

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
CITY HALL COUNCIL CHAMBERS
WEDNESDAY SEPTEMBER 19, 2023**

The Tuesday, September 19, 2023 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. Schroeder, Ald. Tully, Ald. Mattke, Ald. Teeter, Ald. Lares, and Ald. Beyer. Absent: Ald. Stone. Also present were: City Administrator Freitag, Attorney Rogers, City Director of Public Works Clark, City Clerk/Deputy Treasurer Copsey and Police Chief Richter.

PUBLIC PARTICIPATION

Chris Rogers, City Attorney would like to inform the council that his assistant Danielle Thompson has been appointed to corporate counsel. Attorney Rogers has appointed Brandon White to be his assistant City Attorney. Attorney White grew up in the area and has his own law firm here in the city.

ADJOURN TO PUBLIC HEARING TO DISCUSS AN ORDINANCE AMENDING SECTION 300-10.31 OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING OF 200 PITZNER PARKWAY

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

AN ORDINANCE TO AMEND SECTION 300-10.31 OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON RELATED TO REZONING

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

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 200 Pitzner Parkway SMU Suburban Mixed Use to the zoning designation of BP Business Park.

Description:

Lot 1. CSM 5618 recorded in Volume 31 of Certified Surveys on Page 195 as Document No. 1353548, being a part of the Southwest ¼ of the Southeast ¼ of Section 3, Township 6 North, Range 14 East, in the City of Jefferson, Jefferson County, Wisconsin.

Parcel #: 241-0614-0343-006

Address: 200 Pitzner Parkway

Proposed Permanent Zoning Designation: BP Business Park

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. Mattke, seconded by Ald. Schroeder moved to approve Ordinance #7-23. On call of the roll, motion carried unanimously.

AN ORDINANCE TO AMEND SECTION 265-19 OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON THAT WAS ADOPTED ON APRIL 11, 2023.

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

**CITY OF JEFFERSON
ORDINANCE #8-23**

WHEREAS, the City of Jefferson (the City) has previously adopted several ordinances regulating the use and operation of all-terrain vehicles (ATVs) and utility-terrain vehicles (UTVs), the latest version of which was adopted on April 11, 2023; and

WHEREAS, the City finds that the use of ATVs and UTVs have not been problematic for the safety and well-being of the citizens of the City and, therefore, the use of these vehicles can be expanded as set forth below.

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

Section 8(G) – No person shall operate an all-terrain/utility terrain vehicle in the City between the hours of 10 P.M. and **8:00** 5:00 A.M.

The following portion of Section 265-19 is hereby repealed:

~~Section 12 – Sunset Provision. Ordinance 265-19 as modified herein shall terminate six months at 11:59 PM after adoption unless extended by the Common Council of the City of Jefferson.~~

Section 14 – Effective Date. This ordinance shall take effect after passage, publication, and attestation as required by law.

Section 15 – Legal Effect. All provisions of the existing 265-19 that are not in conformity herein are hereby repealed. All other provisions are reaffirmed.

Ald. Lares, seconded by Ald. Mattke moved to approve Ordinance #8-23. On call of the roll, motion carried unanimously.

AN ORDINANCE TO AMEND SECTION 90-16 OF THE MUNICIPAL CODE OF THE CITY OF JEFFERSON CONCERNING THE CREATION OF A TOURISM COMMISSION AND THE DISPOSITION OF ROM TAX PROCEEDS

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

**CITY OF JEFFERSON
ORDINANCE NO. 9-23**

The Common Council of the City of Jefferson, Wisconsin (the City) hereby ordains as follows:

- Section 1.** The terms and provisions of §90-16 of the City's Municipal Code are negated and abrogated in their entirety and replaced as set forth below.
- Section 2.** A Tourism Commission is hereby created and shall consist of five members who shall be appointed by the Mayor, with the approval of the Common Council. This entity shall be known as the Jefferson Tourism Commission (the Commission).
- (A) The Commission membership will consist as follows:
 - (1) A representative of the local hotel, motel in lodging industry;
 - (2) The Mayor and a Common Council member of the City;
 - (3) Two citizen representatives who are residents of the City.
 - (B) Ex Officio Members – The City's financial director and the Executive Director(s) of the organization(s) with whom the Commission contracts to perform tourism promotion shall be ex-officio non-voting members of the Commission.
 - (C) Each member's term on the Commission will be for a one-year term at the pleasure of the Common Council, and members may serve multiple terms.
 - (D) Officers – The Commission shall elect, from among its members, a chairperson, a vice chairperson, and a secretary.
 - (E) Meetings – The Commission shall hold meetings not less than quarterly.
 - (F) Procedure – Four members shall constitute a quorum. Action shall be by majority of those present and voting. The Commission shall adopt rules of procedure for governing the conduct of its meetings.
 - (G) Powers and Duties – The Commission shall be responsible for the coordination of

tourism promotion and tourism development within the City and for ensuring that all room tax dollars it receives from the City, per state statutes, is spent on tourism promotion and development. The Commission shall contract with tourism entities as defined in Wis. Stat. § 66.0615 for tourism promotion services. “Tourism promotion and tourism development” means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a room tax may be imposed, that are owned by different persons and located within the City in which a tax under this section is in effect; or, if at any time the City has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:

- (1) Marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motorcoach groups.
 - (2) Transient tourist informational services.
- (H) Record – The Commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the City Clerk.
- (I) Reports – The Commission shall prepare and timely file all reports as required under the statute and/or by the City.
- (J) Compensation – The Commission members shall serve without compensation.
- (K) Confidentiality of Information Provided by Lodging Facilities – Pursuant to Wis. Stat. § 66.0615(3), any information provided by the City regarding room tax payment shall be confidential except for persons using the information in the discharge of their duties imposed by law or of the duties of their office or by order of a court.

Section 3. Seventy percent of the room tax collected under the City’s room tax shall be forwarded to the Jefferson Tourism Commission to be used for promoting tourism. Twenty-five percent of the tax shall be used by the City for civic promotion. Five percent of the tax shall remain with the owner of the entity that collected the tax.

Section 4. The Jefferson Tourism Commission shall also develop policies and procedures to enhance tourism in the City, including a marketing plan which will be updated as needed. Said Commission shall make available to the City, proof of any expenditures or other actions taken by the Commission. Said Commission may contract with a non-profit organization that spends at least 51 percent of its revenues on tourism promotion and tourism development with the express purpose of fulfilling the goals set forth herein.

Section 5. Neither the City nor the Jefferson Tourism Commission may use the room tax revenue to construct or develop a lodging facility.

Section 6. The definitions set forth in §66.0615(1) Wisconsin Statutes are adopted herein in their entirety.

Section 7. This ordinance shall take effect after the passage, publication, and attestation as required by law.

Ald. Tully, seconded by Ald. Teeter moved to approve Ordinance #9-23. On call of the roll, motion carried unanimously.

AN ORDINANCE TO AMEND SECTION 270-1 AND 270-3 RELATING TO SALES IN PUBLIC RIGHT-OF-WAY AND TRANSIENT MERCHANTS

(To be introduced by Ald. Beyer for a first reading.)

**CITY OF JEFFERSON
ORDINANCE NO. 10-23**

The Common Council, of the City of Jefferson, Wisconsin hereby ordains as follows:

Section 1. Section 270-1 of the City of Jefferson Municipal Code Relating to Sales in Public Right-of-Way is hereby amended as follows:

§270-1 Sales in Public Right-of-Way

No persons shall sell any goods or services in any public right-of-way or public street, city park, or any other city owned property without being issued a permit by the Common Council. The Common Council may issue a permit if it is satisfied that the sale of goods and/or services, or mobile food establishment, or mobile dessert establishment services, in the public right-of-way or street shall not be averse to public safety, health, or the welfare of the City. In exigent or extreme circumstances, the City Administrator shall have the authority to approve applications. This section does not apply to the following organizations and their events: Farmer's Markets, Gemuetlichkeit Days, Inc., The Chamber of Commerce, Holiday Parade of Lights, Rib Fest, Tomorrow's Hope, Live Music Foundation, The Friends of Goat Island, Jefferson Main Street Association, Inc., and National Night Out.

Section 2. Section 270-3(D)3 of the City of Jefferson Municipal Code Relating to Transient Merchants is hereby amended to read as follows:

§ 270-3 Transient Merchants

“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 270-3(E) is hereby created to read as follows:

“This section does not apply to the following organizations and their events: Farmer’s Markets, Gemuetlichkeit Days, Inc., The Chamber of Commerce, Holiday Parade of Lights, Rib Fest, Tomorrow’s Hope, Live Music Foundation, The Friends of Goat Island, Jefferson Main Street Association, Inc., and National Night Out. Said organizations and events shall be required to submit a list of each vender to the City including name, address, phone number and items to be sold by vender.

Section 3. Except as stated herein, all other provision of §270-1 and §270-3 are hereby affirmed and shall be in full force and effect.

Section 4. This ordinance shall be effective on the date after its enactment and publication of this ordinance as required by law.

AN ORDINANCE TO AMEND SECTION 208-1 DISCHARGING FIREARMS: HUNTING OF THE CITY OF JEFFERSON CODE OF ORDINANCES

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

**CITY OF JEFFERSON
ORDINANCE NO. 11-23**

The Common Council of the City of Jefferson (the City), Wisconsin, hereby ordains as follows:

Section 1. §208-1 is hereby amended as follows:

- A. No person, except a sheriff, constable, police officer, or his deputies, shall fire or discharge any firearm, rifle, or spring or air gun of any description within the City, provided that this section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries authorized by the Common Council, or the firing or discharging of BB guns upon private premises by persons over 16 or under the direct personal supervision of a parent or guardian. This section shall prohibit hunting within the City, provided that the Chief of Police may issue written permits to owners or occupants of private premises if he finds such privileges necessary for the protection of life or property and subject to such safeguards as he may impose for the safety of lives and property of other persons within the City.
- B. The Chief of Police may also issue written permits to individuals to hunt on lands owned by the City of Jefferson if it is determined by the Chief that it can be done safely. Such hunting must comply with all State of Wisconsin regulations and performed only by bow and arrow, or crossbow as defined by Chapter 29 of the Wisconsin Statutes.

Section 2. This ordinance shall take effect after the passage, publication, and attestation as required by law.

Ald. Schroeder, seconded by Ald. Tully moved to suspend the waiting for the second reading. On call of the roll, motioned carried 6-1 with Ald. Beyer voting nay.

Ald. Schroeder, second by Mattke moved to approve Ordinance #11-23. On call of the roll, motion carried 6-1 with Ald. Beyer voting nay.

CONSENT AGENDA

(To be introduced by Ald. Schroeder.)

**CITY OF JEFFERSON
RESOLUTION NO. 41**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for September 19, 2023, is hereby adopted.

- A. Vouchers Payable for September Payables in the amount of \$887,515.71 and August Manuals in the amount of \$347,891.46. Payroll Summary for September 8, 2023, in the amount of \$190,223.95.
- B. Council Minutes from September 5, 2023, of the Common Council.
- C. Licenses as Approved by the Regulatory Committee:
 - 1. Liquor License- Class A Liquor and Beer License- Piggly Wiggly Midwest, LLC.
 - 2. Cigarette License- Piggly Wiggly Midwest, LLC.
 - 3. Operator’s Licenses.
 - 4. Temporary Class B Picnic License- Lettsew K9 Foundation, Jefferson County Fair Park.

Ald. Schroeder, seconded by Ald. Mattke moved to approve Resolution No. 41. On call of the roll, Motion carried unanimously with Ald. Beyer abstaining from the minutes.

RESOLUTION AUTHORIZING THE PURCHASE OF FINANCIAL SOFTWARE FOR CITY OPERATIONS

(To be introduced by Ald. Teeter.)

**CITY OF JEFFERSON
RESOLUTION NO. 42**

BE IT RESOLVED, that the Common Council of the City of Jefferson does hereby authorize the Financial Director and/or City Administrator to enter into a contract with Civic Systems, LLC for the purchase of Financial Software for city operations.

BE IT RESOLVED, that this purchase is being approved as a sole source purchase due to the limited number of vendors that are able to provide a product that will accommodate the City’s financial needs.

BE IT FURTHER RESOLVED, that said purchase and data conversion will not exceed \$125,000 as provided for in the 2022 General Purpose Financial Statements appropriation.

Ald. Teeter, seconded by Ald. Mattke moved to approve Resolution No. 42. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING THE CONTRACT EXTENSION WITH JOHNS' DISPOSAL SERVICE, INC.

(To be introduced by Ald. Neils.)

**CITY OF JEFFERSON
RESOLUTION NO. 43**

WHEREAS, the City of Jefferson has a contract with Johns Disposal Service Inc. for curbside collection of solid wastes and recyclables where the current contact will expire at the end on 12/31/2024; and

WHEREAS, John's Disposal Service, Inc. has offered to extend the current agreement through 12/31/2029 with a 0% cost increase for 2024; and

WHEREAS, the Director of Public Works and City Administrator have reviewed the contract and recommends approving the contact extension to the Common Council; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves the contract extension with John's Disposal Service, Inc.; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Jefferson 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 following its review by the City Attorney.

Ald. Neils, seconded by Ald. Teeter moved to approve Resolution No. 43. On call of the roll, motion carried unanimously.

ADJOURN TO CLOSED SESSION PURSUANT TO SECTION 19.85(1)(C) OF THE WISCONSIN STATE STATUTES TO CONSIDER EMPLOYMENT, PROMOTION, COMPENSATION PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHAT THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY TO CONSIDER HIRE OF A FULL-TIME PARAMEDIC.

Ald. Mattke, seconded by Ald. Neils moved to go into Closed Session. On call of the roll, Motion carried unanimously.

Ald. Lares, seconded by Ald. Mattke moved to go into Open Session. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING THE HIRE OF A FULL-TIME PARAMEDIC

(To be introduced by Ald. Tully.)

**CITY OF JEFFERSON
RESOLUTION NO. 44**

WHEREAS, Jefferson Emergency Medical Services (JEMS) has an opening for a full-time licensed paramedic and has accordingly conducted an open process to fill the vacancy; and

WHEREAS, JEMS is recommending the hire of Mr. Josh Tillman to fill this vacancy. Mr. Tillman is currently a part-time paramedic with JEMS and has served the community in this capacity for several years; and

WHEREAS, the Personnel Committee has considered Mr. Tillman's employment and it's recommending his hire to the Common Council; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves and authorizes the appointment of Mr. Josh Tillman to the position of full-time licensed paramedic subject to the following:

- Placement at Classification Seven, Step One on the Jefferson Compensation Plan (\$26.92 per hour);
- Placement at Year One on the Jefferson Paid Tim-Off Schedule (9 days); and
- Mr. Tillman to Serve a One Year Probationary Period.

Ald. Tully, seconded by Ald. Mattke moved to approve Resolution No. 44. On call of the roll, Motion carried unanimously.

Ald. Beyer, seconded by Ald. Neils moved to adjourn the Jefferson Common Council Meeting at 7:35 p.m., carried unanimously on a voice vote.