

**MINUTES  
CITY OF JEFFERSON COMMON COUNCIL  
CITY HALL COUNCIL CHAMBERS  
TUESDAY, JUNE 7, 2022**

The Tuesday, June 7, 2022 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Council President Tully. Member's present were: Ald. Neils, Ald. Brandel, Ald. Schroeder, Ald. Beyer, Ald. Lares and Ald. Teeter. Absent: Ald. Mattke and Mayor Oppermann. Also present were: City Attorney Rogers, City Clerk/Deputy Treasurer Copsey, and Police Chief Richter.

**PUBLIC PARTICIPATION**

Park and Recreation Director Keller let the council know about the Ribbon Cutting on June 11<sup>th</sup> at 9 a.m. at the conservancy. Keller also gave an overview on the July 3<sup>rd</sup> Independence Day Celebration that will be at the Jefferson Fair Park.

Administrator Freitag introduced our new Police Chief, Alan Richter who was sworn in on Friday, June 3, 2022.

Police Chief Richter is looking forward to working as Police Chief of the City.

**MAYORAL PROCLAMATION**

**CITY OF JEFFERSON  
PROCLAMATION**

**WHEREAS**, since joining the department on June 29, 1998, Brian Frohmader served the City of Jefferson for more than 23 years in the Public Works Department working as a Public Works Crewperson until his retirement on April 1, 2022; and

**WHEREAS**, Brian Frohmader has been instrumental in the successful maintenance of the City's infrastructure and construction of new projects with the City Public Works Department and has exhibited great pride in maintaining our streets, most specifically through street painting, street sweeping and snow plowing, 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, Brian Frohmader, 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**, Brian Frohmader 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

Brian Frohmader for his 23 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, June 7, 2022.

**ORDINANCE AMENDEING § 14-6(A) OF THE JEFFERSON MUNICIPAL CODE TO ADD AN  
ADDITIONAL MEMBER TO THE PARK AND RECREATION COMMISSION**

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

**CITY OF JEFFERSON  
ORDINANCE NO. 2-22**

**WHEREAS**, the City of Jefferson has previously established a Parks and Recreation Commission to serve the best interests of the citizens of Jefferson; and

**WHEREAS**, said Parks and Recreation Commission is presently comprised of seven members which includes a member of the City School Board or a City School Administrator or a representative of the City School District; and

**WHEREAS**, the Common Council has determined that it would be appropriate to expand the membership of the Park and Recreation Commission to eight with the newest member being a representative from the Jefferson County government.

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

**Section 1.** Section 14-6(A) of the Jefferson Municipal Code is amended increasing membership in the City of Jefferson Park and Recreation Commission from seven to eight members with the newest member to be a representative from the Jefferson County government. Said representative shall act in an ex officio capacity on any commission matter.

**Section 2.** This Ordinance shall be effective on the date after its enactment and publication of this ordinance as required by law.

Ald. Neils, seconded by Ald. Schroeder moved to approve Ordinance 2-22. On call of the roll, Motion carried unanimously.

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

(To be introduced for its second reading by Ald. Tully.)

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #3-22**

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. Definition: Domestic animal – **one that is sufficiently tame to live with a family, such as a dog or cat.**
- B. It shall be unlawful for any person to allow domestic animals to run at large at any time within a city park or on city owned lands within the boundaries of the city limits. All animals within city parks or city owned lands shall be kept on a leash no longer than 6' (six feet) by the owner at all times.
- C. The owner of a dog, cat or domestic animal shall promptly remove and dispose of in a sanitary manner any excreta deposited by such animal upon any public property or private property other than the premises of its owner.
- D. Domestic animals are not allowed in areas of heavy public use plus due to health and public safety. These areas include: tennis courts, playgrounds, athletic fields and gardens.
- E. Waiver for domestic animals for special events may be given with Common Council approval.
- F. 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.

Ald. Tully, seconded by Ald. Beyer moved to approve Ordinance 3-22. On call of the roll, Motion carried unanimously.

### **CONSENT AGENDA**

(To be introduced by Ald. Schroeder.)

### **CITY OF JEFFERSON RESOLUTION NO. 13**

**BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for June 7, 2022, is hereby adopted.

- A. Vouchers Payable for June 2022 in the amount of \$260,524.89. Payroll Summary for May 20, 2022 in the amount of \$172,485.31 and Payroll Summary for June 3, 2022 in the amount of \$188,238.79.
- B. Council Minutes from May 17, 2022 of the Common Council.
- C. School District Facility Use Agreement.
- D. Licenses as Approved by the Regulatory Committee.
  1. Operator's Licenses.
  2. Liquor Licenses.
  3. Cigarette Licenses.
  4. Special Class B License- Rotary Club, Brat & Burger-Jefferson Fair Grounds.
  5. Special Class B License- Rotary Club, Jefferson County Fair-Jefferson Fair Grounds.

Ald. Schroeder, seconded by Ald. Beyer moved to approve Resolution No. 13. On call of the roll, Motion carried unanimously.

### **RESOLUTION APPOINTING AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM THE STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND**

(To be introduced by Ald. Teeter.)

### **CITY OF JEFFERSON**

## RESOLUTION NO. 14

**WHEREAS**, it is the desire of the City of Jefferson, Wisconsin, a municipal corporation, to file several applications for state financial assistance for construction of a new well house for Well No. 3 and improvements to existing water facilities under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.59, and 281.61, Wis. Stats.);

**WHEREAS**, it is necessary to designate a representative for filing said applications;

**BE IT THEREFORE RESOLVED** by the City Council of the City of Jefferson that the (City Administrator) is hereby appointed as the authorized representative for the City of Jefferson for the purpose of filing these applications, and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

Ald. Teeter, seconded by Ald. Neils moved to approve Resolution No. 14. On call of the roll, Motion carried unanimously.

## **RESOLUTION TO DECLARE OFFICIAL INTENET TO REIMBURSE EXPENDITURES FOR SAFE DRINKING WATER LOAN PROGRAM (SDWLP) PROJECT**

(To be introduced by Ald. Beyer.)

## CITY OF JEFFERSON RESOLUTION NO. 15

**WHEREAS**, the City of Jefferson, Jefferson County, Wisconsin (the “Municipality”) owns and operates a water supply and distribution system (the “System”) as a public utility; and

**WHEREAS**, the Municipality plans to construct a new water supply well house for Well No. 3 and make improvements to existing water facilities (the “Project”); and

**WHEREAS**, the Municipality expects to receive a loan (the “Loan”) from the Safe Drinking Water Loan Program (the “Program”) to finance the Project and expects to issue tax-exempt bonds (the “Bonds”) to the Program in evidence of the Loan; and

**WHEREAS**, because the Loan will not become available prior to Summer of 2023, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the Loan; and

**WHEREAS**, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds on hand on an interim basis until the Loan becomes available and the Bonds can be issued.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Jefferson, Jefferson County, Wisconsin that:

Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from existing municipal accounts that contain ordinary municipal revenue to pay the costs of the Project until Bond proceeds become available.



Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under 26 CFR Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$2,750,000.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the Municipal Administrator's office within 30 days after its approval in compliance with applicable State laws governing the availability of records of official acts and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This resolution shall be effective upon its adoption and approval.

Ald. Beyer, seconded by Ald. Teeter moved to approve Resolution No. 15. On call of the roll, Motion carried unanimously.

### **RESOLUTION ACKNOWLEDGING THE REVIEW OF THE 2021 CMAR**

(To be introduced by Ald. Lares.)

#### **CITY OF JEFFERSON RESOLUTION NO. 16**

**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 30<sup>th</sup> annually for its wastewater treatment system under Wisconsin Administrative Code NR 208;

**WHEREAS**, it is necessary to acknowledge that the governing body has reviewed the 2021 Compliance Maintenance Annual Report (CMAR);

**BE IT THEREFORE 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 2021.

Ald. Lares, seconded by Ald. Brandel moved to approve Resolution No. 16. On call of the roll, Motion carried unanimously.

### **RESOLUTION APPROVING THE CONTRACT FOR SENIOR CENTER FLOORING**

(To be introduced by Ald. Neils.)

#### **CITY OF JEFFERSON RESOLUTION NO. 17**

**WHEREAS**, the City of Jefferson publicly opened bids for "Senior Center Flooring Project", on June 2, 2022; and

**WHEREAS**, the City of Jefferson received only one bid for Flooring project; and

**WHEREAS**, monies for the project have been allocated in the 2021 Capital Projects Budget as well as CDBG grant funding; and

**NOW, THEREFORE BE IT RESOLVED**, by the Common Council of the City of Jefferson, Wisconsin that it herein accepts the sole bid for the Senior Center Flooring project and;

**BE IT FURTHER RESOLVED**, by the Common Council that it herein authorizes the City Administrator to sign the contract with Y's Way, Inc to replace the carpeting and vinyl flooring at the Senior Center for a not to exceed amount of \$39,346.

Ald. Neils, seconded by Ald. Lares moved to approve Resolution No. 17. On call of the roll, Motion carried unanimously.

**RESOLUTION APPROVING THE PURCHASE OF A BOBCAT L28 ARTICULATING LOADER WITH BROOM AND BUCKET**

(To be introduced by Ald. Schroeder.)

**CITY OF JEFFERSON  
RESOLUTION NO. 18**

**BE IT RESOLVED** by the Common Council of the City of Jefferson, Wisconsin that the City of Jefferson obtained two bids from equipment suppliers for a replacement of the 2001 Jacobsen mower which is used primarily for snow removal. This piece of equipment will allow Parks staff to not only remove snow but complete many projects in the parks;

**WHEREAS**, the City of Jefferson allocated \$40,000 from the Capital Projects/Equipment Fund for the Parks mower replacement, and will use \$7,000 from the Stoppenbach Park Bathroom renovation;

**WHEREAS**, the lowest qualified bidder was Mid-State Equipment in the amount of \$46,095 including an Articulating tractor with broom and bucket;

**NOW, THEREFORE BE IT RESOLVED** that the City of Jefferson authorizes the City Administrator to enter into an agreement with Mid-State Equipment to purchase a Bobcat L28 articulating loader with broom and bucket in the amount of \$46,095.

Ald. Schroeder, seconded by Ald. Neils moved to approve Resolution No. 18. On call of the roll, Motion carried unanimously.

**RESOLUTION AUTHORIZING THE DOWNTOWN STREET INFRASTRUCTURE**

(To be introduced by Ald. Tully.)

**CITY OF JEFFERSON  
RESOLUTION NO. 19**

**WHEREAS**, the Historic Business District is scheduled to undergo significant renovation during summer, 2022 by way of a project that has previously been approved by the Common Council. A major goal of the project is to replace or upgrade much of the existing streetscape in a manner that builds off the existing assets of the downtown and connection to the riverfront and Rotary Park, while continuing to further current City branding efforts; and

**WHEREAS**, contractors have begun work on the Historic Business District Renovation Project, including demolition of existing brick pavers, crosswalks, and tree wells, as well as the removal of street trees; and

**WHEREAS**, contractors will next begin work on installing a new electrical system, relaying new brick pavers, and rebuilding existing tree wells with new tree grates; and

**WHEREAS**, City staff has placed orders for various streetscape items, including flower planters, bike racks, trash receptacles, and tree grates with up-lighting per the approval of the Common Council; and

**WHEREAS**, adopted plans include placement of an interactive kiosk, sitting benches, and major streetscape feature to be located at the Dodge Street – Main Street Intersection emphasizing the Rotary Park connection to Main Street; and

**WHEREAS**, City staff has now obtained proposals for these streetscape items and is seeking authorization to place orders due to an anticipated long lead time to obtain said items; and

**WHEREAS**, City staff is recommending that these streetscape items be purchased from the following vendors:

**Alive Promo, Plymouth, Minnesota**

- Benches - 9 (quantity) @ \$1,975 (unit cost) for a total of \$17,775.00
- Kiosk (Interactive) - \$45,250.00

ChiselCraft Timber Frame, Inc., Ashland, Wisconsin

- Gateway Feature – 2 (quantity) for a total of \$31,410.00

**NOW, THEREFORE BE IT RESOLVED**, that the Common Council of the City of Jefferson, Wisconsin herein authorizes the placement of orders for the following streetscape items per the plans and specifications developed by staff:

- Purchase of benches from Alive Promo, Plymouth, Minnesota at a cost of \$17,775.00
- Purchase of interactive Kiosk from Alive Promo, Plymouth, Minnesota at a cost of \$45,250.00
- Purchase of Dodge Street-Main Street Gateway Feature from ChiselCraft Timber Frame, Inc., Ashland, Wisconsin at a cost of \$31,410.00

**BE IT FURTHER RESOLVED**, by the City Council that the City Administrator is hereby authorized to execute any documents, including contracts and/or purchase orders related to this matter on behalf of the City Council subject to the review and approval of the City Attorney.

Ald. Tully, seconded by Ald. Lares moved to approve Resolution No. 19. On call of the roll, Motion carried 6-1.

Ald. Lares, seconded by Ald. Teeter moved to adjourn the Jefferson Common Council Meeting at 7:33 p.m., carried unanimously on a voice vote.