by Ald. Beyer moved to approve Ordinance No. 8-21. On call of the roll, Motion carried unanimously.

**ORDINANCE TO AMEND SECTION 300-19 B, OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING OF 1325 N. WATERTOWN AVE**

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

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #9-21**

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 1325 N. Watertown Ave. from A-T Ag Transitional to the zoning designation of SR-2 Single-Family Residential District.

**Description:**

A part of Government Lot 2, in Section 35, Township 7 North, Range 14 East, City of Jefferson, Jefferson County, Wisconsin, bounded as follows: Commencing at a point in the South line of said Lot 2 where it intersects with the centerline of the public highway known and commonly called the Watertown and Jefferson Road; thence North 7DG20' East along the center of said highway 20.82 feet to a point; thence West parallel with the South line of said Lot 2, 598.30 feet to a point; thence North 1DG 54' West, 322.25 feet to a point; thence North 71 DG 4' West 351 feet to a point; thence North 51DG 10' West, feet to a point in the South line of said Lot 2; thence East along said South line, 1252 feet to the place of beginning.

ALSO that part of government lot 2 in section 35, township and range aforesaid, bounded and described as follows: Commencing at a point 20.82 feet North of the South line of said Lot 2 and lying and being in the centerline of public highway known and commonly called the Watertown and Jefferson Road and also known as State Trunk Highway No. 26 (now known as Watertown Road); thence running North 7 DG 20' East along the center of said highway 45.18 feet to a point; thence running West and parallel with the South line of said Lot 2, 604.20 feet to a point;

thence running South 45.18 feet to a point 20.82 feet North of the South line of said Lot 2; thence running East and parallel with the South line of said Lot 2, 598.30 feet to the point of beginning.

Parcel #: 241-0714-3524-001

Address: 1325 N. Watertown Ave

Proposed Permanent Zoning Designation: SR-2 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.

**CONSIDERATION AND DISCUSSION:** Amend the City of Jefferson Master Plan to allow for a change of zoning from Commercial to Industrial for 200 Pitzner Parkway.

Administrator Freitag gave an update on the change of zoning that would have to happen to the Master Plan before it could consider the rezoning of 200 Pitzner Parkway. Lyle from Timewell Tile spoke to the council that the company would like to move to the location and described the area on Pitzner Parkway that he business would like to move too.

Mayor Oppermann asked the council if they wanted to consider changing the zoning map. Ald. Brandel stated he doesn't believe that industrial zoning in this area would not be a good idea since it is next to the new housing that is being built in that area. Ald. Neils agreed with Ald. Brandel, she is also not in favor of that location. Ald. Tully asked is there another location that they could consider in our city. Administrator Freitag said there is not an existing building at this time, they would have to rebuild. Lyle stated that it would take too much time, and they have to move within a year. Ald. Beyer is concerned that we don't have enough room in our Master Plan for adjustment. She believes we could possibly make this site work. Ald. Lares believes that we have this area setup for new homes, and it shouldn't be industrial. Ald. Young also agrees with Mr. Brandel that this is not the proper location for industrial use. Ald. Tully also agrees this is not the place for industrial use. Mayor Oppermann would like to keep Timewell Tile here in the city but not at this location.

**ORDINANCE TO AMEND SECTION 300-19 B, OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING OF 200 PITZNER PARKWAY**

Tabled.

**ORDINANCE TO MODIFY SECTION 204 OF THE JEFFERSON MUNICIPAL CODE TO REGULATE CITY PARKS**

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

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #11-21**

An Ordinance to repeal and replace Chapter 204 of the Municipal Code of the City of Jefferson to Regulate City Parks.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO ORDAIN AS FOLLOWS:**

**§204-1 Prohibited Activities**

- A. No person shall camp overnight in any City park or on any City property.
- B. No motorized vehicles except in designated parking areas (City vehicles and contractors authorized by the City to perform maintenance or related duties excepted.)
- C. Fires except in personal grills. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or other damage.
- D. Glass containers.

**§204-2 Park Hours**

- A. No person shall be present in any City park from 10:30 PM until 6:00 AM each day except City or other governmental employees performing official duties or persons authorized by the City to perform maintenance or related duties except as set for in §204-2(B).
- B. The park hours for the following City Parks shall be from dawn to dusk:
  - 1. Lubahn Park
  - 2. River's Edge Nature Preserve
  - 3. Meadow Springs Conservancy
  - 4. Rock River Landing Park
  - 5. Utility Park
  - 6. VFW Park

**§204-3 Waterways**

- A. Intent. The intent of this section is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capability of the water resources upon the waters of the Rock and Crawfish Rivers within the City.
- B. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

SLOW NO WAKE – As defined in § 30.50(12), Wis. Stats.

WATERWAY MARKERS – All official waterway markers (signs, buoys, lights, etc.) designed to assist the boater by marking unsafe areas, directing traffic through safe channels, preventing accidents, and

protecting resources.

C. Applicability and enforcement.

1. The provisions of this section shall apply to the waters of the Rock and Crawfish Rivers that lie within the boundaries of the City, established as shown on the plat of those rivers and filed in the office of the City Director of Public Works/Engineer, and the line of the ordinary water mark in these rivers shall be deemed its boundaries at all places elsewhere.
2. This section shall be enforced by the officers of the City.

D. Boating regulations and safety laws adopted.

1. The state boating laws as found in §30.50 to 30.71, Wis. Stats., are adopted by reference in this section as if fully set forth.
2. No person shall operate a boat or personal watercraft faster than slow no wake in the waters of the Rock River from the Puerner Street bridge to the South Main Street bridge and on the Crawfish River from the Wisconsin Drive bridge to South Jackson Avenue at any time. In addition, no person shall operate a personal watercraft faster than slow no wake from the Puerner Street bridge north to the City limits on the Rock River.

E. Refuse, littering and obstruction.

1. The noxious substance laws as found in § 29.601, Wis. Stats., are adopted and by reference made a part of this section.
2. It shall be unlawful for any person to throw or allow to be placed in bottles, cans or any other debris in the waters of the Rock and Crawfish Rivers within the City limits.
3. No person shall drive any piles, lay any foundation, construct any wall, or build or maintain any building, platform or other structure in or over any part of the Rock or Crawfish Rivers without the permission of the Building/Zoning Inspector, and no person shall place or deposit in either river any earth, stone, ashes, paper boxes, brush, refuse, rubbish or other substance whatsoever tending to pollute either river or to obstruct its flow or to render it unsightly.

F. Penalties

1. Any person who intentionally violates Subsection D shall be subject to penalties as found in §§30.80 and 30.50 to 30.71, Wis. Stats., which are adopted by reference in this section as if fully set forth. Failure to satisfy such fine will be subject to the laws of Ch. 778, Wis. Stats.
2. Any person who intentionally violates Subsection E shall be subject to a fine of \$50 plus costs as set out in Chapter 1, §1-4(C)2 of this Code. Anyone failing to satisfy such fine will be subject to Ch. 778, Wis. Stats.

**§204-4 Controlled animals within park boundaries**

- A. It shall be unlawful for any person animals under that person's control, to be present within any park, recreation, or any other properties under the jurisdiction of the City of Jefferson except as set forth in §204-2(B). This section does not prevent persons from having pets in marked pedestrian sidewalks on public rights-of-way.
- B. The following areas have been designated for the purpose of walking animals on a leash, no longer than 6' (six feet):
  - a. Lubahn Park
  - b. River's Edge Nature Preserve
  - c. Meadow Springs Conservancy
- C. For the first violation, a fee in the amount of \$25 shall be assessed against the person, which shall be payable to the Police Department of the notice of violation. If the fee is not paid within 10 days or it

is the person's second violation within one year, the violator shall be issued a municipal summons with forfeiture to be \$50 plus all applicable court costs, fees, and assessments. Any subsequent offense shall be subject the violator to the penalties provided in Chapter 1, Article 1 of this Code.

#### **§204-5 Violations and penalties**

- A. Except as otherwise provided in this chapter, any person who shall violate any provision of this chapter shall be subject to penalty as provided in Chapter 1, Article 1 of this Code [**Amended 10-18-2005 by Ord. No 17-05**]
- B. In addition to the penalty provided in Subsection A above, any person who shall damage public property shall be liable for the costs of repairing or replacing such property. The parent of an unemancipated child who causes damage to public or private property shall be liable for the cost thereof pursuant to §1-6 of this Code.

#### **§204-6 Boating Regulations**

- A. **Public Boat Launchings.** City Boat Launches are located at Tensfeldt Boat Launch (E. Riverview Dr and Henry Street) and Rock River Landing Boat Launch (N. Elizabeth Ave.). The public may use these facilities at their own risk.
- B. **Boat Launching.** Boats that are trailered shall be launched only in the designated areas of the listed City properties where boat launches are provided. All boat launch areas will be open 24 hours per day during the navigation season. No boats will be allowed to attach or tie-up, in any manner, adjacent to our on the tie-up dock which are adjacent to the launching ramps except for the immediate launching or loading or for authorized events.
- C. **Transient Docking.** All docks and piers that are not used for boat launching may be used for transient boaters. The non-launching transient dock is located at Rotary Waterfront Park and Rock River Landing Park. Persons using this dock shall not be allowed to dock more than 24 consecutive hours.
- D. **Boat Launch User Fees**
  - 1) No person shall use any City owned or operated boat launch facility for launching purposes without an annual or daily launching permit. The annual permit shall be valid from January to December of the year of issuance. The daily permit shall only be valid during the day of purchase. Annual permits will only be sold through the Parks and Recreation office and/or other outlets designated by the Director of Parks and Recreation. Boat Launch sites include: Tensfeldt boat launch (E. Riverview Drive and E. Henry Street) and Rock River Landing Boat Launch (N. Elizabeth Ave.).
    - a) Fees
      - 1. The annual launching permit, second permit and daily launching permit shall be established by the Common Council. A schedule of the current fee schedule is on file at the office of the City Clerk/Treasurer.

2. All annual stickers shall be prominently placed and displayed on the left side of the trailer tongue. In the event, no trailer is used, the launch sticker shall be prominently displayed on the back left bumper of the vehicle used to transport the craft launched at the launching site. The daily launching permit shall be prominently displayed on the interior of the drivers' side window of the vehicle used to transport the boat to the launching area.
3. Vehicles with boat trailers or other vehicles used to transport craft launched at any city owned or operated boat launch facility shall have a affixed annual or daily launching permit when parking in the following areas:
  - 1) Tensfeldt Boat Launch
    - a. All parking areas at the Tensfeldt Boat Launch
    - b. All parking areas at the Tensfeldt Park on S. Tensfeldt Avenue
    - c. Both sides of E. Henry Street
    - d. Both sides of E. Riverview Drive
  - 2) Rock River Landing Boat Launch
    - a. All areas abutting this facility
- 2) Authorize "Parking Enforcers". For purposes of enforcing this section of the Jefferson Municipal Code, employees of the City of Jefferson Parks Department are hereby designated as "Parking Enforcers" within the meaning of the sections 349.139(1)(e) and 349.13 of the Wisconsin Statutes and are hereby authorized to issue citations for non-moving violations of this section.
- 3) Responsibility of Owner. If any vehicle with a boat trailer is found upon any street, alley, highway, park or other public grounds of the City in violation of this section of the Jefferson Municipal Code and the identity of the driver can not be readily determined, the owner or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.
- 4) Enforcement of Parking Restriction. "Parking enforcers" observing violations of the parking restrictions specified within this chapter may issue parking tickets which shall be attached to the vehicle parked in violation. Each parking ticket shall specify:
  - a) Identification of the location of the vehicle parking in violation of the provisions of this section
  - b) The license number and state of licensing of the vehicle
  - c) The time at which such vehicle is parking in violation of the provisions of this chapter.
  - d) Any other facts, knowledge of which is necessary to a thorough understanding of the circumstances attending to the violation.



- 5) Penalty for Violation. Any person who violates any provision of this Section shall be subject to a penalty as provided in Chapter 1, Article 1-5 of this code.
- 6) Use of Launch Fee Revenue. The net revenue resulting from the sale and enforcement of Launch Fee Permits, after the deduction of the cost of collection, enforcement, administration, and operation shall be used to establish, maintain and improve boat launch facilities within the City of Jefferson per Wisconsin Administrative Code and Statutes as amended from time to time.
- 7) This ordinance shall not apply to law enforcement vehicles used in the normal course of patrol or any and all search and rescue vehicles and trailers.

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. 59**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for October 19, 2021, is hereby adopted.

- A. Vouchers Payable for October 2021 in the amount of \$162,837.61, and September Manuals in the amount of \$22,470.98. Payroll Summary for October 8, 2021, in the amount of \$190,850.39.
- B. Council Minutes from October 5, 2021, of the Common Council.
- C. Licenses as Approved by the Regulatory Committee.
  1. Operator's Licenses.
  2. Sales of Goods in ROW-Big Bar LLC.

Ald. Beyer, seconded by Ald. Lares moved to approve Resolution No. 59. On call of the roll, Motion carried unanimously, with Ald. Lares abstaining from the minutes.

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR TREE REMOVAL AT  
CONSERVANCY PLACE**

(To be introduced by Ald. Teeter.)

**CITY OF JEFFERSON  
RESOLUTION NO. 60**

**WHEREAS**, the City of Jefferson requested proposals to remove approximately 1.75 acres of trees along S Dewey Avenue as part of planned residential development; and

**WHEREAS**, Krizsan's Tree Service provided the lowest responsible proposal in the amount of \$9,000; and

**WHEREAS**, the overall bid scope of work includes tree removal, brush chipping, removal of wood and chips while leaving larger healthy trees along S. Dewey Avenue; and

**WHEREAS**, this is an unbudgeted project and funds for this project will be paid from proceeds of lot sales;

**NOW, THEREFORE BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that it herein approves the Krizsan's Tree Service Inc bid for tree removal in the amount of \$9,000;

**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.

Ald. Teeter, seconded by Ald. Beyer moved to approve Resolution No. 60. On call of the roll, Motion carried unanimously.

**RESOLUTION AUTHORIZING RESURFACING OF TWO ALLEYS IN THE CITY OF JEFFERSON**

(To be introduced by Ald. Brandel.)

**CITY OF JEFFERSON  
RESOLUTION NO. 61**

**WHEREAS**, the City Engineer has requested three proposals to resurface two alleys extending west from the 100 block of N Dewey Avenue: and

**WHEREAS**, Jefferson County has provided an estimate in the amount of \$50,000 for Jefferson County to pulverize and resurface these two alleys from N. Dewey Avenue to the Wilson Street; and

**WHEREAS**, the City Engineer has reviewed the estimate and recommends resurfacing of the two alleys by Jefferson County due to the condition of the pavement and subgrade; and

**WHEREAS**, this project is unbudgeted and will be paid out of fund balance;

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that it herein authorizes the City Administrator to approve the proposal with Jefferson County in the amount of \$50,000 to resurface said alleys.

Ald. Brandel, seconded by Ald. Beyer moved to approve Resolution No. 61. On call of the roll, Motion carried unanimously.

**ADJOURN TO CLOSED SESSION PURSUANT TO SECTION 19.85(1)(E) OF THE WISCONSIN STATE STATUTES TO DELIBERATING OR NEGOTIATION THE PURCHASING OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION**

Tabled.

Ald. Lares, seconded by Ald. Neils moved to adjourn the Jefferson Common Council Meeting at 7:50 p.m., carried unanimously on a voice vote.