

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
CITY HALL MEETING ROOMS
TUESDAY, MARCH 16, 2021**

The Tuesday, March 16, 2021 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Council President Brandel. Members present were: Ald. Young, Ald. Miller, Ald. Lares, Ald. Horn and Ald. Tully. Absent: Mayor Oppermann, Ald. Neils and Ald. Beyer. Also present were: City Administrator Freitag, Attorney Rogers, Deputy City Clerk/Treasurer Maahs and Chief Pileggi.

PUBLIC PARTICIPATION

Theresa Miller- Pop up shops

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

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

**CITY OF JEFFERSON
ORDINANCE NO. 3-21**

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

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

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

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

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

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

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

“Transient Merchant – Any individual who engages in the retail sale of merchandise at any place within the legal boundaries of the City of Jefferson, Wisconsin temporarily and who does not intend to become and does not become a permanent merchant of such place. For purposes of this section, ‘sale of merchandise’ also includes a sale in which the personal services rendered upon or in connection with the merchandise sale constitutes the greatest part of value for the price received. Included in this definition are mobile dessert establishments, mobile food establishments, pop-up retail shops, and any other arrangements in which merchandise owned by a third party are sold at a local trade area owned

or controlled by a permanent merchant.”

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

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

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

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

Ald. Young seconded by Ald. Horn moved to approve Ordinance No. 3-21. On call of the roll, Motion carried on a 5 to 1 voice vote.

CONSENT AGENDA

(To be introduced by Ald. Lares.)

**CITY OF JEFFERSON
RESOLUTION NO. 88**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for March 16, 2021 is hereby adopted.

- A. Vouchers Payable for March 2021 in the amount of \$. Payroll Summary for March 12, 2021 in the amount of \$165,775.98.
- B. Council Minutes from March 2, 2021 of the Common Council.
- C. Licenses as Approved by the Regulatory Committee.
 - 1. Operator’s Licenses.
 - 2. Agent Change- Rock Bottom Express, Inc.

Ald. Lares seconded by Ald. Young moved to approve Resolution No. 88. On call of the roll, Motion carried unanimously.

RESOLUTION APPROVING RESTRICTIONS AND PROTECTIVE COVENANTS FOR THE MEADOW SUBDIVISION

(To be introduced by Ald. Horn.)

**CITY OF JEFFERSON
RESOLUTION NO. 89**

WHEREAS, the City of Jefferson intends to impose a common plan of restrictions and covenants (the Declaration) with respect to the Plat of the Meadows Subdivision for the mutual benefit of the present and future owners of lots of said Plat (the Lots); and

WHEREAS, the general purpose of the restrictions and covenants is to: (1) promote the harmonious development of the Subdivision while protecting the natural beauty and quality of the environment; (2) help ensure that the Subdivision will become and remain an attractive community; (3) guard against the erection of poorly designed or poorly proportioned structures; (4) require harmonious use of building materials; (5) promote the highest best development of the Subdivision; (6) require the erection of structures in appropriate locations on building sites; (7) be in compliance with Municipal codes and ordinances; (8) provide for the expansion of the Subdivision consistent with this Declaration; and

WHEREAS, the City Council has reviewed the restrictions and protective covenants developed for the Plat of the Meadows Subdivision by City staff; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Jefferson, Wisconsin that it herein approves and adopts the Declaration of Covenants and Restrictions for the Plat of the Meadows Subdivision and authorizes the City Administrator to execute said Declaration on behalf of the City of Jefferson.

BE IT FURTHER RESOLVED, that the City Administrator is authorized to record this Declaration with the Jefferson County Register of Deeds following the approval and recording of the Final Plat of the Meadows Subdivision.

Ald. Horn seconded by Ald. Tully moved to approve Resolution No. 89. On call of the roll, Motion carried unanimously.

RESOLUTION DENYING AND DISALLOWING A CLAIM BROUGHT PURSUANT TO WISCONSIN STATUTE 893.80

(To be introduced by Ald. Miller.)

**CITY OF JEFFERSON
RESOLUTION NO. 90**

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Jefferson, Wisconsin that it herein disallows and denies a claim brought by Redggy Pohlman pursuant to Wisconsin Statute 893.80 and directs the City Clerk to provide written notice to the claimant of this action.

Ald. Miller seconded by Ald. Horn moved to approve Resolution No. 90. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING BIDS FOR THE FIRE STATION RENOVATION PROJECT

(To be introduced by Ald. Tully.)

**CITY OF JEFFERSON
RESOLUTION NO. 91**

WHEREAS, the City of Jefferson entered in a Construction Manager as Constructor Agreement with Maas Bros. Construction, Inc. (**Maas Bros.**) to provide construction related services for the Jefferson Fire Department Renovation Project (**the Project**); and

WHEREAS, **Maas Bros.** prepared bidding specifications and bid documents for **the Project** and advertised **the Project** in conformance with the requirements of Wisconsin Statutes regulating public project bidding; and

WHEREAS, Maas Bros. and the City of Jefferson conducted a public bid opening for the Project at the Jefferson City Hall on February ____, 2021; and

WHEREAS, the bidding results are summarized in Exhibit #1 which is attached and made part of this resolution; and

WHEREAS, the total cost for **the Project** has been updated to reflect the results of the above referenced bid opening for **the Project** and is summarized as Exhibit #2 which is attached and made part of this resolution; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Jefferson, Wisconsin that it herein approves and authorizes the award of construction bids as summarized in Exhibit #1 in the amount of \$ _____ plus bid alternate # ____ at a cost of \$_____ and bid alternate ____ at a cost of \$_____ for a total bid award of \$_____; and

BE IT FURTHER RESOLVED, by the City Council that based on the results of bidding, and design and other “soft” costs expended to date, it herein establishes and approves an overall budget for **the Project** in the amount of \$_____

Ald. Tully seconded by Ald. Lares to approve Resolution No. 91. 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 THE BUSINESS PROSPECTS.

Ald. Tully, seconded by Ald. Lares moved to adjourn the Jefferson Common Council Meeting at 7:45 p.m., carried unanimously on a voice vote.