

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
CITY HALL MEETING ROOMS
TUESDAY, OCTOBER 6, 2020**

The Tuesday, October 6, 2020 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Mayor Oppermann. Members present were: Ald. Krause, Ald. Tully, Ald. Neils, Ald. Miller, Ald. Young, Beyer, Ald. Lares and Ald. Brandel. Absent: None. Also present were: City Administrator Freitag, City Engineer Pinnow, City Attorney Rogers, City Clerk/Deputy Treasurer Copsey, and Chief Pileggi.

PUBLIC PARTICIPATION

None.

MAYORAL PROCLAMATION

**PROCLAMATION RECOGNIZING PUBLIC POWER WEEK, OCTOBER 4-10:
A WEEK-LONG CELEBRATION OF JEFFERSON UTILITIES' YEAR-ROUND SERVICE**

WHEREAS, we, the citizens of the City of Jefferson, place high value on local choice over community services and therefore have chosen to operate a community-owned, not-for-profit electric utility and, as customers and owners of our electric utility, have a direct say in utility operations and policies;

WHEREAS, Jefferson Utilities provides our homes, businesses, schools and social service and local government agencies with reliable, efficient, and safe electricity employing sound business practices designed to ensure the best possible service at not-for-profit rates;

WHEREAS, Jefferson Utilities is a valuable community asset that contributes to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness;

WHEREAS, Jefferson Utilities is a dependable and trustworthy institution whose local operation provides many consumer protections and continues to make our community a better place to live and work, and contributes to protecting the global environment;

NOW, THEREFORE BE IT RESOLVED: that Jefferson Utilities will continue to work to bring low-cost, safe, reliable electricity to community homes and businesses just as it has since 1901, the year when the utility was created to serve all the citizens of the City of Jefferson; and

BE IT FURTHER RESOLVED: that the week of October 4-10 be designated Public Power Week to recognize Jefferson Utilities for its contributions to the community and to educate customer-owners, policy makers, and employees on the benefits of public power;

BE IT FURTHER RESOLVED: that our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power, which put our residents, businesses, and the community before profits.

ORDINANCE

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

**CITY OF JEFFERSON
ORDINANCE #6-20**

WHEREAS, the City of Jefferson established boating regulations to operate the city owned public boat launches in 2012,

WHEREAS, the City of Jefferson in a joint partnership with Jefferson County is opening a new launch at Rock River Landing Park,

WHEREAS, the City needs to update and clarify the existing boating regulation ordinance.

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

1. Public boat launchings. City boat launches are located at the following properties: Tensfeldt Boat Launch (East Riverview Drive and Henry Street) and Rock River Landing Park (N. Elizabeth Avenue)
- C. Transient docking. All docks and piers that are not used for boat launching may be used for transient boaters. Non launching docks are currently located at Rotary Waterfront Park, Rock River Landing Park, River's Edge Nature Preserve, Candise Street, Goat Island and W. Riverview Drive. Persons using these docks 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 (East Riverview Drive and Henry Street) and Rock River Landing Park (N. Elizabeth Avenue).
 2. Fees.
 - a. The annual and daily launching fees, along with the fee for a second permit or annual replacement sticker shall be set by the Common Council in the City's Fee Schedule.
 1. All annual stickers shall be prominently placed and displayed on the inside of the driver's window 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 driver's side window of the vehicle used to transport the boat to the launching area. The fee for said permits shall be established annually by the Common Council.
 2. Vehicles with boat trailers or other vehicles used to transport craft launched at any City-owned or -operated boat launch facility shall have an affixed annual or daily launching permit when parking in the following areas:
 - i. Tensfeldt Boat Launch:
 1. All parking areas at the Tensfeldt Boat Launch
 2. All parking areas at the at the Tensfeldt Park on South Tensfeldt Avenue
 3. Both sides of East Henry Street
 4. Both sides of East Riverview Drive
 - ii. Rock River Landing Park
 1. All parking areas at the Rock River Landing Boat Launch
 3. Authorized "traffic officers." For purposes of enforcing this section of the Jefferson Municipal Code, employees of the City of Jefferson Parks Department are hereby designated as "traffic officers" with in the meaning of §§340.01 (70) and 349.13, Wis. Stats and are hereby authorized to issue citations for nonmoving violations of this section.

4. 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 cannot be readily determined, the owner or person
5. Enforcement of parking restriction. Traffic officers 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:
 - i. Identification of the location of the vehicle parking in violation of the provisions of this section.
 - ii. The license number and state of licensing of the vehicle.
 - iii. The time at which such vehicle is parking in violation of the provisions of this chapter.
 - iv. Any other facts, knowledge of which is necessary to a thorough understanding of the circumstances attending to the violation.
6. Basic penalty for violation. The forfeiture upon conviction if this action shall be \$20 which amount shall be set annually by the Common Council.
7. 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.
8. This section shall not apply to law enforcement vehicles used in the normal course of patrol or any and all search-and-rescue vehicles and trailers.

ORDINANCE

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

CITY OF JEFFERSON ORDINANCE #7-20

§ 294-6. General park and public land dedication requirements.

A. Dedication requirement. In order that adequate open spaces and sites for public uses may be properly located and reserved and in order that the cost of providing public areas, such as but not limited to parks, recreation areas and public schools may be equitably apportioned on the basis of additional need created by a certified survey or subdivision development or residential development where a zoning permit is required under § 300-90 to add dwelling units to a previously platted lot or lots, each subdivider or developer shall be required to dedicate land or pay fees in lieu of land for park or other public uses.

B. General design. In the design of a subdivision, land division, planned unit development or certified survey, provision shall be made for suitable sites of adequate area for schools, parks, playgrounds, open spaces, drainage ways and other public purposes. Such sites are to be shown on the preliminary plat and final plat and shall comply with the City of Jefferson Comprehensive Master Plan or components of said Plan. Consideration shall be given to the preservation of scenic and historic sites, stands of trees, marshes, lakes, ponds, streams, watercourses, watersheds, ravines and woodlands, prairie and wetlands, and plant and animal communities.

C. Site reservations required.

(1) Where the area proposed to be divided contains a park, playground or other public area which is shown upon the City of Jefferson Comprehensive Master Plan, at the Common Council's determination such area shall either be dedicated to the proper public agency or it shall be reserved for acquisition thereby within a three-year period by purchase or other means. If the land is not acquired during this period, it shall be released to the subdivider.

(2) Whenever any river, stream or important surface drainage course is located in the area being divided, the subdivider of land shall provide an easement along each side of the river, stream or drainage course for the purpose of widening, deepening, relocating, improving or protecting the river, stream or drainage course for drainage or recreational use.

D. Land dedication.

(1) Dedication of sites. Where feasible and compatible with the City of Jefferson Comprehensive Master Plan, the subdivider shall provide and dedicate to the public adequate land to provide for park, recreation, school and open space needs of the land development within the City of Jefferson. The location of such land to be dedicated shall be determined by the Common Council. Where the dedication is not compatible with the City of Jefferson Comprehensive Master Plan or for other reasons is not feasible as recommended by the Plan Commission and as approved by the Common Council, the subdivider shall, in lieu thereof, pay to the City a fee as established by this chapter, or a combination thereof.

(2) Dedication of parks, playgrounds, recreation, and open spaces. The developer shall dedicate sufficient land area to provide adequate park, playground, recreation, and open space to meet the needs to be created by and to be provided for the land division, subdivision or comprehensive development. The minimum dedication shall be 2,000 square feet per proposed dwelling unit.

(3) Unknown number of dwelling units. Where the plat, certified survey or condominium does not specify the number of dwelling units to be constructed, the land dedication shall be based upon the maximum number of units permitted by Chapter 300, Zoning.

(4) Minimum size of park and playground dedications.

(a) In general, land reserved for recreation purposes shall have an area of at least two acres. Where the amount of land to be dedicated is less than two acres, the Common Council may require that the recreation area be located at a suitable place on the edge of the proposed land division, subdivision or certified survey so that additional land may be added at such time that the adjacent land is subdivided. In no case shall an area of less than one acre be reserved for recreational purposes if it will be impractical or impossible to secure additional lands to increase its area.

(b) Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, play field or for other recreation purposes and shall be relatively level and dry. A recreation site shall have a total frontage on one or more streets of at least 200 feet, and no other dimension of the site shall be less than 200 feet.

(5) Fees in lieu of land.

(a) Where in the sole discretion of the Common Council there is no land suitable for parks within the proposed land division or the dedication of land would not be compatible with the City of Jefferson Comprehensive Master Plan or City of Jefferson Comprehensive Park and Outdoor Recreation Plan, the minimum size under Subsection D(4) above cannot be met, or City officials determine that a cash contribution would better serve the public interest, the Common Council shall require the subdivider to contribute a park and recreation development fee in lieu of land. The fees collected shall be held in a nonlapsing fund to be used for purchase, development, improvement and maintenance of parks, playgrounds, open spaces

and other recreational sites and facilities. A fee shall be paid as set by the Common Council in the City's Fee Schedule prior to issuance of a building permit.

(b) The Common Council may in its sole discretion permit the subdivider to satisfy the requirements of this chapter by combining a land dedication with a fee payment. If a land dedication of 25% of the required dedication is made, the subdivider shall also contribute an amount equal to 75% of the required per-unit fee in lieu of land. If a land dedication of 50% of the required dedication is made, the subdivider shall also contribute an amount equal to 50% of the required per-unit fee in lieu of land. If a land dedication of 75% of the required dedication is made, the subdivider shall also contribute an amount equal to 25% of the required per-unit fee in lieu of land.

(c) The City shall place any fee collected pursuant to the provisions of this section in a separate account to be used at the discretion of the Common Council in any community park, for developing adequate parks, playgrounds, recreation and open spaces.

(d) The fee in lieu of land shall be paid to the City of Jefferson by the time the subdivision plat or certified survey map has been approved by the Common Council.

(6) Limitations. A subdivider shall not be required to dedicate more than 1/3 of the total area of the plat to meet the objectives of this section.

(7) Suitability of lands. The Common Council shall have sole authority to determine the suitability and adequacy of parklands proposed for dedication. Drainageways, wetlands, floodplain, or areas reserved for infrastructure such as streets, utilities, or stormwater shall not be considered as satisfying land dedication requirements.

(8) Access to dedicated land. All dedicated land shall have frontage on a public street and shall have unrestricted public access.

(9) Utility extensions. The subdivider shall install or provide for installation of water and sanitary sewer lines to the property line of all dedicated land where such services are to be provided to the adjacent properties.

E. Reservation of additional land. When public parks and sites for other public areas as shown on the City of Jefferson Master Plan or Master Plan component lie within the proposed area for development and are greater in area than required by Subsection D, the owner shall reserve for acquisition by the City, through agreement, purchase or condemnation, the remaining greater public area for a period of one year of final plat approval unless extended by mutual agreement.

F. Development of park area.

(1) When parklands are dedicated to the City, the subdivider is required to:

(a) Properly grade and contour for proper drainage.

(b) Provide surface contour suitable for anticipated use of area as approved by the City Engineer; and

(c) Cover areas to be seeded with a minimum of four inches of quality topsoil, seed as specified by the City Engineer, fertilized with fertilizer NPK 16-6-6 at a rate of seven pounds per 1,000 square feet, and mulched as specified in the standard "Wisconsin DOT Specifications for Road and Bridge Construction, Sections 627 and 629." The topsoil furnished for the park site shall consist of the natural loam, sandy loam, silt loam, silty clay loam or clay loam humus-bearing soils adapted to the sustenance of plant life, and such topsoil shall be neither excessively acid nor excessively alkaline. Fine grading and seeding must occur within one year following issuance of the first building permit within that land division unless otherwise authorized by the Common Council. The improved area shall not be deemed officially accepted until a uniform grass cover to a two-inch height has been

established. It shall be the responsibility of the subdivider to maintain the area until the City accepts the dedication.

(d) The subdivider shall transfer to the City of Jefferson the dedicated parklands by good and sufficient warranty deed free and clear of any lien or encumbrance.

(2) It shall be the responsibility of the City to maintain the dedicated areas upon their dedication and acceptance by the City.

(3) A neighborhood park area shall be provided by the subdivider with a standard residential water service unless located directly adjacent to a fire hydrant. A community park area shall be provided by the developer with a minimum six-inch water service or at least one fire hydrant and at least one four-inch sanitary sewer lateral, all located at the street property line.

(4) The Common Council may require certification of compliance by the subdivider with this chapter. The cost of such report shall be paid by the subdivider.

(5) If the subdivider fails to satisfy the requirements of this section, the Common Council may contract said completion and bill such costs to the subdivider following a public hearing and written notice to the subdivider of noncompliance. Failure to pay such costs may result in the immediate withholding of all building permits until such costs are paid.

(6) The subdivider shall pay all costs of public improvements in the public streets adjacent to or within all public and/or park lands.

G. Recreation facilities improvement fees.

(1) The subdivider, developer or landowner shall pay a recreation facilities improvement fee as set forth herein. "Recreation facilities" means improvement of land for public parks, including grading, seeding and landscaping, installation of utilities, construction of sidewalks, purchase and installation of playground and other recreational equipment, and construction or installation of restroom facilities on land intended for public park purposes.

(2) This fee shall be additional to the requirement for parkland or fee payment in lieu of dedication. A fee shall be paid as set by the Common Council in the City's Fee Schedule prior to issuance of a building permit.

(3) This fee shall be paid to the City of Jefferson at the time the subdivision plat or certified survey map is approved by the Common Council.

H. Waiver or Modification.

a. Upon recommendation of the Plan Commission and further, upon a finding by the Common Council that a dedication of land and/or payment of a fee pursuant of the terms of this ordinance is not in the best interest of the City of Jefferson, the dedication of land and/or payment of a fee as set forth herein may be waived or modified by the Common Council.

CONSENT AGENDA

(To be introduced by Ald. Beyer.)

**CITY OF JEFFERSON
RESOLUTION NO. 33**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for October 6, 2020 is hereby adopted.

A. Vouchers Payable for September 2020 in the amounts of \$1,177,936.02, Payroll Summary for September 25, 2020 in the amount of \$178,853.20, and September Manual Checks for \$9,568.00.

B. Council Minutes from September 15, 2020 of the Common Council.

C. Licenses as Approved by the Regulatory Committee.

1. Operator's Licenses.

Ald. Beyer, seconded by Ald. Lares moved to approve Resolution No. 33. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR BATHROOMS AT ROCK RIVER LANDING PARK

(To be introduced by Ald. Lares.)

**CITY OF JEFFERSON
RESOLUTION NO. 34**

WHEREAS, the City of Jefferson received one bid from contractors interested in completing the **BATHROOM** for Rock River Landing Park; and

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

Company	Base Bid
Huffcutt	\$63,150

WHEREAS, the overall scope of the project includes construction of a Badger style restroom, delivery and crane rental for placement at Rock River Landing Park; and

WHEREAS, placement of the concrete foundation and slab, plumbing and electrical connections will be completed under separate contract; and

WHEREAS, construction expenses for this contract will be reimbursed to the City as part of the match by Jefferson County to satisfy the WDNR Stewardship grant awarded to the City of Jefferson; and

WHEREAS, City and County staff have reviewed the project bid results and recommend award of the Base Bid for a Badger Restroom to Huffcutt as the low qualified bidder in the amount of \$63,150;

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves the Huffcutt bid for the **BATHROOM** at Rock River Landing Park in the amount of \$63,150 and further directs and authorizes the City Administrator 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. Lares, seconded by Ald. Miller moved to approve Resolution No. 34. On call of the roll, Motion carried unanimously.

RESOLUTION TO HIRE TWO PART-TIME PATROL OFFICERS

(To be introduced by Ald. Neils.)

**CITY OF JEFFERSON
RESOLUTION NO. 35**

WHEREAS, by the Common Council of the City of Jefferson, Wisconsin that the Chief of Police is herein authorized to hire Nicolas J. Stanezyk and Alexander P. Neil effective October 7th, 2020, as part-time patrol officers for the City of Jefferson Police Department.

WHEREAS, by the Common Council of the City of Jefferson, Wisconsin that the Chief of Police has part-time funds allocated in his 2020 approved operating budget and that these part-time patrol officers are to replace current vacancies in the part-time patrol officer staff.

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 Nicolas J. Stanezyk and Alexander P. Neil as part-time patrol officers with an effective start date of October 7th, 2020 for the City of Jefferson Police Department. The initial rate of pay shall be \$20.00 per hour for each part-time officer.

Ald. Neils, seconded by Ald. Young moved to approve Resolution No. 35. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING THE HIRE OF TWO PART-TIME RESERVE CIVILIAN OFFICERS

(To Be introduced by Ald. Krause.)

**CITY OF JEFFERSON
RESOLUTION NO. 36**

WHEREAS, the Chief of Police has taken steps to fill vacant positions in the Police Department for two part-time civilian reserve officers; and

WHEREAS, the open positions were publicly advertised and interviews were conducted with potential candidates; and

WHEREAS, the Chief of Police is recommending that Rebekha L. Huff and Robert J. Pelko be hired by the City of Jefferson to fill the two vacant positions; and

WHEREAS, the Personnel Committee having reviewed the qualifications of Rebekha L. Huff and Robert J. Pelko and based on the request of the Chief of Police who is also recommending the hire of these two candidates; and

WHEREAS, the Chief of Police has part-time civilian reserve officer funds allocated in his 2020 approved operating budget and that these part-time civilian reserve officers are to replace two current vacancies in the part-time civilian reserve officer staff.

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the Chief of Police is authorized to hire Rebekha L. Huff and Robert J. Pelko effective Wednesday, October 7th, 2020, as part-time civilian reserve officers for the City of Jefferson Police Department. The initial rate of pay shall be \$12.00 per hour pursuant to the 2020 City of Jefferson non-represented pay resolution.

Ald. Krause, seconded by Ald. Miller moved to approve Resolution No. 36. On call of the roll, Motion carried unanimously.

RESOLUTION TO CHANGE THE STREET DIRECTION OF S. GARDNER AVE ON NOVEMBER 3, 2020 FOR THE GENERAL ELECTION

(To Be introduced by Ald. Young.)

**CITY OF JEFFERSON
RESOLUTION NO. 37**

WHEREAS, the General Election is on November 3, 2020, City Clerk/Deputy Treasurer Copsey is looking to change the direction of South Gardner Avenue behind City Hall, from two-way traffic to one-way traffic, from West Dodge Street to West Linden Drive. City Clerk/Deputy Treasurer Copsey is asking that the portion of South Gardner Avenue be made a one-way street from Tuesday, November 3, 2020 from 6:00 a.m. to 9:00 p.m. to allow for Curbside Voting.

WHEREAS, Section 240-8 of the City of Jefferson Municipal Code refers to the City's regulations regarding the temporary closure of public right-of-way.

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that South Gardner Avenue from West Dodge Street to West Linden Drive is hereby temporarily a one-way street on November 3, 2020 from 6:00 a.m. to 9:00 p.m. for Curbside Voting.

Ald. Young, seconded by Ald. Beyer moved to approve Resolution No. 37. On call of the roll, Motion carried unanimously. Mayor Oppermann would like it noted that the one way traffic on S. Gardner Ave will be from South to North.

RESOLUTION TO CANCEL THE NOVEMBER 3, 2020 COMMON COUNCIL MEETING BECAUSE OF THE GENERAL ELECTION

(To Be introduced by Ald. Beyer.)

**CITY OF JEFFERSON
RESOLUTION NO. 38**

WHEREAS, the City of Jefferson Common Council typically meets on the first and third Tuesday of each month, in this case November 3, 2020, but because of the General Election being that date,

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein cancels this first meeting on November 3, 2020.

Ald. Beyer, seconded by Ald. Tully moved to approve Resolution No. 38. 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 DISCUSS ACQUISITION OF PROPERTY AND SALE OF PROPERTY THAT THE CITY HAS CONTROL OF

Ald. Brandel, seconded by Ald. Lares to move to Closed Session. On call of the roll, motion carried unanimously.

Ald. Krause, seconded by Ald. Neils to move to Open Session. On call of the roll, motion carried unanimously.

Reconvene to Open Session.

RESOLUTION APPROVING THE TERS AND CONDITIONS OF AN OFFER TO PURCHASE

(To be introduced by Ald. Miller.)

**CITY OF JEFFERSON
RESOLUTION NO. 39**

**RESOLUTION APPROVING THE TERMS AND CONDITIONS OF AN OFFER TO PURCHASE
LANDS PRESENTLY OWNED BY SPANGLER LEASING LLC.**

WHEREAS, Spangler Leasing LLC (seller) presently owns vacant lands located on the west side of the City of Jefferson, and

WHEREAS, the Common Council of the City of Jefferson finds that it is in the best interest of the City to acquire additional lands to provide more affordable housing for the residents of the City, and

WHEREAS, the Common Council of the City of Jefferson further finds that the lands owned by the Seller are well suited to construct such affordable housing, and

WHEREAS, Seller and City staff have previously negotiated a Commercial Offer to Purchase for the purchase said lands from Seller, and

WHEREAS, the Common Council approves the terms and conditions of said Commercial Offer to Purchase (a copy of which is attached to this Resolution), and

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Jefferson that:

- 1.) The terms and conditions of the attached Commercial Offer to Purchase are hereby approved.
- 2.) City Staff are authorizing and directed to take such steps as may be necessary to close and finalize the purchase of the lands covered by said Commercial Offer to Purchase subject to the terms and condition of same.

Approved this 6th day of October, 2020

Ald. Miller, seconded by Ald. Beyer moved to approve Resolution No. 39. On call of the roll, Motion carried unanimously.

RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A VACANT LAND OFFER TO

PURCHASE

(To be introduced by Ald. Krause.)

**CITY OF JEFFERSON
RESOLUTION NO. 40**

**RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A VACANT LAND OFFER
TO PURCHASE.**

WHEREAS, The City of Jefferson (The City) has entered into an agreement in which the City has agreed to purchase approximately 34.191 acres of land from Jefferson Golf Management LLC and LCB, LLC; and

WHEREAS, said land (The Land) is located within the City and located west of Dewey Avenue; and

WHEREAS, the City intends to close on the agreement in early January, 2021; and

WHEREAS, the City now has received a Vacant Land Offer to Purchase from Gremer, LLC (The Buyer) to purchase 4 lots and an option to purchase an additional 4 lots from the aforementioned 34.191 acres of land; and

WHEREAS, the sale to the Buyer by the City is contingent upon the City actually acquiring the land as set forth above; and

WHEREAS, a copy of the proposed agreement with the Buyer is attached hereto as Exhibit "A"; and

WHEREAS, the Common Council of the City has found that the Buyer is an experienced developer of residential homes and that a sale to the Buyer would enhance the best interest and welfare of the City;

**NOW THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL OF THE CITY OF
JEFFERSON THAT:**

- 1.) The terms and conditions of the attached Vacant Land Offer to Purchase are hereby approved.
- 2.) This approval is conditioned upon the City having the right to repurchase any of the lots sold to the Developer if development is not commenced within 30 months of closing. The repurchase price shall be the same price the Developer acquires the lots from the City.
- 3.) City staff are authorized and directed to take such steps as may be necessary to close on the sale once the City has actually acquired the land and according to the terms and conditions of the Vacant Land Offer to Purchase.
- 4.) The sale of property is conditioned on the requirement that the City has the right to repurchase the property or any lot if development is not commenced within two years from the date of closing.

Approved this 6th day of October, 2020.

Ald. Krause, seconded by Ald. Brandel moved to approve Resolution No. 40. On call of the roll, Motion carried unanimously.

Ald. Lares, seconded by Ald. Tully moved to adjourn the Jefferson Common Council Meeting at 7:57 p.m., carried unanimously on a voice vote.