

Blinded by Big-Box: How the City of Jefferson is Denying the Public Access to Information on Wal-Mart

*Opinion Editorial by Brent O. Denzin, Attorney and Equal Justice Works Fellow
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The Jefferson City Council sent a clear message to citizens last week: You have no right to participate in the city's decisions regarding Wal-Mart.

Through proposed direct legislation, citizens have requested that the council enact an ordinance requiring a review of the environmental, economic and social impacts before annexing large parcels of land for big box stores. The proposed ordinance only requires the council to gather information. It does not limit the council's power to accept proposed annexation petitions once the studies are reviewed, nor does it require the council to violate any existing ordinance or state law.

As required by state law, the council must either approve the direct legislation request or pass it on to the voters for a referendum. Perhaps feeling that additional information would threaten what appears to be a done deal to annex 25 acres for a Wal-Mart Supercenter, the council voted 8-0 to do neither. Even worse, Ald. Bob Coffman provided the media with factually deceptive and legally inaccurate statements supporting the board's decision.

In the rush to flood the city with below-poverty-level jobs and place the city's economy in a box, Jefferson City Council members have forgotten that their authority has limits. Whether citizens believe that a Wal-Mart will save or destroy their community, their right to directly participate in government does not end on Election Day. Direct legislation is at the root of our political system, and helped cities like Jefferson mold their community into what it is today. Jefferson has never been, and should not be, a product of eight uninformed individuals.

While the whole process has been dirty, at best, the latest decision in Jefferson crosses the line. The council's recent actions are not only unwise, irresponsible and undemocratic, they are illegal and unacceptable.

More importantly, this abuse of power occurred over a most benign proposal. Citizens in Jefferson would not be voting to ban Wal-Mart or support one view of Wal-Mart at the expense of another. The proposed ordinance asks council members to take a few extra months to educate themselves on the potential costs and benefits of annexation. What is Wal-Mart's impact on other small cities in Wisconsin? Is this type of growth sustainable? The proposed studies will help answer these questions.

Annexation decisions alter the course of Jefferson's future, and citizens have the right to make sure such decisions are made with all the necessary information.

If the council would have allowed the citizens to exercise their statutory right to participate, citizens could have voted to formalize a process for future decisions that would let everyone rest easier. Despite what Ald. Coffman suggests, impact studies would not cost the city a dime and the council has every right to install this type of review process. The direct legislation proposal is clearly legal and clearly important.

Wal-Mart does not own Wisconsin, and should not be allowed to colonize our city councils through political interference and misinformation. The most basic protection citizens still have is their ability to set parameters for all development decisions and expect that their elected representatives will actually "represent" the community's vision.

Citizens across Wisconsin should appreciate and protect this right and actively respond to any local government that loses sight of the law.

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