

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
TUESDAY, OCTOBER 16, 2018**

The Tuesday, October 16, 2018 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Mayor Oppermann. Members present were: Ald. Brandel, Ald. Peachey, Ald. Miller, Ald. Beyer, Ald. Horn, Ald. Tully, Ald. Krause and Ald. Lares. Absent: None. Also present were: City Administrator Freitag, City Engineer Pinnow, City Attorney Rogers and City Clerk/Deputy Treasurer Copsey.

PUBLIC PARTICIPATION

Joann Miller of 1157 Hillebrand Drive, Jefferson. Joann Miller is the Judge for the City of Jefferson Municipal Court, and talked about the removal of the Municipal Court to Oconomowoc. Judge Miller would like to review the court costs and have an open discussion about it before Council takes action on it.

**APPOINTMENTS BY MAYOR AND CONFIRMED BY CITY COUNCIL: UTILITIES
COMMISSION MEMBER**

Postponed.

CONSENT AGENDA

Ald. Tully introduced Resolution No. 68.

**CITY OF JEFFERSON
RESOLUTION NO. 68**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for October 16, 2018 is hereby adopted.

A. Vouchers Payable for October, 2018 in the amount of \$356,810.49. Payroll Summary for October 12, 2018 in the amount of \$159,834.78.

B. Council Minutes from the September 18, 2018 and October 2, 2018 Meetings of the Common Council.

C. Licenses as Approved by the Regulatory Committee.

1. Operator's Licenses
2. Special Class B Licenses

Ald. Tully seconded by Ald. Beyer moved to approve Resolution No. 68. On call of the roll, motion unanimously on call of the roll with Ald. Krause Abstaining the October 2, 2018 minutes.

**RESOLUTION AWARDING THE SALE OF \$1,770,000 GENERAL OBLIGATION POLICE
FACILITY BONDS, SERIES 2018A**

Ald. Brandel introduced Resolution No. 69.

**CITY OF JEFFERSON
RESOLUTION NO. 69**

WHEREAS, on September 18, 2018, the Common Council of the City of Jefferson, Jefferson County, Wisconsin (the "City") adopted an initial resolution authorizing the issuance of general obligation bonds in an amount not to exceed \$1,770,000 for the public purpose of paying the cost of construction of police facilities (the "Project") (the above-referenced initial resolution is referred to herein as the "Initial Resolution");

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolution, the City Clerk caused a notice to electors to be published in the Daily Jefferson County Union, stating the purpose and maximum principal amount of the bond issue authorized by the Initial Resolution and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issue authorized by the Initial Resolution;

WHEREAS, to date, no petition for referendum has been filed with the City Clerk, and the time to file such a petition shall expire on October 18, 2018;

WHEREAS, on September 18, 2018, the Common Council of the City also adopted a resolution (the "Set Sale Resolution"), providing that the general obligation bond issue authorized by the Initial Resolution be issued and sold as a single issue of bonds designated as "General Obligation Police Facility Bonds, Series 2018A" (the "Bonds") for the purpose of paying the cost of the Project;

The full copy of the resolution is on file in the office of the City Clerk, 317 S. Main St., Jefferson. The files are open for public inspection from 8 a.m. to 5 p.m.

Ald. Brandel, seconded by Ald. Lares moved to approve Resolution No. 69. Motion carried unanimously on call of the roll.

**CITY OF JEFFERSON
RESOLUTION NO. 70**

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$680,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2018B.

Ald. Peachey introduced Resolution No. 70.

WHEREAS, on September 18, 2018, the Common Council of the City of Jefferson, Jefferson County, Wisconsin (the "City") adopted a resolution (the "Set Sale Resolution"), providing for the sale of \$680,000 General Obligation Promissory Notes, Series 2018B (the "Notes") for public purposes, including paying the cost of utility building projects (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

The full copy of the resolution is on file in the office of the City Clerk, 317 S. Main St., Jefferson. The files are open for public inspection from 8 a.m. to 5 p.m.

Ald. Peachey, seconded by Ald. Krause moved to approve Resolution No. 70. Motion carried unanimously on call of the roll.

RESOLUTION TO CLOSE DARK STORE LOOPHOLES

Ald. Beyer introduced Resolution No. 71.

CITY OF JEFFERSON RESOLUTION NO. 71

Close the Dark Store Loopholes Stop the Shift

Whereas, home owners in Wisconsin already pay 70% of the total statewide property tax levy; and

Whereas, that disproportionate burden is about to get much worse unless the Legislature addresses tax avoidance strategies that national chains like Walgreens, and big box retail establishments like Target and Lowe's are using across the country to gain dramatic reductions in their property tax bills at the expense of homeowners and other taxpayers; and

Whereas, a carefully-orchestrated wave of 100s of lawsuits in Wisconsin is forcing assessors to slash the market value of thriving national retail stores, shifting their tax burden to local mom and pop shops and homeowners; and

Whereas, Walgreens and CVS stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should be less than half of their actual sale prices on the open market; and

Whereas, in many cases the courts have sided with Walgreens and CVS, requiring communities to refund tax revenue back to the stores; and

Whereas, there are over 200 Walgreens stores located in Wisconsin's cities and villages; and

Whereas, Target, Lowe's, Meijer, Menards and other big box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations from a different market segment; and

Whereas, the Republican-controlled Indiana state Legislature has on two occasions in the last two years overwhelmingly passed legislation prohibiting assessors from valuing new big box stores the same as nearby abandoned stores from a different market segment; and

Whereas, the Michigan state house overwhelmingly passed similar legislation in May of 2016.

Now, Therefore, Be It Resolved, that the common council/village board of the city of Jefferson urges the Governor and the Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that:

1. Leases are appropriately factored into the valuation of leased properties; and
2. When using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.

Furthermore, the City Council directs the Clerk to send a copy of this resolution to our State Legislators, Governor Scott Walker and to the League of Wisconsin Municipalities.

Ald. Beyer, seconded by Ald. Horn moved to approve Resolution No. 71. Motion carried, on call of the roll 7-1 with Ald. Peachey abstaining.

**CITY OF JEFFERSON
RESOLUTION NO. 72**

RESOLUTION AUTHORIZING THE SALE OF GOODS IN CITY RIGHT-OF-WAY TO VENDERS FOR THE WARRIORS AND WIZARDS FESTIVAL.

Ald. Lares introduced Resolution No. 72.

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the listed vendors (attached) are hereby allowed to sell goods and/or services in City right-of-way during the Warriors and Wizards Festival on October 19 – 21, 2018.

Applicant Name	Goods or Services
Mike Wiedland	Concessions-Food
Jeff & Jamie Frazer	Wild Coyote Grill- Food
Betty Kuhlman	Revinylized
Judy Kickel	MIBOLSA
Kim Jones	Jewelry
Nancy Boebel	Posters

Ald. Lares, seconded by Ald. Brandel moved to approve Resolution No. 72. Motion carried unanimously on call of the roll.

**CITY OF JEFFERSON
RESOLUTION NO. 73**

RESOLUTION TO MOVE THE NOVEMBER 6, 2018 COMMON COUNCIL MEETING TO OCTOBER 30, 2018.

Ald. Miller introduced Resolution No. 73.

WHEREAS, the City of Jefferson Common Council typically meets on the first and third Tuesday of each month, in this case November 6, 2018 but because of the election being that date,

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein moves this first meeting to October 30, 2018.

Ald. Miller, seconded by Ald. Brandel moved to approve Resolution No. 73. Motion carried unanimously on call of the roll.

RESOLUTION AUTHORIZING AMENDMENT OF KUEHN DEVELOPERS AGREEMENT

Ald. Krause introduced Resolution No. 74.

Authorizing First Amendment to Developer's Agreement – Jefferson Tax Increment District No. 7

WHEREAS, the City of Jefferson, a Wisconsin municipal corporation (the "City") and Kuehn Enterprises, LLC (the "Developer") entered into a developer's agreement as of the 13th day of November, 2012; and

WHEREAS, both the City and Developer now desire to amend the developer's agreement to permit development of the next phase of the project;

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves the First Amendment to Developer's Agreement – Jefferson Tax Increment District No. 7 and authorizes the Mayor and City Clerk to execute said document on behalf of the City of Jefferson.

Ald. Krause, seconded by Ald. Tully moved to approve Resolution No. 74. Motion carried unanimously on call of the roll.

DISCUSSION ON THE ROCK RIVER LANDING PARK

City Administrator Fritag gave an overview the progress of the Old Hwy Shop lot. The City was awarded two grants, first on in the amount of \$235,000 for the development of the north end of the park. And the second one in the amount of \$870,000 towards the rest of the area.

Ald. Peachey, seconded by Ald. Krause moved to adjourn the October 16, 2018 meeting of the Common Council at 7:58 p.m. On a voice vote, motion carried unanimously.

The minutes of the October 16, 2018 meeting of the Common Council are uncorrected. Any corrections made thereto will be noted in the proceedings at which time the minutes are approved and referenced above.