

# CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description COMMON COUNCIL MEETING

Date: MONDAY, JULY 18, 2016

Time: 7:00PM

Location: MUNICIPAL BUILDING

300 LA CROSSE STREET, WISCONSIN DELLS, WI

MAYOR		COUNCIL MEMBERS		
BRIAN L. LANDERS		FIRST DISTRICT	SECOND DISTRICT	THIRD DISTRICT
		Jesse DeFosse	Mike Freel	Ed Fox
		Brian Holzem	Dar Mor	Ed Wojnicz
<b>OPENING</b>				
1	CALL TO ORDER & ROLL CALL			
2	PLEDGE OF ALLEGIANCE			
3	<b>APPROVAL OF CONSENT AGENDA ITEMS:</b> <ul style="list-style-type: none"> <li>a. Approval of the June 20, 2016 Common Council Meeting Minutes</li> <li>b. Schedule of Bills Payable dated July 18, 2016</li> <li>c. Applications for Bartender Licenses</li> <li>d. Application for a Special Events Permit received from St. Cecelia Church for their new church dedication mass and dinner (closing the 600 Block of Oak Street for the event)</li> <li>e. Application for a Temporary Beer &amp; Wine (Picnic) License submitted by Knights of Columbus for Sunday, August 28, 2016</li> <li>f. Application for a Temporary Beer &amp; Wine (Picnic) License submitted by Knights of Columbus for Thursday, September 15, 2016 through Sunday, September 18, 2016.</li> </ul>			
4	<b>COMMITTEE UPDATES BY CHAIRPERSONS:</b> (BID, PARKS & REC, LIBRARY, LEGISLATIVE, PARKING BOARD, PLAN COMMISSION, FINANCE, PUBLIC WORKS, DESIGN REVIEW COMMITTEE & PUBLIC SAFETY)			
<b>AGENDA ITEMS</b>				
5	PUBLIC COMMENT/ CITIZEN APPEARANCES FOR ANY NON-AGENDA ITEM			
6	APPLICATION FOR AN ORIGINAL CLASS B BEER LICENSE SUBMITTED BY BE KIND STUDIOS, LLC, DAN FULWILER AGENT, FOR BE KIND STUDIOS, 714 OAK STREET, FOR THE LICENSING PERIOD OF JULY 19, 2016 THROUGH JUNE 30, 2017			
7	APPLICATION FOR AN ORIGINAL CLASS B BEER & CLASS B LIQUOR LICENSE SUBMITTED BY STAGE III, LLC, MARK BROWN AGENT, FOR CHALET LANES & LOUNGE, 740 ELM STREET, FOR THE LICENSING PERIOD OF AUGUST 1, 2016 THROUGH JUNE 30, 2017 (Contingent upon current license for this location being surrendered.)			
8	APPLICATION FOR AN ORIGINAL CLASS B BEER & CLASS B LIQUOR LICENSE (QUOTE PLUS HOTEL RESTAURANT PROVISION) SUBMITTED BY ARTURO CONTRERAS LLC, ARTURO CONTRERAS AGENT, FOR FIESTA CANCUN MEXICAN RESTAURANT, 655 N FRONTAGE ROAD, FOR THE LICENSING PERIOD OF JULY 19, 2016 THROUGH JUNE 30, 2017			
9	APPLICATION FOR RENEWAL OF CIGARETTE & TOBACCO SALES LICENSE SUBMITTED BY JOSEPH DANON FOR THE PURPLE PLANET, 207 BROADWAY FOR THE LICENSING PERIOD THRU JUNE 30, 2017			
10	APPLICATION FOR RENEWAL OF LIVESTOCK/POULTRY LICENSE SUBMITTED BY KEVIN GRUBER FOR ANIMALS AT TIMBER FALLS ADVENTURE PARK, FOR THE LICENSING PERIOD THRU JUNE 30, 2017			



# City of Wisconsin Dells

## Application for: SPECIAL EVENTS PERMIT

ITEM 3d

Application Date: 7-11-16 FEE \$160.00 Receipt No. 56250

Name of Applicant: ST. CECILIAS CATHOLIC Church

Address of Applicant: OAK ST Wisconsin Dells, WI 53981

Daytime Telephone Number: (608) 434-2976 Email Address: jeffb@wisconsin-dells.com

Name & Address of Officers, if Corporation: \_\_\_\_\_

### FOR SPECIAL EVENTS PERMIT:

Date(s) of Event: 8/26 - 8/28

Type of Event: DEDICATION MASS & Dinner For new church

Location of Event: OAK ST 600 block

Number and Types of Participants: 1000 - 1200 people attending

Contact Person: JEFF BOSS Telephone No: 608 434-2976

Fireworks: YES or NO

Beer/Wine Served or Sold: YES or NO (If yes, Temporary Class B Beer/Wine License must be applied for.)

### FOR PARADE/OR RUNNING/WALKING EVENT:

Assembly Area: \_\_\_\_\_

Starting Time & Estimated Ending Time: \_\_\_\_\_

Starting Point: \_\_\_\_\_

Parade/Run Route: \_\_\_\_\_

Estimated Number of Units/or Runners: \_\_\_\_\_

ST. CECILIAS CATHOLIC Church

Jeff Boss

7-11-16

Printed Name of Applicant

Signature of Applicant

Date

Subject to compliance with Wisconsin Dells Municipal Code chapter 24

Date Approved: \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Date Denied: \_\_\_\_\_ Reason(s): \_\_\_\_\_

Note: Incomplete, false, or misleading information on the application form can delay the review process and/or be grounds for denial of permit or license. Rev. 9/15

Washington Ave

Washington Ave

Zinke's Village Market

Oak St

**St. C's request to close  
600 Oak from Minn Ave.  
to the alley for the new  
church dedication from  
08/26--29/2016.**

Oak St

Saint Cecilia  
Catholic Church

Oak St

La Crosse St

Minnesota Ave

Veteran Dr

ITEM 3e R# 56286

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10<sup>-</sup>

Application Date: 7-15-2016

Town  Village  City of WISCONSIN DELLS County of COLUMBIA

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 08/28/16 and ending 08/28/16 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box)  Bona fide Club  Church  Lodge/Society  Veteran's Organization  Fair Association

(a) Name KNIGHTS OF COLUMBUS COUNCIL #4392-OUR LADY OF THE DELLS SOCIETY, INC

(b) Address 603 OAK STREET, WISCONSIN DELLS, W.I. 53965

(c) Date organized \_\_\_\_\_  Town  Village  City

(d) If corporation, give date of incorporation 12/10/2010

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President TED KAMINSKI

Vice President PAT MOERTL

Secretary CRAIG HILLARD

Treasurer MICHAEL HORKAN

(g) Name and address of manager or person in charge of affair: TED KAMINSKI

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 603 OAK STREET, WISCONSIN DELLS (600 BLK OAK S

(b) Lot \_\_\_\_\_ Block \_\_\_\_\_

(c) Do premises occupy all or part of building? NO

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

3. NAME OF EVENT

(a) List name of the event ST. CECILIA'S CATHOLIC CHURCH DEDICATION

(b) Dates of event 08/28/16

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer [Signature]  
(Signature/date)

Officer [Signature]  
(Signature/date)

KNIGHTS OF COLUMBUS COUNCIL #4392  
(Name of Organization)

Officer [Signature] 07/11/16  
(Signature/date)

Officer Michael T. Horkan 07/11/16  
(Signature/date)

Date Filed with Clerk 7-15-2016

Date Reported to Council or Board \_\_\_\_\_

Date Granted by Council \_\_\_\_\_

License No. \_\_\_\_\_

905

PARKING

WIDE ASPHALT

ALLEY

20' WIDE

3.78'

7.51'

80'

TRAILER

24.08'

17.96'

3.3'

CONC.

GRASS

POLE LIGHT RE: ELECTRICAL

EQUIP AND P

BASEMENT DOOR AT TUNNEL 895.04

BIT

GRASS

OAK STREET

142.81'

GRASS

GRASS

FUTURE SIGN (NIC)

28.51'

CONC.

ASPHALT PAVING

CONC. STEPS

34.02'

7.44'

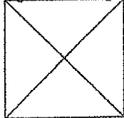
90°

*PARALLEL FENCE*

80'

TRAILER

GRASS



901 GRASS

902

903

RET. WALL 39.16 R/W

CONC.

39.03'

STALLS

MINNESOTA AVE.

R# 56286

ITEM 3f

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10<sup>-</sup>

Application Date: 7-15-2016

Town  Village  City of WISCONSIN DELLS County of COLUMBIA

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 09/15/16 and ending 09/18/16 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box)  Bona fide Club  Church  Lodge/Society  Veteran's Organization  Fair Association

(a) Name KNIGHTS OF COLUMBUS COUNCIL #4392 - OUR LADY OF THE DELLS SOCIETY, INC.

(b) Address 603 OAK STREET, WISCONSIN DELLS, WI, 53965

(c) Date organized \_\_\_\_\_  Town  Village  City

(d) If corporation, give date of incorporation 12/10/2010

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President TED KAMINSKI  
 Vice President PAT MOERTL  
 Secretary CRAIG HILLARD  
 Treasurer MICHAEL HORKAN

(g) Name and address of manager or person in charge of affair: BRAD KOENIG

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 700 CAPITAL STREET, SOUTH INTERSECTION CAPITAL + BROAD

(b) Lot \_\_\_\_\_ Block \_\_\_\_\_

(c) Do premises occupy all or part of building? NO

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

3. NAME OF EVENT

(a) List name of the event WO ZHA WA

(b) Dates of event 09/15/16 TO 09/18/16

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer [Signature] (Signature/date)

Officer [Signature] (Signature/date)

KNIGHTS OF COLUMBUS COUNCIL # 4392 (Name of Organization)

Officer [Signature] 07/11/16 (Signature/date)

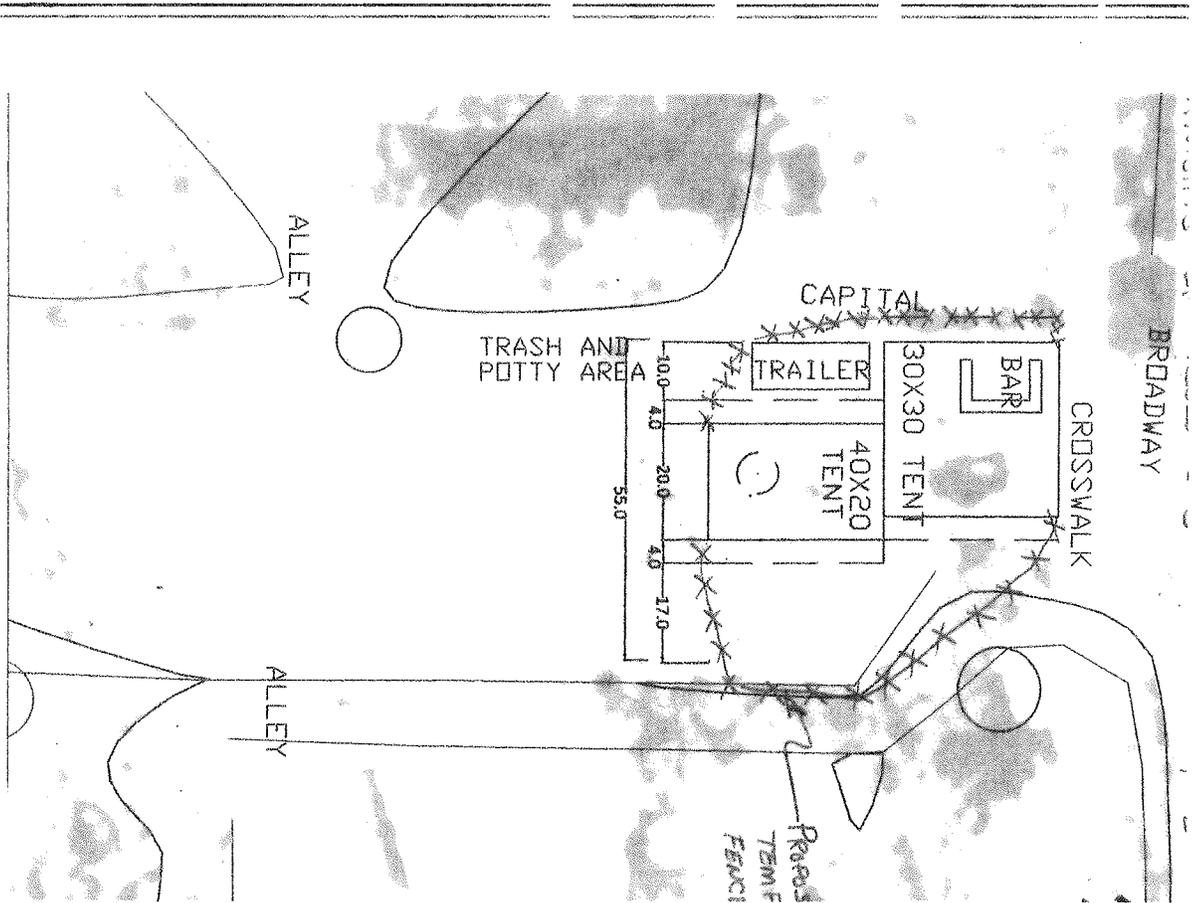
Officer [Signature] 07/11/16 (Signature/date)

Date Filed with Clerk 7-15-2016

Date Reported to Council or Board \_\_\_\_\_

Date Granted by Council \_\_\_\_\_

License No. \_\_\_\_\_



**ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION**

Submit to municipal clerk.

For the license period beginning ~~APRIL 1~~ July 19 20 2016 ;  
ending ~~MARCH 31~~ June 30 20 2017

TO THE GOVERNING BODY of the:  Town of } WISCONSIN DELLS  
 Village of }  
 City of }

County of COLUMBIA Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): **▶ BE KIND STUDIOS LLC**

Applicant's WI Seller  
4561028914

ITEM 6

LICENSE TYPE	
<input checked="" type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>29.99</u> 91.63
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>14.00</u>
<b>TOTAL FEE</b>	\$ <u>105.63</u>

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	CEO - DAN FULWILER	1145 S GALE CT, WISCONSIN DELLS, WI	53965
Vice President/Member	VICE PRESIDENT - DAN FULWILER	1145 S GALE CT, WISCONSIN DELLS, WI	53965
Secretary/Member	SECRETARY - DAN FULWILER	1145 S GALE CT, WISCONSIN DELLS, WI	53965
Treasurer/Member	CFO - DAN FULWILER	1145 S GALE CT, WISCONSIN DELLS, WI	53965
Agent	▶ DAN FULWILER	1145 S GALE CT, WISCONSIN DELLS, WI	53965
Directors/Managers	DAN FULWILER	1145 S GALE CT, WISCONSIN DELLS, WI	53965

3. Trade Name **▶ BE KIND STUDIOS** Business Phone Number 608-844-3500  
4. Address of Premises **▶ 714 OAK ST** Post Office & Zip Code **▶ WIS DELLS 53965**

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No  
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No  
8. (a) **Corporate/limited liability company applicants only:** Insert state WISCONSIN and date 12/01/15 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) ENTIRE BUILDING AT 714 OAK ST, WIS DELLS, WI 53965

10. Legal description (omit if street address is given above):  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued?  
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No  
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].  Yes  No  
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME  
this 25<sup>th</sup> day of Feb, 20 16  
Debra Smith  
(Clerk/Notary Public)  
My commission expires 5-15-16

Dan Fulwiler  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
\_\_\_\_\_  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)  
\_\_\_\_\_  
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk <u>2-25-16</u>	Date reported to council/board	Date provisional license issued <u>NA</u>	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

\* Application Withdrawn

6/21/16 - Application re submitted.

# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning AUGUST 01 20 16 ;  
ending JUNE 20 17

TO THE GOVERNING BODY of the:  Town of } WISCONSIN DELLS  
 Village of }  
 City of }

County of COLUMBIA Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): **STAGE III LLC**

4561021

ITEM 7

LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>91.63</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>458.37</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>14.00</u>
<b>TOTAL FEE</b>	<b>\$ <u>564.00</u></b>

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>MARK BROWN</u>	<u>N540 COUNTY RD N WIS DELLS WI</u>	<u>53965</u>
Vice President/Member	<u>SARAH BROWN</u>	<u>N540 COUNTY RD N WIS DELLS WI</u>	<u>53965</u>
Secretary/Member			
Treasurer/Member			
Agent	<b>MARK BROWN</b>		
Directors/Managers			

3. Trade Name **CHALET LANES & LOUNGE** Business Phone Number 6082548727
4. Address of Premises **740 ELM ST** Post Office & Zip Code **WIS DELLS 53965**
5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 06/22/16 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)
9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) **CHALET LANES LOCATED AT 740 ELM ST, WIS DELLS**
10. Legal description (omit if street address is given above): \_\_\_\_\_
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? **JANET LLC/CHALET LANES**
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]  Yes  No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s) members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

**SUBSCRIBED AND SWORN TO BEFORE ME**

this 30 day of June, 20 16

Rene Ramsey  
(Clerk/Notary Public)

My commission expires 12/25/2016

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk <u>6-30-16</u>	Date reported to council/board <u>7-18-2016</u>	Date provisional license issued <u>NA</u>	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Date: July 8, 2016

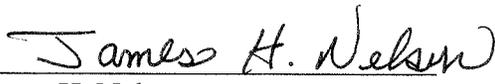
To: City of Wisconsin Dells

From: Janet LLC

RE: Surrender of Class B Liquor License

Please be advised that Janet LLC will surrender the Class B Liquor License that it holds for the premises of Chalet Lanes & Lounge, 740 Elm Street, contingent upon the sale of the business and issuance of said license to Stage III LLC, Mark Brown agent.

Respectfully,  
JANET, LLC

  
\_\_\_\_\_  
James H. Nelson  
Agent

**ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION**

Submit to municipal clerk.

For the license period beginning JULY 19 20 16  
ending JUNE 30 20 17

TO THE GOVERNING BODY of the: } Town of  
  } Village of  
  }  City of } WISCONSIN DELLS

County of SAUK Aldermanic Dist. No. (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle, corporations/limited liability companies give registered name): **Arturo Contreras LLC**

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

President/Member	<b>Sole Member</b>	Name	<b>Arturo Contreras</b>	Home Address	<b>1260 E Hiawatha Dr Wisconsin Dells, WI 53965</b>	Post Office & Zip Code	<b>53965</b>
Vice President/Member							
Secretary/Member							
Treasurer/Member							
Agent	<b>Arturo Contreras</b>						
Directors/Managers							

3. Trade Name **RESTA CANCEL MEXICAN RESTAURANT** Business Phone Number **608-678-2333**  
4. Address of Premises **655 N. FRONTAGE ROAD** Post Office & Zip Code **53965**

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state and date of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes  No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes  No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) **Restaurant, Bar, Storage Rooms, Poolside, Banquet Halls, Lobby, Guest Rooms**

10. Legal description (omit if street address is given above):

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? **ETK, LLC**

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No

Does the applicant understand they must hold a Wisconsin Seller's Permit?  Yes  No  
Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (If individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

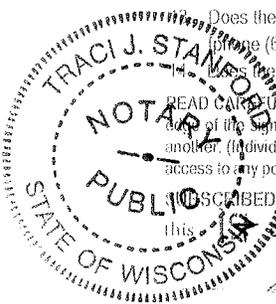
Subscribed and sworn to before me this 16 day of July, 2016  
(Clerk/Notary Public)

My commission expires 10/25/2019

Arturo Contreras  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
Arturo Contreras  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)  
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
<u>7-1-16</u>			
Date license granted	Date license issued	License number issued	



# Application for Cigarette and Tobacco Products Retail License

Submit to municipal clerk.

ITEM 9  
MUNICIPAL USE ONLY

R# 56016

\$100.00

License Number
Period Covered 7/1/2016-6/30/2017
Date of Issuance

Applicant's Wisconsin 15-digit Sales Tax Account Number  
456-1027171619-03

← This must be issued in the same Legal Name of the licensee below.

Legal Name (corporation, limited liability company, partnership or sole proprietorship) <u>DANON JOSEPH</u>			Federal Employer Identification No. (FEIN) <u>31-1795105</u>		
Trade or Business Name (if different than Legal Name) <u>PURPLE PLANET</u>			Telephone Number <u>(608) 253-3200</u>		
Business Address (License Location) <u>207 BROADWAY</u>		Business Located In <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town		Business Telephone <u>(608) 253-3200</u>	
City <u>WISCONSIN DELLS</u>	State <u>WI</u>	ZIP Code <u>53965</u>	of: <u>WISCONSIN DELLS</u>		County <u>Columbia</u>
Mailing Address (if different than Business Address)			City	State	ZIP Code

Organization (check one)

- Sole Proprietor       Wisconsin Corporation – Enter date incorporated: \_\_\_\_\_
- Partnership       Out-of-State Corporation – Are you registered to do business in Wisconsin?     YES     NO
- Other (describe) \_\_\_\_\_

- YES     NO    1. Does the applicant understand that they must purchase cigarettes only from distributors or jobbers who hold a permit with the Wisconsin Department of Revenue?
- YES     NO    2. Does the applicant understand that they must obtain a Tobacco Products Distributor permit if purchasing untaxed tobacco products from an out-of-state company? (Tobacco Products Distributor permit is available from the Wisconsin Department of Revenue at 608-261-6435. See application form CTP-129, [revenue.wi.gov/forms/excise/ctp-129.pdf](http://revenue.wi.gov/forms/excise/ctp-129.pdf).)
- YES     NO    3. Does the applicant understand that they cannot purchase/exchange cigarettes or tobacco products from another retailer, including transferring existing stock to a new owner?
- YES     NO    4. Does the applicant understand that they must provide employees with tobacco sales training approved by the Wisconsin Department of Health Services? (SmokeCheck.org)
- YES     NO    5. Does the applicant understand that they may not sell, give or otherwise provide cigarettes/tobacco products and nicotine products to minors (including electronic cigarettes containing nicotine)?
- YES     NO    6. Does the applicant understand that they may not sell single cigarettes?
- YES     NO    7. Does the applicant understand that cigarette and tobacco products invoices must be kept on the licensed premises for two years from the date of the invoice and be available for inspection by the Wisconsin Department of Revenue/law enforcement and that failure to comply can result in criminal penalties, including loss of cigarettes/tobacco products?
- YES     NO    8. Does the applicant understand that only cigarettes and roll-your-own (RYO) tobacco products listed on the Wisconsin Department of Justice's website labeled "Directory of Certified Tobacco Manufacturers and Brands" at [www.doj.state.wi.us/dls/tobacco-directory](http://www.doj.state.wi.us/dls/tobacco-directory) may be sold in Wisconsin?

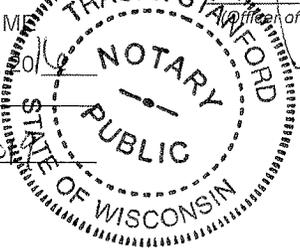
Cigarettes / Tobacco will be sold     over counter     through vending machine     both

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the applicant. Applicant agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another.

Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME \_\_\_\_\_ (Official of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

this 30 day of June, 2016  
[Signature]  
(Clerk/Notary Public)



My commission expires 10/25/2017

# City of Wisconsin Dells

ITEM 10

## Application for: RENEWAL OF LIVESTOCK/POULTRY LICENSE

Date: 6/18/2016

FEE \$3.00 per animal

Receipt No. 55841  
6-20-16 TJS

\$ 42.00

Name of Applicant: Kevin Gruber Timberfalls

Address of Applicant: 1000 Stand Rock Rd. Wisconsin Dells WI 53981

Name of Business: Timberfalls Adventure Park

Address of Business: 1000 Stand Rock Rd. Wisconsin Dells WI 53981

Daytime Telephone Number: (608) 254-8414 Cell Phone: \_\_\_\_\_

Number and type of livestock or poultry to be kept: 14 1 Donkey, 2 Sheep  
11 Goats

Information on where livestock/poultry will be kept and maintained: ON premisis in a  
Secured holding area

KEVIN GRUBER

Printed Name of Applicant



Signature of Applicant

Subject to compliance with Wisconsin Dells Municipal Code sec. 16.02

Licensing period runs July 1<sup>st</sup> through June 30<sup>th</sup> of each year.

Date Approved: \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Date Denied: \_\_\_\_\_ Reason(s): \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$5,005,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the Common Council of the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin (the "City") hereby finds and determines that it is necessary, desirable and in the best interest of the City to raise funds for the purpose of paying the cost of refinancing certain outstanding obligations of the City, to wit: State Trust Fund Loans dated December 15, 2009, September 1, 2010, December 14, 2012, December 14, 2012 and February 19, 2015 (collectively, the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of restructuring the outstanding indebtedness of the City and achieving debt service cost savings;

WHEREAS, cities are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell general obligation refunding bonds to Bankers' Bank (the "Purchaser"), pursuant to the terms and conditions of its bond purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

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

Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of FIVE MILLION FIVE THOUSAND DOLLARS (\$5,005,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, general obligation refunding bonds aggregating the principal amount of FIVE MILLION FIVE THOUSAND DOLLARS (\$5,005,000) (the "Bonds") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$5,005,000; shall be dated August 15, 2016; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on March 1 of each year, in the years and principal amounts as set forth on the Proposal. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2017. Interest shall be computed upon the basis of a 360-day year of twelve 30-day

months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule").

Section 2A. Designation of Maturities. For purposes of State law, the Bonds are designated as being issued to pay and discharge the debts incurred by the City through the issuance of the Refunded Obligations and the obligations refunded by the Refunded Obligations in the order in which those debts were incurred, so that the Bonds of the earliest maturities are considered to be issued to discharge the debts which were incurred first.

Section 3. Redemption Provisions. The Bonds maturing on March 1, 2027 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on March 1, 2026 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. [If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.]

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2016 through 2029 for the payments due in the years 2017 through 2030 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due,

the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, dated August 15, 2016" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the

Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on August 23, 2016 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with WFPF to cause sufficient and timely notice of redemption to be sent to the Board of Commissioners of Public Lands at least 30 days prior to the date of redemption of the Refunded Obligations.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded July 18, 2016.

\_\_\_\_\_  
Brian L. Landers  
Mayor

ATTEST:

\_\_\_\_\_  
Nancy R. Holzem  
City Clerk

(SEAL)

## City of Wisconsin Dells

\$5,005,000 G.O. Refunding Bonds Dated August 15, 2016

Final Sale Results

### Final Debt Service Savings Comparison

Calendar Year	2016 Bonds Final D/S	5 STF Loans Existing D/S	Final Savings
2016		-	3,159.45 *
2017	647,546.89	789,507.17	141,960.28
2018	639,795.00	779,423.24	139,628.24
2019	629,166.25	769,244.82	140,078.57
2020	617,870.00	759,213.66	141,343.66
2021	601,092.50	748,594.95	147,502.45
2022	434,792.50	521,898.07	87,105.57
2023	334,705.00	420,299.01	85,594.01
2024	325,017.50	412,230.17	87,212.67
2025	315,036.25	403,775.19	88,738.94
2026	265,142.50	395,334.26	130,191.76
2027	171,230.00	386,769.26	215,539.26
2028	167,910.00	378,119.05	210,209.05
2029	159,446.25	239,606.81	80,160.56
2030	116,351.25	161,447.91	45,096.66
-	<b>\$5,425,101.89</b>	<b>\$7,165,463.57</b>	<b>\$1,743,521.13</b>
		Less Funds Contributed	(\$757,122.35)
		Net Savings	\$986,398.78
		Less Potential BAB Subsidy	(342,244.51)
		Net Savings	\$640,994.87
Net PV Cashflow Savings @ 1.625%(Bond Yield)			1,559,509.07
Transfers from City Funds on Hand			(757,122.35)
Excess Proceeds*			3,159.45
Net Present Value Benefit			\$805,546.17
Net PV Benefit / \$5,586,413 Refunded Principal			14.420%

**RESOLUTION NO. \_\_\_\_\_**

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the BID COMMITTEE from their July 14, 2016 meeting and the Finance Committee from their July 18, 2016 meeting;

**IT AWARDS** RiverWalk Vignette Construction Project No. 0085057 to Michael's Signs, Inc. for the low bid of \$195,530.

\_\_\_\_\_  
Brian L. Landers, Mayor

Attest:

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_ ayes; \_\_\_ nays  
Date Introduced: July 18, 2016  
Date Passed:  
Date Published:

**BID TABULATION**

**RIVERWALK VIGNETTES  
CITY OF WISCONSIN DELLS**

**PROJECT NUMBER: 00085057  
BID DATE: JULY 13, 2016**

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNITS	Michael's Signs, Inc. Racine, WI		Pember Companies, Inc. Menomonie, WI		UNIT PRICE	TOTAL PRICE
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE		
1.	Mobilization, Bonds and Insurance	1	L.S.	\$ 13,200.00	\$ 13,200.00	\$ 19,500.00	\$ 19,500.00		\$ -
2.	Site and surface restoration	1	L.S.	\$ 7,300.00	\$ 7,300.00	\$ 9,000.00	\$ 9,000.00		\$ -
3.	Vignette standard footing/foundations, complete and installed	9	EA.	\$ 2,770.00	\$ 24,930.00	\$ 2,250.00	\$ 20,250.00		\$ -
4.	Vignette modified footing/foundations, complete and installed (Location #8)	1	EA.	\$ 2,400.00	\$ 2,400.00	\$ 1,650.00	\$ 1,650.00		\$ -
5.	Vignette sign assemblies, complete and installed	10	EA.	\$ 7,820.00	\$ 78,200.00	\$ 11,500.00	\$ 115,000.00		\$ -
6.	Decorative pedestal structures with stone veneer and cap, complete and	10	EA.	\$ 2,990.00	\$ 29,900.00	\$ 1,000.00	\$ 10,000.00		\$ -
7.	Basic electrical requirements, complete	1	L.S.	\$ 27,000.00	\$ 27,000.00	\$ 14,200.00	\$ 14,200.00		\$ -
8.	Decorative colored and stamped concrete	300	S.F.	\$ 42.00	\$ 12,600.00	\$ 30.00	\$ 9,000.00		\$ -
	<b>BASE BID TOTAL: Items #1-#8</b>				<b>\$ 195,530.00</b>		<b>\$ 198,600.00</b>		<b>\$ -</b>
	<b>BID ALTERNATES</b>								
A1.	Vignette layer one, provide digitally printed vinyl with graffiti over laminate								
	<b>TOTAL DEDUCT FROM BID ITEM #5</b>				\$ (2,500.00)		\$ (2,000.00)		\$ -
A2.	Tent panel, digitally printed vinyl with graffiti over laminate via direct PSA								
	<b>TOTAL DEDUCT FROM BID ITEM #5</b>				\$ (2,000.00)		\$ (6,000.00)		\$ -
A3.	Decorative pedestal structures with stamped/form liner colored/stained								
	<b>TOTAL DEDUCT FROM BID ITEM #6</b>				\$ (4,200.00)		\$ (3,500.00)		\$ -
A4.	Decorative pedestal structures with colored and broom finish concrete								
	<b>TOTAL DEDUCT FROM BID ITEM #6</b>				\$ (4,600.00)		\$ (4,850.00)		\$ -

ITEM 13

RESOLUTION NO. \_\_\_\_\_

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the Finance Committee from their July 18, 2016 meeting;

**IT AWARDS** Cafe Zones Construction Project to Pemba Companies  
for the low bid of \$ \_\_\_\_\_.

\_\_\_\_\_  
Brian L. Landers, Mayor

Attest:

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_ ayes; \_\_\_ nays  
Date Introduced: July 18, 2016  
Date Passed:  
Date Published:

BID TALLY



PROFESSIONAL SERVICES

More ideas. Better solutions.

CITY OF WISCONSIN DELLS 200 & 500 BLOCK CAFE ZONES  
 CITY OF WISCONSIN DELLS  
 BID DATE: JULY 15, 2016  
 PROJECT #00085056

CONTRACTOR	BASE BID TOTAL	ADDITIVE ALTERNATE 1	ADDITIVE ALTERNATE 2	ADDITIVE ALTERNATE 3	ADDITIVE ALTERNATE 4	ADDENDA (Number 1)	BID BOND
Dane County Contracting, Llc							
Janke General Contractors							
Parisi Construction Co. Inc.						✓	✓
Pember Companies, Inc.	\$310,968.85	\$189,089.50	\$45,425	\$39,170	\$33,000	✓	✓
Raymond P. Cattell Inc.							

**BID TABULATION**

**CITY OF WISCONSIN DELLS 200 & 500 BLOCK CAFÉ ZONES  
CITY OF WISCONSIN DELLS**

**PROJECT NUMBER: 00085056  
BID DATE: JULY 15, 2016**

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNITS	Pember Companies Menomonie, WI		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
				UNIT PRICE	TOTAL PRICE				
<b>BASE BID - 200 BLOCK CAFÉ ZONES</b>									
1.	Mobilization, Bonds, and Insurance	1	LS	\$ 29,950.00	\$ 29,950.00	\$ -	\$ -	\$ -	\$ -
2.	Traffic Control	1	LS	\$ 9,000.00	\$ 9,000.00	\$ -	\$ -	\$ -	\$ -
3.	Erosion Control	1	LS	\$ 3,300.00	\$ 3,300.00	\$ -	\$ -	\$ -	\$ -
4.	Unclassified Excavation	1	LS	\$ 27,000.00	\$ 27,000.00	\$ -	\$ -	\$ -	\$ -
5.	Tree Removals	3	EA	\$ 430.00	\$ 1,290.00	\$ -	\$ -	\$ -	\$ -
6.	Salvage and Reinstall Tree	1	EA	\$ 800.00	\$ 800.00	\$ -	\$ -	\$ -	\$ -
7.	Salvage and Reset Existing Tree Grate w/concrete border and stone mulch	2	EA	\$ 900.00	\$ 1,800.00	\$ -	\$ -	\$ -	\$ -
8.	Parking Meter Post Removal	1	LS	\$ 200.00	\$ 200.00	\$ -	\$ -	\$ -	\$ -
9.	Remove and Salvage Existing Benches	1	LS	\$ 1,000.00	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -
10.	Tree Well Abandonment	3	EA	\$ 300.00	\$ 900.00	\$ -	\$ -	\$ -	\$ -
11.	Install New Tree Well, Complete	1	EA	\$ 800.00	\$ 800.00	\$ -	\$ -	\$ -	\$ -
12.	Decorative Seat Wall and Footing, Complete - (North 200 Block)	1	LS	\$ 25,000.00	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -
13.	Decorative Seat Wall and Footing, Complete - (South 200 Block)	1	LS	\$ 24,000.00	\$ 24,000.00	\$ -	\$ -	\$ -	\$ -
14.	Pre-Cast Concrete Wall Caps - (North 200 Block)	1	LS	\$ 25,000.00	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -
15.	Pre-Cast Concrete Wall Caps - (South 200 Block)	1	LS	\$ 26,000.00	\$ 26,000.00	\$ -	\$ -	\$ -	\$ -
16.	30-inch Concrete Curb and Gutter and 4-inch CABC Base	200	LF	\$ 57.00	\$ 11,400.00	\$ -	\$ -	\$ -	\$ -
17.	9-inch Concrete Pavement and 6-inch CABC Base	25	SY	\$ 150.00	\$ 3,750.00	\$ -	\$ -	\$ -	\$ -
18.	5-inch Concrete Sidewalk and 4-inch CABC Base	1,900	SF	\$ 10.00	\$ 19,000.00	\$ -	\$ -	\$ -	\$ -
19.	Detectable Warning Fields	12	SF	\$ 40.00	\$ 480.00	\$ -	\$ -	\$ -	\$ -
20.	Decorative Pavers and Base (Pattern 1) on rigid underlayment areas	1,400	SF	\$ 15.65	\$ 21,910.00	\$ -	\$ -	\$ -	\$ -
21.	Decorative Pavers and Base (Pattern 1) with CABC Base (Road Side)	1,150	SF	\$ 17.60	\$ 20,240.00	\$ -	\$ -	\$ -	\$ -
22.	Decorative Pavers and Base (Pattern 2) on rigid underlayment areas	225	SF	\$ 15.65	\$ 3,521.25	\$ -	\$ -	\$ -	\$ -
23.	Decorative Pavers and Base (Pattern 2) with CABC Base (Road Side)	50	SF	\$ 16.10	\$ 805.00	\$ -	\$ -	\$ -	\$ -
24.	4-inch Rigid Concrete Underlayment and 4-inch CABC Base	1,625	SF	\$ 10.60	\$ 17,225.00	\$ -	\$ -	\$ -	\$ -
25.	Decorative Vision Light Bollard	8	EA	\$ 1,597.20	\$ 12,777.60	\$ -	\$ -	\$ -	\$ -
26.	Decorative Step Light	8	EA	\$ 340.00	\$ 2,720.00	\$ -	\$ -	\$ -	\$ -
27.	Basic Electrical Requirements	1	LS	\$ 5,600.00	\$ 5,600.00	\$ -	\$ -	\$ -	\$ -
28.	Coordinate, Assemble, and Install Site Furnishings	1	LS	\$ 11,000.00	\$ 11,000.00	\$ -	\$ -	\$ -	\$ -
29.	Allowance for Natural Stone (Limestone) Veneer	10	TON	\$ 450.00	\$ 4,500.00	\$ -	\$ -	\$ -	\$ -
<b>BASE BID TOTAL: Items #1 - #29</b>						\$ 310,968.85	\$ -	\$ -	\$ -
<i>*CONTRACTOR'S COMPUTED TOTAL</i>							\$ 310,968.85	\$ -	\$ -
<b>ADDITIVE BID ALTERNATE 1 (AA1) - 500 BLOCK CAFÉ ZONE</b>									
30.	Mobilization, Bonds, and Insurance	1	LS	\$ 8,100.00	\$ 8,100.00	\$ -	\$ -	\$ -	\$ -
31.	Traffic Control	1	LS	\$ 6,100.00	\$ 6,100.00	\$ -	\$ -	\$ -	\$ -
32.	Erosion Control	1	LS	\$ 3,225.00	\$ 3,225.00	\$ -	\$ -	\$ -	\$ -
33.	Unclassified Excavation	1	LS	\$ 21,600.00	\$ 21,600.00	\$ -	\$ -	\$ -	\$ -
34.	Tree Removals	2	EA	\$ 430.00	\$ 860.00	\$ -	\$ -	\$ -	\$ -
35.	Salvage and Reinstall Tree	1	EA	\$ 800.00	\$ 800.00	\$ -	\$ -	\$ -	\$ -
36.	Parking Meter Post Removal	1	LS	\$ 135.00	\$ 135.00	\$ -	\$ -	\$ -	\$ -
37.	Remove and Salvage Existing Benches	1	LS	\$ 120.00	\$ 120.00	\$ -	\$ -	\$ -	\$ -
38.	Tree Well Abandonment	2	EA	\$ 315.00	\$ 630.00	\$ -	\$ -	\$ -	\$ -
39.	Install New Tree Well, Complete	1	EA	\$ 800.00	\$ 800.00	\$ -	\$ -	\$ -	\$ -
40.	Decorative Seat Wall and Footing, Complete - (North 500 Block)	1	LS	\$ 32,000.00	\$ 32,000.00	\$ -	\$ -	\$ -	\$ -
41.	Pre-Cast Concrete Wall Caps - (North 500 Block)	1	LS	\$ 26,500.00	\$ 26,500.00	\$ -	\$ -	\$ -	\$ -
42.	30-inch Concrete Curb and Gutter and 4-inch CABC Base	180	LF	\$ 57.50	\$ 10,350.00	\$ -	\$ -	\$ -	\$ -
43.	9-inch Concrete Pavement and 6-inch CABC Base	15	SY	\$ 150.00	\$ 2,250.00	\$ -	\$ -	\$ -	\$ -
44.	5-inch Concrete Sidewalk and 4-Inch CABC Base	1,400	SF	\$ 10.00	\$ 14,000.00	\$ -	\$ -	\$ -	\$ -

BID TABULATION

CITY OF WISCONSIN DELLS 200 & 500 BLOCK CAFÉ ZONES  
CITY OF WISCONSIN DELLS

PROJECT NUMBER: 00085056  
BID DATE: JULY 15, 2016

(Continued)				Pember Companies Menomonie, WI					
ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
45.	Detectable Warning Fields	24	SF	\$ 39.25	\$ 942.00		\$ -		\$ -
46.	Decorative Pavers and Base (Pattern 1) on rigid underlayment areas	600	SF	\$ 15.65	\$ 9,390.00		\$ -		\$ -
47.	Decorative Pavers and Base (Pattern 1) with CABC Base (Road Side)	1,000	SF	\$ 17.60	\$ 17,600.00		\$ -		\$ -
48.	Decorative Pavers and Base (Pattern 2) for rigid underlayment areas	100	SF	\$ 15.65	\$ 1,565.00		\$ -		\$ -
49.	Decorative Pavers and Base (Pattern 2) with 4-inch CABC Base (Road Side)	25	SF	\$ 16.10	\$ 402.50		\$ -		\$ -
50.	4-inch Rigid Concrete Underlayment and 4-inch CABC Base	750	SF	\$ 10.60	\$ 7,950.00		\$ -		\$ -
51.	Decorative Vision Light Bollard	4	EA	\$ 1,415.00	\$ 5,660.00		\$ -		\$ -
					<b>*\$11,322.00</b>				
52.	Decorative Step Light	4	EA	\$ 340.00	\$ 1,360.00		\$ -		\$ -
					<b>*\$2,720.00</b>				
53.	Basic Electrical Requirements	1	LS	\$ 5,600.00	\$ 5,600.00		\$ -		\$ -
54.	Coordinate, Assemble, and Install Site Furnishings	1	LS	\$ 7,000.00	\$ 7,000.00		\$ -		\$ -
55.	Allowance for Natural Stone Veneer (Limestone)	11	TON	\$ 450.00	\$ 4,950.00		\$ -		\$ -
	<b>AA1 TOTAL: Items #30 - #55</b>				<b>\$ 189,889.50</b>		<b>\$ -</b>		<b>\$ -</b>
	<b>*CONTRACTOR'S COMPUTED TOTAL</b>				<b>*\$309,511.25</b>				
<b>ADDITIVE BID ALTERNATE 2 (AA2) - 200 NORTH BLOCK ADD'L PAVER CONSTRUCTION</b>									
56.	Mobilization, Bonds, and Insurance	1	LS	\$ 1,950.00	\$ 1,950.00		\$ -		\$ -
57.	Traffic Control	1	LS	\$ 1,200.00	\$ 1,200.00		\$ -		\$ -
58.	Erosion Control	1	LS	\$ 1,300.00	\$ 1,300.00		\$ -		\$ -
59.	Unclassified Excavation	1	LS	\$ 8,775.00	\$ 8,775.00		\$ -		\$ -
60.	Decorative Pavers and Base (Pattern 1) with 4-inch CABC Base (Road Side)	2,000	SF	\$ 16.10	\$ 32,200.00		\$ -		\$ -
	<b>AA2 TOTAL: Items #56 - #60</b>				<b>\$ 45,425.00</b>		<b>\$ -</b>		<b>\$ -</b>
<b>ADDITIVE BID ALTERNATE 3 (AA3) - 200 SOUTH BLOCK ADD'L PAVER CONSTRUCTION</b>									
61.	Mobilization, Bonds, and Insurance	1	LS	\$ 1,900.00	\$ 1,900.00		\$ -		\$ -
62.	Traffic Control	1	LS	\$ 1,200.00	\$ 1,200.00		\$ -		\$ -
63.	Erosion Control	1	LS	\$ 1,300.00	\$ 1,300.00		\$ -		\$ -
64.	Unclassified Excavation	1	LS	\$ 7,400.00	\$ 7,400.00		\$ -		\$ -
65.	Decorative Pavers and Base (Pattern 1) with 4-inch CABC Base (Road Side)	1,700	SF	\$ 16.10	\$ 27,370.00		\$ -		\$ -
	<b>AA3 TOTAL: Items #61 - #65</b>				<b>\$ 39,170.00</b>		<b>\$ -</b>		<b>\$ -</b>
<b>ADDITIVE BID ALTERNATE 4 (AA4) - 500 NORTH BLOCK ADD'L PAVER CONSTRUCTION</b>									
66.	Mobilization, Bonds, and Insurance	1	LS	\$ 1,860.00	\$ 1,860.00		\$ -		\$ -
67.	Traffic Control	1	LS	\$ 1,200.00	\$ 1,200.00		\$ -		\$ -
68.	Erosion Control	1	LS	\$ 1,300.00	\$ 1,300.00		\$ -		\$ -
69.	Unclassified Excavation	1	LS	\$ 6,100.00	\$ 6,100.00		\$ -		\$ -
70.	Decorative Pavers and Base (Pattern 1) with 4-inch CABC Base (Road Side)	1,400	SF	\$ 16.10	\$ 22,540.00		\$ -		\$ -
	<b>AA4 TOTAL: Items #66 - #70</b>				<b>\$ 33,000.00</b>		<b>\$ -</b>		<b>\$ -</b>

ITEM 14

RESOLUTION NO. \_\_\_\_\_

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams, and Juneau Counties, Wisconsin, that based upon the recommendation of the PUBLIC SAFETY COMMITTEE from their July 11, 2016 meeting;

IT APPROVES 40 new/updated Police Department Policies.

\_\_\_\_\_  
Brian L. Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_\_\_ ayes \_\_\_\_\_ nays \_\_\_\_\_ abs.

Date Introduced: July 18, 2016

Date Passed:

Date Published:

RESOLUTION NO. \_\_\_\_\_

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams, and Juneau Counties, Wisconsin, that based upon the recommendation of the PUBLIC SAFETY COMMITTEE from their July 11, 2016 meeting;

IT APPROVES the Village of Lake Delton/Wisconsin Dells Consolidated Law Enforcement Services-Public Safety Study with R2 and Associates, LLC., with the study being a shared cost with the Village of Lake Delton.

\_\_\_\_\_  
Brian L. Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_\_\_ ayes \_\_\_\_\_ nays \_\_\_\_\_ abs.  
Date Introduced: July 18, 2016  
Date Passed:  
Date Published:

**Village of Lake Delton, Lake  
Delton, Wisconsin**

**City of Wisconsin Dells  
Wisconsin Dells, Wisconsin**

**Consolidated Law Enforcement Services- Public Safety  
Proposed Scope of Services**

**Company Profile**

R2 and Associates LLC is a Wisconsin-based law enforcement consulting group who provides consulting services for executive recruitment and selection, pre-employment background investigations, organizational and management studies, grant and project development and hiring and promotional assessment centers.

**President – Robert W. Roberts**

Robert W. Roberts is the founder and President of R2 and Associates, LLC . Mr. Roberts has 34 years' experience serving in the capacities of Police Officer, Special Agent, Police Chief, College Dean, Federal Relations Director, Research Program Specialist, University Professor and Research Administration Director. Mr. Roberts is the Director of Research and Faculty Development at the University of Wisconsin Oshkosh having over 17 years of experience working with grants and funding projects totaling over 220 million dollars. Mr. Roberts has conducted formal consolidation studies for seven jurisdictions in Wisconsin and has served as a Police Chief in five Wisconsin agencies.

Mr. Roberts' teaching and research includes expertise in the following areas: state and federal grants, comparative criminal justice systems, police administration, curriculum development, research methods and analytical design, crime prevention, sex offender management, state and federal funding sources, organizational management audits, executive coaching, crime on the internet and police community relations. Mr. Roberts has a Bachelor of Science in Criminal Justice, a Master's Degree in Public Administration and a Master's of Science in Education.

During the last 18 years Mr. Roberts has served as a consultant in approximately 60 law enforcement jurisdictions and 20 academic institutions focusing on:

- Organizational gap analysis impact studies

- Grant and project development ;
- Consolidation feasibility and community impact evaluations;
- Chief executive recruitment and development;
- Program analysis and system development; and
- Hiring, coaching and managing public employees.

### **Consultant Group Snapshot**

Aric W. Dutelle – Mr. Dutelle is the Manager of Grants and Contracts, Oregon Health and Science University, Portland, Oregon. Mr. Dutelle also served as an Associate Professor in Criminal Justice, University of Wisconsin – Platteville, Wisconsin. Mr. Dutelle has a Master of Forensic Sciences degree from National University, La Jolla, CA. Mr. Dutelle has law enforcement experience and extensive work in the area of evidence collection, processing and management. Mr. Dutelle is listed on the reference list for the National Commission of Forensic Science, associated with ethics in forensic science.

Edward Moffett: Mr. Moffett has consulting experience in the following law enforcement areas: police chief search and selection processes; command and supervisory search and selection processes; organizational studies and operational audits; national law enforcement accreditation assessments; executive, managerial and supervisory hiring assessment centers; and executive pre-employment background investigations.

Michael A. Roberts – Mr. Roberts has over 35 years of criminal justice experience, having held positions as a police officer, police supervisor, and administrative/executive level positions in the Wisconsin Department of Justice. Mr. Roberts has a Bachelor of Science in Criminal Justice from University of Wisconsin – Platteville, Platteville, WI.

Jerald J. Jansen – Mr. Jansen has over 30 years of criminal justice experience, having held positions as a social worker, police officer, police supervisor, assistant police chief and police chief. Mr. Jansen has a Bachelor of Science and a Master degree in Social Work from University of Wisconsin – Madison, Madison, WI.

David O. Steingraber – Mr. Steingraber has over 40 years of criminal justice experience, with law enforcement responsibility in patrol, supervision, managerial (police chief) and two executive level positions within State of Wisconsin criminal justice agencies. Mr. Steingraber is a graduate of the University of California - Berkeley, School of Criminology and attended the University of Wisconsin – Milwaukee with graduate studies in public administration.

Full project resumes are available for any consultant upon request.

### **Consultant's Operational Study References**

The Consultants have provided organizational studies and audits for following Wisconsin communities:

- ❖ Village of Cottage Grove: Researched, developed and presented a comprehensive operational evaluation of police services, including an implementation plan to dissolve the joint police department structure with the Town of Cottage Grove. Contact: Matt Giese, Village Administrator, (608) 839-4704 or Village Attorney Lee Boushea, (608) 221-0079
- ❖ Village of Lake Delton: Researched, developed and presented a comprehensive operational evaluation, including an implementation plan, of police services for the Lake Delton Police Department. Contact: Tom Diehl, Personnel Committee Chairperson, (608) 254-2525 or Village Clerk Kay Mackesey, (608) 254-2558
- ❖ Pierce County: Researched, developed and presented a comprehensive evaluation of county-wide Criminal Justice Services for the Pierce County Criminal Justice Coordinating Council. Contact: Circuit Court Judge Joseph Boles, (715) 273-6460
- ❖ Village of Allouez: Researched, developed and presented a comprehensive evaluation, including an implementation plan, of a police services contract with the Brown County Sheriff's Office. Contact: Tracy Flucke, Village Administrator, (920) 448-2802
- ❖ Village of Allouez: Researched, developed and presented a comprehensive evaluation, including an implementation plan, for a Village Hall clerical staffing and organizational study. Contact: Bradley Lange, Village Administrator, (920) 448-2802
- ❖ City of Stoughton: Researched, developed and presented a comprehensive evaluation of police services. Contact: Christine Smith, Baker Tilly Virchow Krause, LLP, (608) 240- 2391, or Kelly Michaels, City Clerk, (608) 873-6692
- ❖ Village of East Troy: Researched, developed and presented an organizational evaluation of the agency while serving in role as acting Police Chief. Subsequently consulted to conduct comprehensive staffing study including consolidation of activities with Town of East Troy Township. Contacts: Police Chief Alan Boyes, (262) 642-6250

- ❖ Village of Cambria: The Village disbanded their police department. The Consultant wrote a comprehensive evaluation study of the department, and evaluated contract for services with Columbia County. Researched, developed and presented recommendations for reestablishing the police department with recruitment plan. Contact: Village President Glen Williams, (920) 348-5322
- ❖ City of Milton: Researched, developed and presented a comprehensive evaluation of police services including ancillary services and their feasibility relationship to County police services and other city services. Contact: former City Administrator Jerry Schuetz, (608) 868-9200, or Police Chief Dan Layber (608) 868-6910

### **Overall Consulting Experience**

The Senior Consultant's combined Wisconsin police chief experience totals 44 years, serving the City of Verona, City of Milton, Village of Iron River, Village of Waunakee, Village of East Troy and Village of Cottage Grove.

The listing below illustrates the law enforcement consulting experience:

#### **Police Chief Recruitment & Selection Processes**

- Village of Cottage Grove (2015 Chief of Police)
- Village of Lake Delton (2014 Commander)
- Village of Lake Delton (2014 Supervisor)
- Village of Lake Delton (2013 Commander)
- Village of Lake Delton (2013 Supervisor)
- City of Whitewater
- City of Milton (2011)
- Village of Darien
- City of Milton (2008)
- City of Manawa
- Town of Iron River
- Village of Waunakee

#### **Pre-Employment Police Chief Background Investigations**

- ❖ Village of Cottage Grove (2015 Chief of Police)
- ❖ Village of Lake Delton (2014 Commander)
- ❖ Village of Lake Delton (2014 Supervisor)
- ❖ Village of McFarland (Fire Chief)
- ❖ Village of Lake Delton (2013 Commander)
- ❖ Village of Lake Delton (2013 Supervisor)
- ❖ City of Whitewater

- ❖ City of Milton
- ❖ Village of McFarland (Police Chief & EMS Director)
- ❖ Village of Darien
- ❖ City of Beaver Dam
- ❖ City of Lodi
- ❖ City of Columbus
- ❖ City of Adams
- ❖ City of Neenah
- ❖ City of Omro
- ❖ City of Two Rivers
- ❖ City of Waupaca
- ❖ City of Shawano
- ❖ City of Tomahawk

#### Executive, Managerial & Supervisory Assessment Centers

- Village of McFarland Police Chief
- City of Monroe Police Captain
- City of Waupaca Police Lieutenant
- City of Shawano Police Chief & Captain
- County of Outagamie Sheriff's Office Captain
- City of Middleton Police Sergeant
- County of Shawano Sheriff's Office Captain
- Village of Grafton Police Chief
- Village of Butler Police Chief
- Village of Hartland Police Chief
- City of Berlin Police Chief
- Village of Germantown Police Chief
- City of Burlington Police Chief
- Village of Kohler Police Chief
- City of Port Washington Police Chief

#### Management and Operational Study/Audits/Needs Assessment

- ❑ Village of Cottage Grove Operational and Dissolution Project
- ❑ Village of Lake Delton (2012 thru 2014)
- ❑ Pierce County Criminal Justice Coordinating Council
- ❑ Village of Allouez Police Services Evaluation Project
- ❑ Village of Allouez Clerical Organization Study
- ❑ City of Burlington Police Department
- ❑ City of Whitewater Police Department
- ❑ City of Milton Police Department
- ❑ City of Manitowoc Police Department
- ❑ City of Stoughton Police Department
- ❑ Village of East Troy Police Department
- ❑ Village of Wrightstown Police Department
- ❑ Village of Cambria Police Department

### **Additional Consultant Client Contact Information**

- Client: City of Whitewater, WI  
Contact: Jan Belgin, Police Commission President, (262) 473-0500
- Client: City of Milton, WI  
Contact: Dave Ostrowski, Police Commission President, (608) 921-7750
- Client: Village of Darien, WI  
Contact: Evie Etten, Village President, (262) 882-5055
- Client: Village of McFarland, WI  
Contact: Don Peterson, Village Administrator, (608) 838-3153
- Client: Village of McFarland, WI  
Contact: John Stransky, Police Commission President, 608-246-6534
- Client: City of Lodi, WI  
Contact: John Connell, Police Commission President, 608-592-5401
- Client: City of Beaver Dam, WI  
Contact: Nancy Connelly, Police Commission President, 920-356-1464
- Client: City of Columbus, WI  
Contact: Dennis Chadwick, Police Commission Member, 920-993-0252
- Client: Village of Waunakee, WI  
Contact: Attorney Tim Nixon, Former Village President, 920-436-7693
- Client: Town of Iron River, WI  
Contact: Joseph Pemberton, Town Chairman, 715-372-5457

### **Organizational Evaluation and Consolidation Study**

Executive Summary: The Village of Lake Delton, Wisconsin underwent an operational evaluation that resulted in an implementation plan with targeted improvement outcomes designed for completion under a five year schedule. They are concluding the third year of that schedule. The City of Wisconsin Dells, Wisconsin and the Village of Lake Delton, Wisconsin want to examine the feasibility of consolidating various public safety services. In order to make a linear comparison of services ideally there would be a three step evaluation process. Step one would include an operational analysis of Wisconsin Dells Police Department. Step two would compare the practices of Lake Delton Police Department and Wisconsin Dells Police Department. Step three would compare service needs of the agencies and detail the opportunities for consolidation of services. Each step requires specific scopes and ultimately would occur

concurrently once the project is launched. Step 1 is the evaluation of the Wisconsin Dells Police Department ; Step 2 is the comparison of services; and Step 3 is the evaluation of consolidation opportunities and the completion of the final draft report.

## **Step One**

### **Phase 1 – Project Pre-Planning**

Scope 1.1 – Pre-Project Planning: The Consultant proposes to facilitate a conference call meeting with the City and the Village to determine the city's project goals, areas for evaluation and expectations for the project outcomes. This is where modifications are made to the action strategies for the proposal.

Scope 1.2 – Pre-Project Action: Once the Consultant has received the pre-project feedback, the Consultant will prepare and submit an Agreement of Services; including proposed scope of services, methodology, outcome deliverables and project consulting fees.

Scope 1.3 – Consultant-Client Agreement for Services: The Consultant proposes to execute an Agreement of Services with the Client (Village and City) either through a face-to-face meeting or via a conference call. Once the Agreement is executed and the retainer fee is paid, the project will begin as proposed in the following proposed phases.

Scope 1.4 – Project Scope and Findings Assurances: The Consultant proposes to prepare an analysis of the data, information, and summary conditions of the evaluation target; against the proposed scope of service. The Consultant will seek the input from the project contact team as appropriate.

Scope 1.5– Project Clarification Protocols: The Consultant proposes to facilitate a peer review of the information learned from the interviews, surveys and hands-on assessments - with the intent to clarify critical issues and inconsistencies, if any, with the project contact team.

### **Phase 2 – Police Department Evaluation**

Scope 2.1 – Project Kick-Off: The Consultant proposes to begin the project with a face-to-face meeting with the project contact team. The project contact team is typically a group of 2-3 individuals who have been designated as the Consultant's point-of-contact during the project and are empowered to make decisions on behalf of their elected entities.

Scope 2.2 – Evaluate Existing Police Department Conditions - Documentation Review: The Consultant's proposed methodology will include a review of documents provided by the police department, city administration, and other stakeholder agencies. The Consultant's time frame will be designed to guarantee that a statistically significant sample is captured sufficient enough to identify and categorize against key performance indicators. The requests for electronically documents (MS Word or PDF) will be specific and include, at a minimum, the following:

- Written directives and policies
- Duty assignments and work schedules
- Performance evaluation system and sample documents
- Employee training records
- Police employee payroll records
- Collective bargaining agreements
- Fleet vehicle management records
- Traffic enforcement (citations issued) records
- Traffic enforcement (warnings issued) records
- Non-enforcement service levels, i.e., door checks, vacation watches, etc.
- In-custody criminal arrests records (booked into county jail)
- Activity reports generated by software designed to manage police records
- Prosecution referrals to District Attorney
- State & Federal grant applications for criminal justice programs and reports
- City reports related to police department programming
- Department Uniform Crime Reports
- Summary activity reports generated by software designed to manage personnel and/or personnel records
- Any document that is used to track work productivity, accountability and/or activity
- Memorandums and/or email communication which describe day-to-day operational activity or policy directives
- Other documents relevant to the project scope and/or other documents identified through scope meetings with the City, and/or as necessary throughout the project

\*\*It should be noted that consultants from this firm conducted a full operational evaluation of Lake Delton Police Department in 2012-2014. There may be a need to refresh portions of data.

Scope 2.3 - Evaluate Existing Police Department Conditions - Interviews & Surveys: The Consultant's proposed methodology will include interviews and/or survey tools with department stakeholders, elected & appointed stakeholders, and other community-based stakeholders relating to current department conditions. The targeted stakeholders include, but are not limited to the following:

- ✓ Mayor
- ✓ Common Council
- ✓ Clerk/Administrative Coordinator

- ✓ Police Chief
- ✓ Police Supervisors
- ✓ Police Officers
- ✓ Police Clerical Staff
- ✓ County Sheriff's or designee
- ✓ County District Attorney's or designee
- ✓ Community at-large stakeholders
- ✓ Other stakeholders relevant to the project scope and/or identified through scope meetings and/or as necessary throughout the project.

Scope 2.4 - Evaluate Existing Police Department Conditions – Organizational Evaluation: The Consultant proposes to conduct an organizational evaluation of the Wisconsin Dells Police Department focusing on efficiency, effectiveness, and accountability. The Consultant proposes, through site visits and observation of operations, will gather first-hand information regarding the provision of city and department wide police services. This form of analysis is essential to developing a thorough and realistic understanding of the current Wisconsin Dells policing environment. The Consultant proposes to prepare an industry standard (WILEAG1) and (CALEA2) best practices gap analysis of the department's administrative and operational practices.

The evaluation will focus on law enforcement operational components, and include a focus relating to current department conditions. The components are:

- Organization Structure and Authority
- Management and Supervision
- Patrol and Department Staffing
- Criminal Investigation and Staffing
- Evidence and Property Control
- Information Technology
- Personnel Management
- Written Directives and Policy
- Education and Training

Scope 2.5 – Benchmark Comparison Analysis: The Consultant proposes to conduct a statistical comparison of 6-8 similar size Wisconsin law enforcement agencies based on population and staffing. To the extent possible, the comparison will include agencies whose service delivery model is in a tourist and/or transit recreational visitor setting.

- Population
- Sworn Staffing
- Non-sworn Staffing
- Officers Per 1000 residents
- Violent Crime Index Per 100K residents
- Property Crime Index Per 100K residents
- Violent Crime Clearance Rate
- Property Crime Clearance Rate

### **Phase 3 – Project Preliminary Review**

Scope 3.1 – Project Preliminary Draft Report: The Consultant proposes to prepare and submit the study findings in a “preliminary draft report” to the project contact team.

- The preliminary draft report will evaluate the scope of services components outlined in this document and will summarize the strengths and weaknesses of police services based on an objective statistical analysis, best practices and industry benchmarks.
- The “preliminary draft report” will include a “gap analysis” designed to point out existing operational service gaps regarding best practices and industry benchmarks.
- The “preliminary draft report” will address summary-based recommendations and a conceptual action plan for improvements relating to police service operations.
- The “preliminary draft report” will provide a department staffing analysis based the International Association of Chiefs of Police (IACP) staffing model.

Scope 3.2 – Project Contact Team Feedback - Preliminary Draft Report Review: The Consultant proposes a conference call meeting with the project contact team to seek the team’s preliminary draft review feedback. If, at that point, there is a drastic “error-of-fact” or an “omission-of-fact” that distorts the findings of Step 1; the Consultant will review and consider those factor’s content and relevancy.

This concludes the work on Step 1 of the project.

**Step 2**  
**Comparison of Efficiency and Effectiveness of High Impact Practices**

Scope 1: The Consultants will evaluate the current condition of the Lake Delton Police Department and compare it to best and/or high impact practices aligning those metrics with the performance criteria of the previous study.

Scope 2: The Consultants will compare the findings of Step 2 Scope 1.1 to the outcomes from the report generated through the scopes outlined in Step 1. Findings of these comparisons will be outlined in the final draft report.

This concludes the work of Step 2 of the project.

**Step 3**  
**Consolidation Evaluation of Public Safety Services with**  
**Emphasis on Policing Practices**  
**Final DRAFT Report Preparation**

Considering the findings of Step 1 and Step 2 the Consultants will evaluate conditions through which the two entities could consolidate services and examine consolidation models. This part of the study will be an evaluation which is intended to present the best high impact practices for continuing to provide quality service while balancing financial efficiency.

The scopes of service under this step include:

Scope 1: Evaluate the short-term and long-term costs, both operating and capital (including facilities, equipment and vehicles), of consolidating law enforcement services.

Scope 2: Evaluate and confirm the total cost (short-term and long-term) of maintaining the current public safety and emergency services organizations and departments in the Village of Lake Delton and City of Wisconsin Dells.

Scope 3: Evaluate the advantages and disadvantages of providing police, fire and emergency medical services as a consolidated municipal function between the Village of Lake Delton and City of Wisconsin Dells. This would be an examination of market models and a discussion of their application to these jurisdictions.

Scope 4: Evaluate options related to the overall organizational structure, management and administration, funding and related funding formulas, and governance of consolidated services between the Village of Lake Delton and City of Wisconsin Dells.

Scope 5: Evaluate legislative, legal, organizational and cultural hindrances that may limit the ability of the Village of Lake Delton and City of Wisconsin Dells to consolidate public safety and emergency services.

Scope 6: Evaluate the inventory current assets (including but not limited to vehicles, equipment, and facilities) owned by the Village of Lake Delton and the City of Wisconsin Dells and used for public safety and emergency services, as well as current public safety personnel (including training).

Scope 7: Relative to police services, study the advantages and disadvantages to forming one regional police department to serve the Village of Lake Delton and City of Wisconsin Dells that provides comparable services (including but not limited to general police services, routine patrols, traffic enforcement and criminal investigations), to the Village of Lake Delton and City of Wisconsin Dells based on population, land area, need and other applicable factor. Recommendations will consider opportunities for maximum accountability and transparency through reporting and tracking of assets and services allocated to each jurisdiction.

Scope 8: Relative to police services, evaluate the operating costs, personnel needs and capital costs associated with creating a regional police department.

Scope 9: Relative to dispatch services, study the advantages and disadvantages of providing dispatch services, using a common centralized dispatch center, to the Village of Lake Delton and City of Wisconsin Dells to better provide regional emergency communication and enhance emergency services, as well as provide a central point of communications.

Scope 10: Relative to fire services, study opportunities to consolidate or provide for greater collaboration in an effort to create efficiencies, increase services and provide for greater advancement, specialization and training opportunities for the current and future members of the two fire districts of the Village of Lake Delton and the fire department of the City of Wisconsin Dells. To the extent possible include other regional jurisdictions that have an interest in consolidating services for similar reasons.

Scope 11: Relative to emergency management, study greater collaboration, including a central emergency operations center (EOC), central information collection and dissemination system, a common planning process, and greater opportunities to employ the unified command structure as described in the National Incident Management System (NIMS);

Scope 12: Final Draft Report Submission: Upon completion of feedback from the preliminary draft report review, the Consultant proposes to submit a "final draft report" to the City.

Scope 13 – Final Draft Report Meeting: The Consultant proposes to attend one (1) face-to-face “closed session” meeting with the City, pursuant to Wis. Stats., 19.85 (1) (d) to present and answer questions regarding the “final draft report.”

Scope 14 Final Report Submission: Upon completion of the “final draft report” presentation meeting, the Consultant proposes to submit a “Final Report” to the City to close out the project.

### **Consultant Project Deliverables**

The following highlight the Consultant’s proposed deliverables and timeline:

**1. Pre-Project Action:** The Consultant’s completed Agreement for Services submitted to the Village and the City for approval.

Targeted Timeline: 10 days after the contract is signed and the retainer is paid.

**2. Project Kick-Off:** The Consultant’s project contact team meeting.

Targeted Timeline: Upon mutual agreement with the City.

**3. Records/Document Collection:** The Consultant’s completion of the initial collection of public records from the Police Department. Additional records are collected from City Administration, Municipal/Circuit Court, District Attorney Office, Sheriff’s Office, and State Uniform Crime Records, etc.

Targeted Timeline: 25 days of project kick-off and launch.

**4. Stakeholder Interviews & Surveys:** The Consultant’s completion of the stakeholder field interviews and/or surveys.

Targeted Timeline: 45 days of project launch.

**5. Organizational Evaluation:** The Consultant’s completion of the evaluation of the nine (9) organizational components to include validation of gaps from records review, interview findings and organizational assessments.

Targeted Timeline: 75 days of project launch.

**6. Benchmark Comparison Analysis:** The Consultant’s completion of the benchmark comparison analysis.

Targeted Timeline: 85 days of project launch.

**7. Project Preliminary Draft Report Submission:** The Consultant's completion of the study findings in a "preliminary draft report" submitted to the project contact team for review. This is the draft report that focuses on analysis of policing operations in Wisconsin Dells.

Targeted Timeline: 100 days of project launch.

End of Step 1

**8. Comparison of Efficiency and Effectiveness of High Impact Practices:** The Consultant's completion of a cross analysis of the each municipality's policing services to generate written analysis of shared best practices and to identify measurable gaps in performance and efficiency.

Targeted Timeline: 120 days of project launch

End of Step 2

**9. Consolidation Evaluation of Public Safety Services with Emphasis on Policing Practices:** An evaluation of potential services that could be consolidated or regionalized. This evaluation will focus on police services but will compare solutions to industry best practices. The outcome report will emphasize cost and service efficiencies.

Targeted Timeline : 150 days of project launch

**10. Preliminary Draft Report Feedback:** The Consultant's conference call meeting for the project contact team's initial feedback regarding the "preliminary draft report" review.

Targeted Timeline: 160 days of project launch.

**11. Final Draft Report:** The Consultant's submission of the "final draft report" for the City's subsequent presentation meeting.

Targeted Timeline: 175 days of project launch.

**12. Final Draft Report Meeting:** The Consultant's attendance at one closed session meeting with the City, pursuant to Wis. Stats. 19.85(1) (d), to present the "final draft report" for the Cities consideration as the project final report.

Targeted Timeline: 185 days of project launch.

**13. Final Report Submission:** The Consultant's submission of the Final Report to close out the project.

Targeted Timeline: 193 days of project launch.

End of Step 3: Project Complete

### **Estimate of Project Cost**

This is an estimate of project cost forecasted against all three steps. The terms, conditions and cost will be adjusted once the complete project design is identified and the deliverables and the timeline are negotiated. This cost estimate should be considered a guide for purposes of discussion and will be subject to adjustment based on the outcome of discussions around project scope and delivery timeline.

Total Project Estimate as a flat fee : \$ 24,728.00 exclusive of expenses.

ITEM 16

RESOLUTION NO. \_\_\_\_\_

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the City Plan Commission from their July 11, 2016 meeting;

IT APPROVES a Conditional Use Permit to Brad Preissel in order to allow overnight lodging (nightly rentals) at 815 Washington, with the contingencies listed in staff report.

\_\_\_\_\_  
Brian L. Landers, Mayor

Attest:

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_\_\_ ayes \_\_\_\_\_ nays  
Date Introduced: July 18, 2016  
Date Passed:  
Date Published:

Overnight Lodging CUP  
Brad Preissel  
Vacation rental of single family home  
Staff report – Plan Commission 011116

The City of Wisconsin Dells has received a request from Brad Preissel to convert the house located at 815 Washington (Parcel 1052.2) to Overnight Rentals. This property is in the C-1 Commercial-neighborhood Zoning District, which requires a Conditional Use Permit per the City of Wisconsin Dells zoning code.

This is an existing house that has been used as a single family home. As such it should not have any significant effect on traffic flow, the natural environment or future development of the area.

The owner had stated the home has 3 bedrooms and 2 bathrooms. The expected occupancy of the house will be 8-10 people with a maximum of 12. Rental of the home will be booked by the Blackhawk Motel which is owned and operated by the applicant. A general standard is to provide 1 bathroom for every 6 occupants, so the occupancy should be limited to 12 people or less. The parking requirement for a motel is 1 parking space per room, so this 3 room house should have 3 parking stalls. The house has an approximately 40 ft by 65 ft backyard which would be utilized for parking. This could be developed to allow 3 cars to park with direct access to the alley. Based on other parking standards of 3 occupants per car, it does seem possible that 12 people would have 4 cars. There can be concerns with allowing separate parking stalls for required parking where one car blocks another. In this case, there does not appear to be adequate space for additional parking stalls to be added. It may be acceptable to not require the additional parking be constructed at this time, but any approval should be contingent on the parking being constructed and approved by the City, if it is deemed necessary in the future. Due to the limited space on the lot, if parking becomes an issue and adequate space cannot be provided, the applicant may have to limit the number vehicles renters can have for the home.

Overnight vacation rentals of single family homes present similar issues as employee housing facilities. The existence and extent of these issues lies primarily in the management of the property. If this house were to be a "party house", it could create a substantial nuisance to surrounding properties and create issues for the City. The applicant has stated they will only rent the house to families. It is recognized that the applicant operates the Blackhawk motel in close proximity to this property. It is also recognized that the applicant has a stellar reputation as the operator of the Blackhawk motel. Given the proximity of this property to the Blackhawk motel, it appears that the applicant will have more than adequate supervision of this property. However, this property does not have a significant buffer between it and the surrounding properties. Due to the full development of this area, there does not appear to be much opportunity for additional buffers to be installed. Approval should carry a contingency that the applicant cooperate with the City and neighbors to install any buffering that may be desired and feasible.

It should also be noted that this use is only allowed in Commercial districts, and this property does fall within the C-1 Commercial-neighborhood district, which allows both residential and commercial uses. The C-1 district acts as a transition to the Residential districts north and south of the downtown Commercial district. The C-1 district also runs along north River Rd and south along Vine St. Overnight rental of single family homes is not allowed in the City's Residential Zoning districts.

The owner has stated that rental bookings for this property will be through the Blackhawk motel. It is expected that as the applicant, the owner of the property accepts ultimate responsibility for the management of the property. As such, the owner/applicant will be responsible to correct any nuisances that may occur on the property. It should be made clear to the owner/applicant that violation of conditions, poor management of the facility, or the creation of nuisances from this overnight use will result in revocation of the use permit. Due to the relative uniqueness of this use in the City, the issues this use has caused in the Village of Lake Delton, and the importance of the management of the use; the granting of this permit should be non-transferrable and any new owner or operator of the property will have to obtain a new CUP. Based on the applicant's reputation as a motel operator and the proximity of this property to their existing motel and associated management and maintenance staff, this office does NOT see the need to limit this CUP to 1 year to evaluate the management.

This office has been contacted by some of the surrounding property owners. All have expressed concerns that the proposed use could cause problems for their properties. Some are comfortable with the applicants reputation that the property will be managed to prevent any significant issues. One property owner still has concerns with the affect this will have on the sale of their property, see attached e-mail.

As such, approval of this **CUP** should carry the following contingencies:

1. The building inspector ensures there are no code or safety issues with the house
2. The overnight rental of the house will be subject to PRT & room tax, and clear documentation of these taxes are provided to the City upon request.
3. Additional parking spaces will be constructed and/or other operation measure be taken to address parking issue, to City satisfaction, if deemed necessary by the City in the future.
4. This location is not allowed to be the source of any sort of nuisance and the owner comply with any orders by the City to address any nuisance concerns.
5. The applicant cooperate with the City and neighbors to install any buffers that may be desired and are feasible.
6. Applicant abide by the following restrictions:
  - a. Owner provides current, primary contact information to the Police Dept.
  - b. Rentals are to families only.
  - c. Renters sign an agreement not to cause excessive noise, not to trespass on neighboring property, and not to cause any other nuisance
  - d. This permit is non-transferrable, any new owner or operator of the property will have to obtain a new Overnight Lodging permit.

Optional:

- e. The owner obtains an Overnight Lodging permit annually to ensure continued proper management of the property.

Chris Tollaksen  
City of Wisconsin Dells  
07/08/16

**CONDITIONAL USE APPLICATION**  
**Wisconsin Dells, Wisconsin**  
 Version: May 21, 2007

**General instructions.** Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

Initial application fee	\$525.00
Receipt number	55961
Application number	_____

**1. Applicant information**

Applicant name BRAD PREISSEL  
 Street address P.O. Box 15  
 City Wis. Dells  
 State and zip code WI 53965  
 Daytime telephone number 393-0876  
 Fax number, if any 253-7333  
 E-mail, if any blackhawkmotel@blackhawkmotel.com

**2. Subject property information**

Street address	<u>815 WASHINGTON AVE</u>	
Parcel number	<u>11291-1052.2 LOT 17 BLACK 61</u>	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)		
Describe the current use	<u>RESIDENTIAL</u>	

**3. Proposed use.** Describe the proposed use.

RENT Home To Families/OVERNIGHT GUESTS WHO RESERVE DIRECT WITH BLACK HAWK MOTEL

**4. Operating conditions.** For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

Home To <sup>be</sup> RENTED DURING MONTHS OF OPERATION FOR BLACKHAWK MOTEL - MID MARCH THRU LATE OCTOBER, w/ THE MAJORITY OF THE RENTALS OCCURING DURING THE SUMMER MONTHS. PROPERTY WILL BE MANAGED & MAINTAINED BY BRAD/BLACKHAWK MOTEL

CONDITIONAL USE APPLICATION  
Wisconsin Dells, Wisconsin  
Version: May 21, 2007

5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

N/A

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

- a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

N/A

- b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

MINIMAL, PARKING IN REAR OF HOUSE / OFF-STREET PARKING.

- c. The suitability of the subject property for the proposed use

LOCATED ONLY 1.5 BLOCKS FROM BLACKHAWK

- d. Effects of the proposed use on the natural environment

N/A

- e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

BRAD'S CELL PHONE # WILL BE PROVIDED TO NEXT DOOR NEIGHBOR MIKE FEDewa & OTHER NEIGHBORS, SO BRAD CAN ADDRESS ANY NOISE COMPLAINTS, IF ANY.

- f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district ?

- g. Effects of the proposed use on the city's financial ability to provide public services

Increased sales tax rev.

July 6, 2016

To whom it may concern:

I, Mike Fedewa support granting a conditional use permit to Brad Preissel, for overnight lodging at 815 Washington Ave, in which reservations will be made thru Black Hawk Motel.

The Black Hawk is a seasonal business, with Brad being an owner and active manager. Brad has stated that:

-he will provide his cell phone number should there be any noise issues or other concerns.

-the rental will have a 4 to 5 night minimum for bookings that are made weeks in advance, resulting in families reserving the unit.

-On Black Hawk's website and all confirmations and registrations, the following is stated: "Parties & Profanity will not be tolerated, quiet hours strictly enforced". This applies to all units.

-the rental will be well maintained, year round.

-the rental is planned be rented during the summer months and some weekends in the spring and fall.

-if the application for overnight lodging is denied, Brad has stated he will convert to the home into apartments to become a multi-housing.

Thank you for your consideration,



Mike Fedewa

819 Washington Ave.

## Chris Tollaksen

---

**From:** Jim Anacker [jima@spring-brook.com]  
**Sent:** Friday, July 08, 2016 10:26 AM  
**To:** Chris Tollaksen  
**Subject:** Conditional use permit 815 Washington

Chris,

My wife and I own the home at 807 Washington. I have some concerns about the granting of a conditional use permit for overnight rentals at 815 Washington. We currently have a long term rental in or house but I plan to do some work on the home and put it on the market in the next couple years. I have worked as a real estate broker for 23 years and realize the external impact that overnight rental homes can have, particularly during the sales process. I do not know what affect it will have on the value of our property in the future (I'm guessing it won't increase it) but I absolutely know that the marketability of our property will be affected. Our home will likely sell to a young family with small children as their first home. I am concerned that a transient use of 815 Washington will extend the amount of time necessary to sell our home. My impression is that the group that will be managing this home are reputable but I am concerned about the impact that the use of this property will have on mine. I will try to be at the meeting on Tuesday at 5:15 but have a scheduling problem that I may not be able to change. If I can't be there could you share my concerns. If you have any questions please give me a call.

Thanks!

Jim Anacker  
Broker/Owner  
Cold Water Realty, LLC  
[jima@spring-brook.com](mailto:jima@spring-brook.com)  
Cell (608) 963-1880

## Chris Tollaksen

---

**From:** Black Hawk Motel [blackhawkmotel@blackhawkmotel.com]  
**Sent:** Thursday, July 07, 2016 3:46 AM  
**To:** Chris Tollaksen  
**Subject:** RE: House overnight

Chris,

This is a 3 bedroom house, not 4 as in your report.

According to the spec sheet for Wisconsin Dells Realty...it gives the following dimensions:

Living / Great room 22 x 12

Dining room 10 x 12

Kitchen 12 x 12

2<sup>nd</sup> bedroom 11 x 17

Full bath and laundry.

Upper Level:

Master bedroom 26 x 13

3<sup>rd</sup> bedroom 10 x 11

Full bath

Sidewalk from Washington street side leads to entry door on the west side of home. This door opens into the living room area. Entrance also in back (north side of home) where there would be 3 parking spots. Upon entering the back of home, there is an open laundry area and staircase to the left leads upstairs. There is the 1<sup>st</sup> floor bedroom on the right and the bath is just past the laundry area which is located under the staircase. There is also an outside entry door to the basement. The basement would only be accessible to Black Hawk staff.

I would have the home set up to sleep 8-10, and definitely not more than 12. The Master bedroom upstairs would most likely have 2 Queen beds, the other two bedrooms would have 1 either king or queen bed each. May add a queen sofa sleeper in the living room area to have it sleep 10, however I prefer to stay away from sofa sleepers if possible.

I have a signed letter of support from Mike Fedewa who lives next door and also spoke with Bob Van Wie and assured them the plan is to rent to families as we place a 4-5 minimum on the home when booking weeks in advance. I will also provide my cell phone for any concerns. Also, clearly stated twice on our website (on the lodging tab) and on registration and confirmations is the following: "Parties and Profanity will not be tolerated, quiet hours strictly enforced." I can also have signs made for in the home and on our website stressing the importance of this because it's a residential area. I can also state home has 3 off street parking spots.

I will get you a copy of the spec sheet and also the signed letter. Let me know if there is anything else that you need? Thank you for the mentioning the Black Hawks stellar reputation, much appreciated.

Brad

**From:** Chris Tollaksen [mailto:ctollaksen@dellscitygov.com]  
**Sent:** Wednesday, July 06, 2016 6:28 PM  
**To:** Black Hawk Motel <blackhawkmotel@blackhawkmotel.com>  
**Subject:** House overnight

RESOLUTION NO. \_\_\_\_\_

ITEM 17

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the City Plan Commission from their July 11, 2016 meeting;

IT APPROVES a Conditional Use Permit to Gary Picha in order to allow a funeral home and monument sales at 1101 Broadway with the contingencies listed in the staff report.

\_\_\_\_\_  
Brian L. Landers, Mayor

Attest:

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_\_\_ ayes \_\_\_\_\_ nays

Date Introduced: July 18, 2016

Date Passed:

Date Published:

Staff Report

City of Wis. Dells Plan Commission, 07/12/2016

Conditional Use Permit – Funeral Home 1101 Broadway.

Zoning Change – Funeral Home in C-2 Commercial downtown Zoning district.

The following report is only necessary if a Zoning Code amendment is approved to allow a Funeral home in the C-2 Commercial downtown Zoning district.

Following an application to amend the Zoning Code to allow a Funeral Home in the C-2 Commercial downtown Zoning district, the City received a Conditional Use Permit application from Gary Picha to remodel Mitzi's grill at 1101 Broadway (parcel 1008.2) into a Funeral home.

A Funeral home would appear to be a low impact commercial use on this property. The applicant currently operates other funeral homes in the area, and expects to be conducting services on this site 4 or 5 times a month. Cremations would not be conducted on this site. The specifics of how the site will be laid out will be address during the Site Plan approval process. The City will want to ensure that adequate buffering will be provided between any new construction and the existing uses in the area, especially the homes to the east.

This property falls within Wellhead Protection Zone 2, for municipal Wells 3&6. The embalming chemicals used at this funeral home are regulated substances. While a funeral home is not specifically listed as prohibited, the Zoning Codes includes in the list of permitted uses "municipally sewered commercial and industrial uses that do not use regulated substances". However, a commercial use may use regulated substances in Zone 2 of the Wellhead protection zone, if the aggregate use, storage, handling, and/or production of regulated substances does not exceed 20 gallons or 160 pounds at any time. The applicant has stated that the embalming process is only required with about ½ of the services performed, and requires less than 5 gallons of chemical to be on-site. For additional information on the chemicals used in a Funeral home, please refer to the Staff report from February 2016, when the applicant was going to construct a Funeral home in Wellhead protection Zone 1.

There could be concerns with how local traffic for this use could conflict with the high tourism traffic. The C-2 Zone is exempt from the parking requirement of 3 parking stalls per patron, plus a stall for each employee for both Funeral homes and restaurants. This location has about 50 parking stalls, so it should be sufficient for 150 occupants. The building code would consider an assembly area of 2250 sq ft to have an occupancy load of 150. This building appears to be approximately 6000 sq ft. It is assumed that the applicant understands that parking limitations associated with operating his business at this location, however if parking issues do arise they should be addressed to the satisfaction of the City.

**CUP Contingencies:**

1. Approval of the CUP is contingent on the applicant taking control of the property.
2. Any parking issues that may arise are addressed to the satisfaction of the City.
3. *Zoning change is approved.*

Chris Tollaksen  
City of Wis. Dells

# CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

**General instructions.** Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

**- Office Use Only -**

Initial application fee	\$525.00
Receipt number	_____
Application number	_____

**1. Applicant information**

Applicant name Gary Picha  
Street address Picha Funeral Home  
City Wisconsin Dells  
State and zip code WI 53965  
Daytime telephone number 608-963-7550  
Fax number, if any \_\_\_\_\_  
E-mail, if any gdp@gmail.com

**2. Subject property information**

Street address	<u>1101 Broadway</u>	
Parcel number	<u>1008-2</u>	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)	<u>C-2 Downtown Commercial</u>	
Describe the current use	<u>Restaurant - seasonal</u>	

**3. Proposed use.** Describe the proposed use.

Funeral home and monument sales.

**4. Operating conditions.** For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

Approximately 6 visitations/services per month between the hours of 10AM & 8PM for 2-4 hrs per visitation. There would be no apparent adverse impacts on surrounding properties or businesses.

# CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

*This site is easily accessed for the current use. There will be no changes to accessibility. There is sufficient parking (47 stalls) on site. Additional on street parking is available on Broadway and Plum St.*

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

*Little change, if any, from current funeral processional routing.*

c. The suitability of the subject property for the proposed use

*Very suitable. There would be no changes to the existing building footprint needed. Exterior changes would be cosmetic only. Interior layout would change.*

d. Effects of the proposed use on the natural environment

*NONE*

e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

*NONE*

f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

*NONE*

g. Effects of the proposed use on the city's financial ability to provide public services

*NONE*

# ZONING CODE AMENDMENT APPLICATION

## Wisconsin Dells, Wisconsin

Version: May 21, 2007

**General instructions.** Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this form from the zoning administrator.

- Office Use Only -

Application fee	<b>\$525.00</b>
Receipt number	<u>05865</u>
Application number	_____

**1. Applicant information**

Applicant name Gary Picha

Street address Picha Funeral Home

City Wisconsin Dells

State and zip code WI 53965

Daytime telephone number 608-963-7550

E-mail, if any gdp@gmail.com

\_\_\_\_\_

\_\_\_\_\_

**2. Subject property information**

Street address	1101 Broadway	
Parcel number(s)	1008-2	Currently operated as <u>Mitzi's Restaurant</u>
	Note: The parcel number can be found on the tax bill for the property or may be obtained from the City.	
Current zoning classification(s)	C-2 Downtown Commercial	
Proposed zoning classification(s)	C-2 Downtown Commercial (code amndmnt)	Note: If multiple districts are proposed, show the proposed configuration on the map provided as part of #5.

**3. From the list below, check the reasons why you believe the zoning map / zoning classification should be changed.**

<input type="checkbox"/>	The designation of the official zoning map and/or zoning classification should be brought into conformity with the city's comprehensive plan.
<input type="checkbox"/>	A mistake was made in mapping on the official zoning map and/or zoning classification.
<input checked="" type="checkbox"/>	Factors have changed (e.g., availability of new data, the presences of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
<input checked="" type="checkbox"/>	Growth patterns or rates have changed, thereby creating the need for an amendment to the official zoning map and/or zoning classification.

**4. For each of the reasons checked above, provide additional detail.**

See Zunker Exhibit A and Picha Exhibit B

**ZONING CODE AMENDMENT APPLICATION**  
**Wisconsin Dells, Wisconsin**  
Version: May 21, 2007

5. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.452 of the Municipal Code.)

a. The amendment is consistent with and furthers the intent of the city's comprehensive plan

We wonder if the original intent of the ordinance was to prohibit funeral homes in C-2 downtown commercial with other local professional services being permitted that are not tourism oriented. The Brooks Report expresses a different sentiment toward property east of Church St and suggests it might be treated differently than "Downtown Commercial".

b. The amendment is consistent with and furthers adopted neighborhood plans, if any:

There are no current neighborhood plans.

c. The amendment is consistent with other planning documents adopted by the common council

Other zoning code amendments have been adopted where it has been determined that more accommodating measures be taken to promote business, or potential oversights regarding permitted uses have taken place.

d. The code with the amendment is internally consistent

Funeral homes have very limited permitted or conditionally permitted opportunities. They are permitted in C-3, of which the city has very few parcels zoned. They are conditionally permitted in C-1. For the past 7 years, no suitable C-1 zoned properties have become available, nor do we believe there any suitable buildings located in C-1.

e. The amendment is the least restrictive approach to address issues of public health, safety, and welfare

A funeral home will not restrict issues of health, safety, and welfare. It is a necessary service within a community. The current funeral home lacks necessary size and accommodations.

f. The city has or will have the financial and staffing capability to administer and enforce the amendment

This amendment would have a nominal, if any, impact.

5. **Project map.** Attach a scaled map showing the information as listed at the end of this application. Use one of the following page sizes as appropriate: 8½" x 11", 11" x 17", or 24" x 36".

6. **Applicant certification**

◆ I certify that the application is true as of the date it was submitted to the City for review.

## Picha Exhibit B

### Zoning Change Reasons

- C-3 is the only district where funeral homes are permitted (only 4 areas, all on the edge of the city limits).
- C-1 is the only district where funeral homes are conditionally permitted (lack of C-1 zoned properties suitable---attempted to locate over the past 7 years).
- The property recently purchased for funeral home development has been determined to be cost prohibitive. The cost of new commercial construction for a funeral home are not economically feasible in a market area of this size. The Picha Funeral Home in Wisconsin Dells serves a market area of approximately 6,600 residents.
- The Mitzi's Restaurant location is very desirable and suitable in terms of building square footage, location, and parking (47 stalls).
- With regard to traffic, funeral processions currently leave any of the area churches or the existing funeral home, proceed to Broadway, and to a cemetery. There would not be significant change to traffic flow or hardship created. Most services take place in the churches, and the visitations at the funeral home, resulting in little difference in traffic flows. The traffic in and out of the parking area at the proposed location would likely be less than with the existing restaurant ( average of 6 visitations per month).

- (f) **R-3 Residential – mixed.** This district contains a mix of housing types including single-family, two-family, and multi-family dwellings. New projects developing under this classification must be at least 5 acres in size and include a mix of housing types. Parks, trails, and similar public facilities are also allowed.
- (g) **R-5 Residential – multi-family.** This district is intended to exclusively accommodate multi-family units not exceeding two stories.
- (h) **R-9 Mobile home park.** This district is for the exclusive use and development of mobile home parks.
- (i) **C-1 Neighborhood commercial.** This district is found near established and developing residential areas and is intended to accommodate low intensity commercial activities that serve the immediate area. Development standards ensure the compatibility of this district to those residential districts that may adjoin.
- (j) **C-2 Downtown commercial.** This district is primarily intended to accommodate and create a high level of employment and business activity. This district hosts businesses that primarily cater to tourists and to a lesser extent businesses that serve the needs of city residents. Retail operations and specialty stores are common along with indoor attractions. General retail, professional services, and offices are permissible but less common. Sidewalk cafes are common during the warmer months of the year. There is a balanced mix of one and two-story buildings. Where this district abuts a residential district, appropriate screening and landscaping will be provided to lessen associated impacts. Residential uses can occur in this district primarily on the upper levels of buildings. Parking is available on the street and in nearby public parking lots and garages.
- (k) **C-3 Highway commercial.** This district is intended to accommodate high traffic commercial activities that focus on vehicle traffic along major road corridors.
- (l) **C-4 Large-scale commercial.** This district is intended to host indoor and outdoor tourist attractions, lodging, and businesses that cater to tourists.
- (m) **M-1 Mixed use.** This district is intended to accommodate a wide range of complimentary commercial and residential uses.
- (n) **I-1 Industrial.** This district is intended to accommodate those types of activities typically associated with manufacturing of finished products, storage, and wholesale operations. Processing of raw materials is not permitted except as a conditional use.
- (o) **PDD Planned development.** Planned development districts are a special type of zoning district and are initially proposed by a developer to account for a desired mix of uses. Each district is unique and therefore has its own set of development standards that are documented in the general development plan, and associated development agreement, if any. PDD districts are to be numbered sequentially (i.e., PDD-1, PDD-2, etc.).
- (2) **Overlay districts.** In addition to the base districts enumerated above, the city is also divided into the following overlay districts to account for unique conditions or requirements as further described in subsequent chapters:
  - (a) **Floodplain overlay districts.** The floodplain overlay districts are based on flood studies conducted in the city and on approved floodplain maps. Each of the districts has unique development standards based on flooding characteristics. The provisions relating to these overlay districts are contained in chapter 20 of the municipal code.
  - (b) **Shoreland-wetland overlay district.** The provisions relating to this district are contained in chapter 26 of the municipal code.
  - (c) **Wisconsin River shoreland buffer overlay district.** The provisions relating to this district are contained in division 9 of this article.
  - (d) **Wellhead protection overlay district.** To protect the water quality of public water supplies within the city, standards are included to control land uses that have a potential to contaminate wellfields. The provisions relating to this overlay district are contained in division 10 of this article.
  - (e) **County shoreland zoning overlay district.** For those parcels annexed into the city after May 7, 1982, there is an overlay district that extends from the ordinary high-water mark of navigable rivers inland for a distance of 300 feet. Pursuant to state law, building placement, minimum lot size, minimum lot width, and vegetation management along the navigable waters are governed by the county's shoreland zoning requirements.

19.614 to 19.629 reserved

Staff Report

City of Wis. Dells Plan Commission, 07/12/2016

Zoning Code Amendment

Zoning Change – Funeral Home in C-2 Commercial downtown Zoning district.

Gary Picha has requested a zoning code change to allow the land use 8.5 - "Funeral home" as a Conditional Use in the C-2 Commercial downtown Zoning District. Funeral homes are currently prohibited in the C-2 District.

This Zoning Code Amendment application is to allow the consideration of a Conditional Use Permit application for a Funeral home at 1101 Broadway, (parcel 1008.2) which is currently the location for Mitzi's grill, which fronts Broadway and is the 2<sup>nd</sup> to last business west of Hwy 13.

The applicant currently operates their Funeral home at 321 Washington Ave. which is in the C-2 Commercial downtown Zoning district. In February of 2016 the City approved this applicant for a funeral home on a vacant piece of property fronting Michigan Ave. just east of Hwy 13. The Michigan Ave. property had been platted for a condominium development and was zoned R-5 Residential multi-family. The condominium development never materialized and was dissolved. The applicant got approval from the City to re-zone the Michigan Ave. property from R-5 to C-1 Commercial neighborhood, which allows Funeral homes as a Conditional use. Subsequently, the applicant has determined the costs to construct a new funeral home from the ground up are prohibitive based on the size of the Wisconsin Dells market (~6,600 residents). The applicant has stated that they have done an exhaustive search of the area for an appropriate location for their Funeral home.

A Funeral home is currently not permitted in the C-2 Commercial downtown Zoning district, but is permitted as a Conditional Use in the C-1 Commercial neighborhood. The City has always considered properties fronting Broadway from the Wisconsin River bridge to Hwy 13 to be the main downtown commercial zone, so it does not seem prudent to re-zone this single parcel to something other than C-2 Commercial downtown. Although it should be noted that this parcel is approximately 210 ft deep, and the C-2 Zoning on the parcel only extends 120 ft deep; the back 90 ft of the property are zoned C-1 Commercial neighborhood. The existing building is wholly in the front 120 ft of the property, so the proposed Funeral home would exist entirely in the C-2 Zoning district, with only the back parking lot in the C-1 zone.

If a Funeral home is desired in this building fronting on Broadway, then the decision should be that the C-2 Zone is an appropriate place for a Funeral home. It appears that this decision would be based on 1 or 2 situations: 1) The current prohibition on Funeral Homes in the C-2 Commercial Downtown Zoning district is an error or 2) There has been some change that justifies amending the Zoning Code.

The current owner of the property has suggested it is possible the prohibition on Funeral homes is an error. This appears to be based on what they consider to be similar uses that are permitted in the C-2 Zone. The Zoning code attempts to list all potential Land Uses and designate where those uses are permitted or prohibited. The Land Uses listed in the Zoning code are grouped in categories, and a Funeral home is in the "General Services" Category. There are 11 land uses in this category, and the following 4 are permitted in the C-2 Zone: Administrative services, Financial services, General services, and Professional Services. The following remaining land uses are prohibited in the C-2 Zone: Body-piercing establishment, Commercial kennel, Funeral home, Sexually-oriented business, tattoo establishment, large animal veterinary clinic, small animal veterinary clinic, and Skilled trade services.

The Zoning code was updated in 2007 after the City acquired the consulting services of a Zoning professional. Prior to that time, Funeral homes were permitted in the C-2 Zone. This office does not have any records or direct knowledge of a specific reason as to why the decision was made to prohibit Funeral homes. This office does have records of explicit comparisons of every land use before and after the Zoning code change in 2007. These records clearly indicate the change to prohibit Funeral homes in the C-2 Zone and City officials reviewed these changes prior enacting them. It is also noted that the current zoning code documents the purpose of the C-2 Commercial downtown zoning district as:

- (a) **C-2 Downtown commercial.** This district is primarily intended to accommodate and create a high level of employment and business activity. This district hosts businesses that primarily cater to tourists and to a lesser extent businesses that serve the needs of city residents. Retail operations and specialty stores are common along with indoor attractions. General retail, professional services, and offices are permissible but less common. Sidewalk cafes are common during the warmer months of the year. There is a balanced mix of one and two-story buildings. Where this district abuts a residential district, appropriate screening and landscaping will be

provided to lessen associated impacts. Residential uses can occur in this district primarily on the upper levels of buildings. Parking is available on the street and in nearby public parking lots and garages.

The 2007 Zoning code update was facilitated by a consultant, and it is assumed that is a planning standard is for Funeral homes to not be permitted in a downtown commercial zone.

Considering the current efforts by the City to revitalize the downtown area and increase the tourism market in the downtown, it seems to this office that a more prudent zoning change would be to be more restrictive of General Services in the C-2 Zoning district, rather than less restrictive. One example of the conflicting interests of locally focused service businesses and tourism focused businesses was observed during the redevelopment of the 700 block of Oak St. It was the desire of the majority of the downtown revitalization committee to expand the sidewalks and reduce the parking on the 700 block of Oak St. While resistance to the removal of parking came from tourism based businesses owners as well, the law office adjacent to the outdoor High Rock seating area expressed a specific concern. The law office would be classified as a "Professional Service" land use, and they initially expressed a desire to maintain a drop-off parking stall in front of their businesses to accommodate their clients. After further consideration, the law office recognized the potential for their location to become a more tourism centered business and expressed their support for removal of the parking stall in front of their property in favor of an expanded sidewalk that could be utilized by a potential future tourism based business.

While this office feels this example demonstrates the changing landscape of the C-2 Zoning district, and hopes to be planning for the eastern end of Broadway to develop as vibrantly as the western end of Broadway. However, this office also recognizes the need to provide services to the local community. The Brooks report identified a revitalized downtown that is embraced by the local community as important to the future success of the downtown tourism market. This need to serve the local community has been emphasized by the applicant as justification to allow their business at the requested location in the C-2 Zone. The applicant has stated that in this area, this location is the only viable location for their business, which does provide an important service to the local community.

Another possible reason for why prohibiting a Funeral home at the proposed location is an error is the size of the C-2 Zoning District. The C-2 Commercial downtown Zoning district runs from the Wisconsin River all the way to STH 13. It has been pointed out, that in the Brooks downtown revitalization report, a downtown overlay district was proposed as recommendation 7. The Brooks recommended downtown overlay district would only extend from the river to Church St. As the proposed Funeral home would be located east of Church St., it is suggested that this location is more suitable for a Funeral home than the portion of the C-2 Zone west of Church St. It should be noted that when implementing the Design Review recommendation of the Brooks report, the City discussed the downtown overlay district, and determined that the downtown district should in fact include the entirety of the C-2 Zone and extend east all the way to STH 13. It was discussed that Design Standards of the downtown should not be limited to the area west of Church St. Again, when the specific Design Standards for the downtown were being developed, the Design Review Committee revisited premise that the area east of Church St. had a different feel than the rest of the C-2 Zone and may not need as strict of design standards. Upon further discussion by the Design Review Committee, it was again determined that that area east of Church St. was just as much a part of the downtown as the area west of Church St., and the Design Standards should remain the same for the entirety of the C-2 Zone. There two exceptions; the standards for Parking areas and the standards for Windows, Doors, & Garages are different east and west of Church: 1) side yard Parking areas West of Church St shall not be more than 70 ft wide west of Church St, and shall not be more than 140 ft wide east of Church St.; and there shall be no garage doors facing Broadway west of Church St. 2) Ground level facades west of Church St shall require 35% clear glass while east of Church St only 25% clear glass is required. These differences do not seem to indicate that the allowable land uses in the C-2 Zone should be different east of Church St. It should be reiterated, to date these actions have been part of the implementation of the Design Standard recommendation from the Brooks report. No significant discussions or decisions have been made on the Brooks recommendation 14 to "Create allowable uses ordinance for the River Arts District", which would be a more directly applicable to this requests amendment. The Full Brooks report is available for review at Dells area development web-site" "<http://www.dellstourismdevelopment.com/downtown-branding-development-marketing-action-plan-2/>"

It should be noted that the city Business Improvement District (BID) collects revenues based on a properties proximity to the central downtown area. BID Zone 1 is considered the heart of the downtown, and it extends from the Wisconsin River east to Church St. This property is in BID Zone 2.

If it is determined that the decision to prohibit Funeral homes in the entire C-2 Zone was in fact intentional, then there some compelling rationale should be identified as to why Funeral homes should now be permitted. Clearly, business reasons have given by the applicant and current property owner. The applicant sites rationale including: The existing Funeral home is no longer adequate, constructing a new Funeral home in another zone is cost prohibited, and no other suitable properties have been identified to date. The current property owner sites changes including: the restaurant at this location is no longer viable in the current seasonal market, and no other suitable buyer of the property has been identified to date after 7 years of actively marketing the restaurant. The current building owner has also stated that the restaurant will be closing an if the Funeral home is not allowed, this building will sit empty. This begs the question of what will happen to the current Funeral home if that business moves to this new location. The current building owner has also pointed out potential tax benefits due to renovating the existing building rather than letting it sit empty. These changes do not appear this office to be compelling reasons to amend the zoning code.

If this Zoning Code amendment is approved, it would seem prudent to re-visit the Brooks land use recommendations.

The current Zoning code contains the following guidance on Zoning Code amendments:

#### **19.452 Basis of decision**

The plan commission in making its recommendation and the common council in making its decision shall consider the following factors:

- (a) the amendment is consistent with and furthers the intent of the city's comprehensive plan
- (b) the amendment is consistent with and furthers adopted neighborhood plans, if any
- (c) the amendment is consistent with other planning documents adopted by the common council
- (d) the code with the amendment is internally consistent
- (e) the amendment is the least restrictive approach to address issues of public health, safety, and welfare
- (f) the city has or will have the financial and staffing capability to administer and enforce the amendment

This office has come up the following conclusions in considering the above factors:

- (a) The City's comprehensive plan was completed in 2003 and is a little outdated. The plan identifies establishing a "B-1 Community commercial" zone & a "B-2 Hospitality commercial" zone, but does not appear to offer much guidance in locating these zones. It appears to this office that the 2007 creation of the "C-1 Commercial neighborhood" zone & the "C-2 Commercial downtown" zone was based on the same philosophy presented in the Comprehensive plan. However, the new Zones created in 2007 do not appear to have significantly changed the boundaries of the previous zones. The Comprehensive plan identifies a concern with the scattered nature of the Community or Neighborhood land uses, and how this adversely affects traffic pattern. If this zoning code amendment is approved, it would seem prudent to revisit these concerns.
- (b) The City has no neighborhood plans.
- (c) Other planning documents adopted by the common council include: 1) the Brooks downtown revitalization report and 2) the Design Standards. This code amendment appears consisted with the Brooks plan. The Design Standards do not consider land uses.
- (d) This office feels the consistency of the code with this amendment may be questionable considering the existing code statement that the C-2 District "hosts businesses that primarily cater to tourists and to a lesser extent businesses that serve the needs of city residents"
- (e) This amendment would make the code less restrictive, and this office does not feel this amendment would affect public health, safety, and welfare.
- (f) This amendment would not affect the ability of the city to administer the code.

#### **Optional Zoning Map amendment Contingency:**

As the applicant is a proposed purchaser of the property, the Zoning change is contingent on approval of the CUP, and the applicant taking control of the property.

# Zunker Exhibit A

## Zoning Change Reasons

- The Brooks study and report recognized that the Wisconsin Dells downtown business district does not extend any further east than Church Street and concluded that property east of Church Street is not the same as the downtown properties and should not be treated the same as properties within that area west of Church Street (the downtown business district). Furthermore, this is in the very last block of the present zoning area, farthest from downtown, not in the middle of the area.
- The present usage as a restaurant is not sustainable since this area of Broadway is strictly seasonal. Additionally, a prime focus for downtown Dells has become sidewalk cafes, and the closing of Mitzi's will provide improved business opportunities and chances for success for any restaurants in the downtown area.
- Mitzi's has been for sale as a restaurant for 7 years and we have not been successful in finding a buyer. The only solution is to change the type of business.
- We have run the restaurant for 45 years and will not continue to do so. This will result in a vacant building until and if a buyer is found.
- Gary Picha is a respected local businessman who needs this property to stay competitive while still located in Wisconsin Dells.
- The property at 1101 Broadway will be completely renovated and will be a year round respectable business. It will also increase the property tax value.
- There are many other types of allowable businesses that could go into the property, including greenhouses, a group day care center, financial, general and professional services, a sports/fitness center, health care office or a bus/rail transit terminal, none of which has any different or better impact than the proposed use. I believe that given these examples, it is probable that the proposed usage should have been allowed and may have not been permitted in error.
- I believe that this request for a zoning change for this purpose is fair and will have a positive impact for Wisconsin Dells.

Lawrence and Mary Zunker  
1610 Valley Drive  
Wisconsin Dells

**Marketing:**

1. Best of Downtown brochure (1/2 cost)	\$7,000
2. Pole banners (40 x \$125 each)	5,000
3. Marketing domain names	100
4. Downtown website including photography	18,500
5. Photography/videography (1 year – all seasons)	35,000
6. Opportunities brochure	8,500

---

Sub-total: \$74,100

**Sub-total all recommendations: \$36,814,100**

\* Writing of ordinances for smoking ban | retail allowable uses | blade signs | restrictions on temporary signs & plastic/vinyl banners | exterior displays | establishment of a Design Review Committee | creation of a zoning overlay district

The first order of business is to sit down and go through each of these and perhaps some can be assigned to existing organizations able to take on certain tasks including funding of them.

Others can be categorized by grant-available activities, for instance Community Development Block Grants can be awarded under "planning grants" or "capital project" grants. Some of these projects can be offset with revenue bonds (parking garage, for one), some with transportation grants (wayfinding system), and some can be offset with naming rights (Oak Street Plaza), or can become public/private development projects (public market pavilion).

The goal is to come up with preliminary sources for each project and securing funding for each to have it in place before the end of 2015. Work can begin as soon as funding is in place.

**7. Create a downtown Overlay District**

When to be implemented: Fall 2014

To be implemented by: City of Wisconsin Dells

Approximate cost: None (if done internally)

Funding options: None required

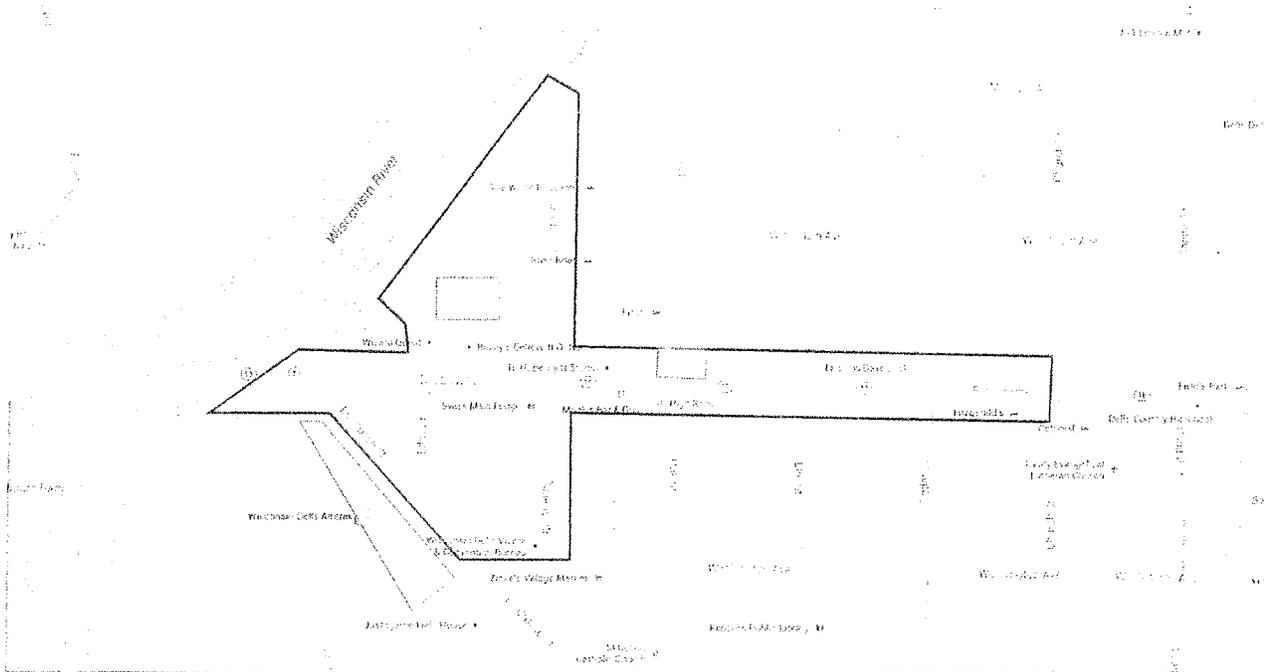
Rationale and explanation: This plan includes numerous zoning and other downtown development ordinances, which should only be applied to a specific area of downtown, and therefore, a designated zoning district needs to be identified and specific ordinances would only apply to properties and businesses within those boundaries.

The recommended boundaries begin along the Wisconsin River on the east side of the bridge and run along the river bank north to where River Road bends, and includes both sides of River Road to the alleyway between Wisconsin Avenue and Broadway. It would then extend east to Church Street and then south to the alley on the south side of Broadway, and then west to both sides of Superior Street, and south to Washington Avenue, and then along LaCrosse Street to the river. See the accompanying map.

In essence, the zoning district encompasses Broadway from the bridge to Church Street and the waterfront area just beyond the White Rose Inn, and then the area south of Broadway along LaCrosse, Eddy, and Superior Streets.

For property owners who will complain about ordinances being put in place restricting the use of their properties and controlling signage, beautification, and other elements, they should be reminded that the city is about to invest more than \$36 million dollars in that district with the sole purpose of making it THE showcase for small towns throughout the Midwest,

and this will substantially increase the value of their properties. This will net them much more long term value, while increasing the tax base, and reducing the turnover in downtown. To make this work it MUST be a public/private partnership effort. These zoning recommendations and other ordinances pale in comparison to the major projects in this plan that will make downtown a year round destination for locals and visitors.



8. Contract with an engineering firm to develop a plan for a LaCrosse Street Parking Garage.

When to be implemented: Fall 2014 (or as grant funding becomes available)

To be implemented by: City of Wisconsin Dells

Approximate cost: \$80,000

Funding options: CDBG or other grants

Rationale and explanation:

As we begin moving to the European Standard, Americans are eating later at night, shopping later at night, and are looking for pedestrian-oriented experiences where they can stroll, walk and talk without the fear of being hit by a car or listen to the noise of heavy traffic. In other words, Americans want out of their cars, and they want plazas and central gathering places, downtowns full of life, with sidewalk cafes street artisans, and above all, walkable communities.

As part of this, downtown should have more centralized parking. The only location that makes sense is along LaCrosse Street where there is ample land that can accommodate 750 parking spaces in a structure that will also provide nearly 600 covered spaces – part of the puzzle of making downtown a year round destination.

While this location is not centralized for businesses located near Church Street (six blocks up the street) it won't intrude on residential units and is located for easy access from virtually all of the Dells attractions and resorts (just over the bridge coming into downtown) except for the sports fields located east of downtown.

In a perfect world, a parking garage would be located at the LaCrosse Street area (see map) and a second one at or near

Rationale and explanation:

Wisconsin Dells has always been a family-friendly destination – the best in the Midwest. Yet many merchants will allow workers to stand in front of the business for smoke breaks, which sends a poor message to kids, affects passers-by (and customers) and presents a negative image of downtown – it is recommended that business owners discourage and/or forbid their employees from smoking in front of their businesses on Broadway. Many states have enacted laws banning smoking within 20 to 50 feet of any public entrance. If workers need to take a smoke break, they should use the back alleyways to do so. Many businesses already have their employees do this but others do not.

In the future it is hoped that these back alleys can become part of the pedestrian experience, perhaps with all kinds of mural art, or other activities. As this happens, smoking may also be banned in these areas as well.

Signs indicating smoking is not allowed should be placed where appropriate. In fact, with the elimination of some parking along Broadway (coming up), the parking limit signs could be replaced with signs “Welcome to the River Arts District,) and reference the smoking ban if the sign is in such an area.

While this is hard to police, merchants should be educated as to the new law and the effect it has on visitors and particularly, children – the primary audience in Wisconsin Dells. Once again, use the example of Disney where employees are never allowed to smoke in view of any visitors. Designated areas of the River Arts District would be designated “no smoking zones.”

14. Create allowable uses ordinance for the River Arts District

When to be implemented: Fall 2014

To be implemented by: The City of Wisconsin Dells

Approximate cost: Part of the urban planning contract

Funding options: N/A

Rationale and explanation:

Think of downtown the same way you'd think of a mall. This is the way lifestyle retail centers also operate: To succeed they must have like businesses grouped together. This is referred to as “clustering,” and this is why gas stations and fast food restaurants for years have “clustered” on all four corners of busy intersections. This is why malls have food courts. And this is what makes dining districts work. Think Branson, Missouri and 49 music theaters; this town of just 6,500 residents hosts 7.5 million visitors a year due to the clustering of music theaters. Think Napa Valley and its 200+ wineries. All of these are examples of clustering. Or think of Tanger Outlets. The business mix is carefully orchestrated. They don't just let anyone willing to pay the rent lease a space there.

When you visit a successful mall – or lifestyle retail center – you will never find laundromats, architectural offices, tax preparation services, county or city offices, or other non-retail businesses there. They know they must orchestrate the business mix. The same philosophy applies to The River Arts District: You must orchestrate your business mix.

This is why cities throughout North America are starting to implement zoning ordinances, because so many individual property owners, each with their own agenda, do not work together to create an outstanding destination, which only happens with an orchestrated business mix.

If you go back to the Brand Promise, the goal is to upscale somewhat the offerings downtown and to focus on evening retail, dining and entertainment. If there were 30 non-chain/franchise restaurants in the district and many were the caliber of the High Rock Café, the district would become a stand alone year round destination for the 160,000 residents that live within 30 miles of the Dells. And when you have people downtown during the evening hours for the dining experience, retailers will typically stay open later to take advantage of that traffic.

Cities around the country have and continue to develop restrictive ordinances controlling the business mix. Many have gone so far as to restrict corner retail to dining only, and others only allow retail and food services in street level shops. The River

Arts District needs to follow suit. This restrictive zoning still allows for much of downtown to include “neighborhood retail” for shoe repair, pharmacies, banks and other uses, but within the district the restrictions would be as follows:

- Limit the number of t-shirt shops and souvenirs to no more than ten. What makes up a souvenir or t-shirt shop? When at least 35% of the inventory is dedicated to either t-shirts or souvenirs.
- Encourage and recruit additional sit-down restaurants – particularly higher quality restaurants along with coffee shops and delis.
- Encourage and recruit additional retail shops that focus on home accents, art, books, wine, fashion, gourmet deli items, floral shops, a bike shop, outfitter, fine jewelry, a bakery, gourmet kitchen store, etc.
- Restrict the number of chains or franchises (restaurants and retail shops) to no more than six.
- Restrict the number of ticket outlets, timeshare sales to no more than six within the district.

However, it’s important that this zoning effort be cooperative. If the city imposes “allowable uses” for street level shops, then it’s important that the city be there to help that land owner recruit a business that fits the retail mix – and that is part of this plan.

With regards to existing downtown businesses, none of these are pushed out, but if their spaces become available for sale or lease, then the allowable uses ordinance does come into play. With regards to professional services and non- retail uses, these would be encouraged in second story locations.

To support this recommendation we hope you’ll watch the Roger Brooks video “Downtown Critical Mass,” which showcases case histories and why this is so important.

As the ordinance is being drafted, work with your property owners rather than impose it on them. Most will agree that their investment will realize a much greater return when they work together to orchestrate the business mix in their buildings collectively.

Here are some additional notes and examples regarding the regulation of commercial properties. While you will see Manhattan and instantly think, “How can that possibly apply to the River Arts District in Wisconsin Dells?” Remember that these ordinances are for very small neighborhoods – not for the entire city. In every case you see here, most are smaller geographic areas than you have in downtown Wisconsin Dells.

#### Restrictive Retail Zoning Ordinances

Most commonly seen in highly desirable, affluent neighborhoods with low vacancies and high rents. Typical tools:

- . Mandated/prohibited uses
- . Size caps
- . Conditional permitting
- . Density guidelines
- . Quota system
- . Manhattan, NY [http://www.nyc.gov/html/dcp/html/zone/zh\\_special\\_purp\\_mn.shtml](http://www.nyc.gov/html/dcp/html/zone/zh_special_purp_mn.shtml)
- . Special 125th Street District. To ensure active and diverse retail uses, special regulations restrict the amount of ground floor street frontage that may be occupied by banks, office and residential lobbies, and other non-active uses. Also requires inclusion of arts and entertainment uses for developments over a certain size.
- . Special Madison Avenue Preservation District . Retail continuity is ensured for the famed specialty shops by mandating that the ground floor of buildings on Madison Avenue must be occupied by selected uses . San Francisco, CA <http://www.sf-planning.org/index.aspx?page=2839> uses formula retail controls to protect San Francisco’s vibrant

small business sector and create a supportive environment for new small business innovations .

Calistoga, CA prohibits formula restaurants and visitor accommodations, and requires that other types of formula businesses undergo review and apply for a special use permit from the Planning Commission. Intended to preserve the unique and historic character of the downtown commercial district.

Bainbridge Island, WA limits large-store retail to three commercial zones, and limits auto-oriented development to two of three of these zones. Does not have an overall cap on retail square footage; however, it does have size limits in certain overlay districts and zones. Also limits the location and size of formula take-out food restaurants. Formula take-out food restaurants are permitted in only one zone and may not exceed 4,000 square feet, nor occupy more than 50% of any building.

Westwood Village, CA limits certain uses such as auto repair and pool halls and uses a density-related formula for fast food establishments; they are permitted provided the total along any public street does not exceed one for every 200-400 feet of lot frontage along that street. The Specific Plan has very detailed guidelines for permitted uses (see Section 5: Uses). <http://cityplanning.lacity.org/complan/specplan/pdf/wwdvil.pdf>

Arcata, CA limits the number of formula restaurants to nine at any one time. Newport, RI and Davis, CA have regulations for various types of restaurants.

Berkeley, CA has a quota system limiting the number of food service establishments. Telegraph Avenue Commercial District Provisions are very detailed. Retail Sales section is below; entire table located at <http://codepublishing.com/CA/Berkeley/cgi/NewSmartCompile.pl?path=Berkeley23E/Berkeley23E56/Berkeley23E56090.html#23E.56.030>

15. Benches at facades facing out, flanked with planters/pots

When to be implemented: Fall 2014

To be implemented by: The City of Wisconsin Dells working with the Business Improvement District

Approximate cost: \$100,000

Funding options: Paid through sponsorships, donations, BID revenues

Rationale and explanation:

Benches downtown should be plentiful and should ALWAYS be placed at the façade facing out – never at the curb facing in, or facing other benches. Every bench should be flanked with large pots or planters with at least a 24-inch planting surface.

Benches, even when not used, convey “welcome.” When you drive through a neighborhood and see an open chair on a front porch, it makes the home feel welcoming. The same applies to businesses: A bench outside the store flanked with pots or planters makes the shop feel welcoming. Within the River Arts District there should be at least 100 benches, and these need to be attractive and comfortable – actual seating surfaces, not vandal-proof aggregate. The benches downtown currently uses are fine, they simply need to be repositioned.

Notice the photo below: This was not staged, but is a common site. Eighty percent of all consumer spending is done by women. They are the shoppers, while often husbands sit outside the shops people watching.

There should be a common style throughout downtown, and these can be donated by organizations such as Kiwanis, Rotary and other auxiliary organizations, or can be “sponsored” with a plaque or engraving on the bench showcasing the sponsoring company or organization. If a grant or other funding source can be secured, begin the bench program immediately. If done over time, consider adding ten benches per month.

Additionally, current benches need to be relocated from existing locations to the facades, facing the street. Here’s why this is important:

- a. No one likes sitting with their backs to vehicular traffic.
- b. Having benches at the curb facing in creates a closed atmosphere; people like to people-watch, which includes

# Future Land Use

## *City of Wisconsin Dells – Land Use Element*

As the Housing Plan Element was discussed and developed, many issues regarding housing types, lot sizes, affordability, and specific housing needs were documented and prioritized. This Element should be referenced for these details. With the changing nature of our society, communities are now faced with meeting the housing needs of a much more diverse spectrum of family types. Single-parent households, empty nesters, and childless professionals demanding alternatives to the large-lot, detached single-family home and its associated maintenance are changing the dynamics of today's housing market. This Land Use Element provides opportunities for the development of a diverse set of housing types in new neighborhoods in order to accommodate all family types and families of varying incomes.

**Commercial:** Commercial development and land uses are the life's blood of the City of Wisconsin Dells. Existing commercial development is focused in the downtown corridor areas on both the east and west sides of the Wisconsin River. Current commercial uses can be categorized into three basic types; 1) community commercial, 2) hospitality commercial, and 3) large-scale, commercial operations. Community commercial can be defined as operations with goods and services that mostly focus on meeting every day needs. These are businesses such as the local grocery store, eye doctor or pharmacy upon which local residents depend. While these businesses also capitalize on extended stay visitors to the area, their scattered nature throughout the community can cause increased rates of traffic and general congestion by not being located in any centralized area. Hospitality commercial can be defined as tourism oriented businesses such as fudge shops, specialty shops, small-scale attractions, and convenience operations. These businesses are ideally suited for pedestrian based foot traffic and currently line the major Broadway downtown corridor. While ideal from the standpoint of visibility, pedestrian/vehicular conflicts, random use placement, and contrasting theme and design styles all contribute to the potential for improvement. Large scale commercial can be defined as major attraction and extended stay operations such as resort hotels, theme parks, golf and go-cart facilities, and the like. These operations by nature require larger tracts of land in order to accommodate not only the facility but also needed parking. To date, the majority of these uses have been constructed on the west side of the Wisconsin River. While this general area is appropriate for these uses, the challenge ahead is in finding areas to plan for future like uses and developments.

Given these parameters, the City recognizes the need to establish areas for all types of commercial uses catering to the multifaceted needs of its dynamic tourism based economy. Specific to the City's future land use, several areas have been designated for specific types of development. These include:

- Expansion of the City to the north along STH 12/16 up to its intersection with I90/94. Associated development is envisioned to include large scale commercial operations, building upon what is already in existence and being back filled with housing and open space uses.
- Expansion of the River District concept to additional locations throughout the City.

ITEM 19

RESOLUTION NO. \_\_\_\_\_

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PUBLIC WORKS COMMITTEE from their July 11, 2016 meeting;

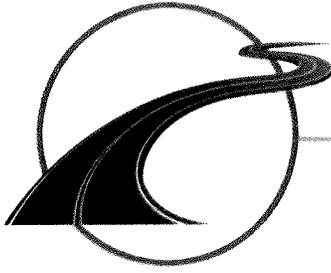
IT APPROVES the Comprehensive Road Management Services agreement with Delmore Consulting.

\_\_\_\_\_  
Brian L. Landers, Mayor

Attest:

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_\_ ayes \_\_\_\_ nays  
Date Introduced: July 18, 2016  
Date Passed:  
Date Published:



# Delmore Consulting

## Comprehensive Road Management Services

July 7, 2016

**City of Wisconsin Dells**

**David Holzem**

*Director of Public Works & Utilities*

300 La Crosse Street

Wisconsin Dells, WI 53965

Dear City of Wisconsin Dells:

This proposal outlines the scope of work to include a comprehensive street condition review and mapping.

### **OBJECTIVE**

Develop a database and interactive map of the City's current street system to include an inventory of all City owned streets and their current condition, as well as viability and/or need for chip sealing. This information will be gathered and compiled into a portfolio in both an electronic database and a written report. This ensures that the information gathered will benefit the Public Works Department for years to come.

### **SCOPE OF SERVICES**

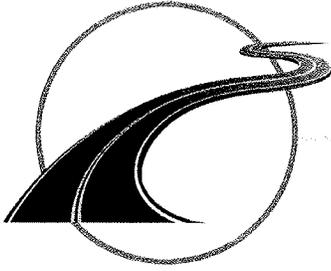
#### **Street Condition Review**

1. Evaluate the current street surface condition
2. Categorize the evaluated streets into the following viability subsets:
  - a. Newly constructed streets requiring little or no maintenance
  - b. Streets that will benefit from moderate maintenance, such as chip sealing
  - c. Streets requiring major structural improvements or reconstruction
3. Categorize the evaluated streets that will benefit from moderate maintenance, such as chip sealing, into the following subsets:
  - a. Tier 1 - Very Good to Excellent condition: sealing the asphalt surface this early in the life of the pavement will greatly extend its longevity
  - b. Tier 2 - Most common time to apply chip seal as an effective pavement preservation method.
  - c. Tier 3 - Streets that are heavily cracked that need to be held together a few more years, until major structural improvements can be made

---

P.O. Box 736 · Wisconsin Dells, WI 53965 · Office: (608) 253-4644 · Cell: (608) 432-4840

Email: [jeff@delmoreconsulting.com](mailto:jeff@delmoreconsulting.com) · Website: [www.delmoreconsulting.com](http://www.delmoreconsulting.com)



# Delmore Consulting

## Comprehensive Road Management Services

4. Create an interactive map showing the evaluated streets

### **Post Review Work**

- 1- Recommend a list of streets to be chip sealed in 2016
- 2- Review qualified streets with David Holzem, Director of Public Works & Utilities, City of Wisconsin Dells, to incorporate the underground utilities and their condition and integrate these results.

### **BENEFITS**

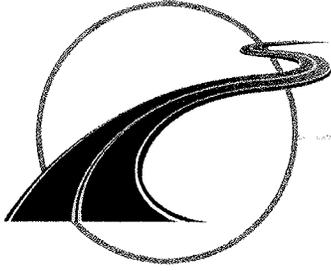
When the portfolio is completed, the City of Wisconsin Dells will have a tangible record of City owned streets in an interactive map and a written report that can be easily accessed. The information gathered will provide the City with the knowledge needed to help determine short and long term goals. In addition, the portfolio will provide the City of Wisconsin Dells with an accurate depiction of their streets.

### **DATA FILE FORMATS**

The data gathered by Delmore Consulting will be compatible with ESRI software programs.

Sincerely,

Jeffrey N. Delmore  
*Owner*



# Delmore Consulting

Comprehensive Road Management Services

## CITY OF WISCONSIN DELLS COMPREHENSIVE ROAD MANAGEMENT SERVICES AGREEMENT

**Total cost of the project**

**\$6,500\***

**\*Payment Terms:**

50% upon acceptance of proposal

50% upon completion of services

**NOTE:** this proposal may be withdrawn by us if not accepted in 15 days

### Acceptance of Proposal

\_\_\_\_\_  
*City of Wisconsin Dells - Authorized Signature*

\_\_\_\_\_  
*Delmore Consulting, LLC - Authorized Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Date*

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance codifies the parking enforcement period; hours and public notice requirements.

SECTION II: PROVISIONS AFFECTED

- A. Wisconsin Dells Code sec. 7.03(9) is renumbered Wisconsin Dells Code sec. 7.04(10).
- B. Wisconsin Dells Code sec. 7.03(9) is created.

SECTION III: PROVISIONS AS AFFECTED:

**7.03(9) Parking Enforcement.**

- (1) Metered parking will be enforced daily from April 1 through September 30 between 9:00 a.m. and 10:00 p.m.
- (2) Rates and regulations will be established by Resolution recommended by the Parking Board and approved by the Common Council. Rates and regulations will be appropriately displayed including, without limitation, in parking areas, on parking devices, and on the City's website.

SECTION IV: SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 7.

\_\_\_\_\_  
Brian L. Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, Clerk

ORDINANCE NO. A-801  
(Industrial Retail District)

ITEM 21

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance amends Industrial District Retail in the zoning code to clarify the retail activities will be evaluated using the existing standards for those uses in the commercial districts.

SECTION II: PROVISION AMENDED

Wisconsin Dells Code sec. 19.925 is amended

SECTION III: PROVISION AS AMENDED

19.825 Industrial District Retail.

Retail sales and activities shall be ancillary and related to the products manufactured on premises and subject to such conditions as imposed by the city, including without limitation, area of retail space, hours of operation, parking and traffic flow. *Any use accessory to the Industrial District Retail use, such as outdoor commercial activities, will be required to obtain permits or other approvals consistent with the requirements in the C-4 Commercial-Large Scale Zoning District.*

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 19.

\_\_\_\_\_  
Brian L. Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, Clerk/Coordinator

Department of Natural Resources.

- (5) Boat Prohibition Area.
- (a) No person shall operate a motorboat, as defined in Wis. Stat. Sec. 30.50(6) or non-motorized boat as defined in Wis. Stat. Sec. 30.50(7) on the Wisconsin River from the Kilbourn Dam restricted buoy line, downstream to the Kilbourn Dam.
  - (b) The owner/operator of Kilbourn Hydro Plant is authorized to restrict access in the vicinity of the facility and install and maintain waterway markers and buoys as permitted by law.
- (6) Penalties. Wisconsin state boating penalties as found in Wis. Stat. Sec. 30.80 and deposits established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conferences, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment deleted.
- (7) Posting Requirements. The City shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the City pursuant to the requirements of Wis. Adm. Code NR 5.15.

SECTION IV: SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 8.

ORDINANCE NO. \_\_\_\_\_  
(New Stop Sign)

ITEM 22

The City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

The purpose of this ordinance is to install a stop sign on Wisconsin Avenue at Oak Street.

SECTION II: PROVISION AMENDED

Wisconsin Dells Code sec. 10.21(1)

SECTION III: PROVISION AS AMENDED

Wisconsin Dells Code sec. 10.21(1) is amended as follows:

Stops Signs

<u>On Street</u>	<u>At Street</u>	<u>Direction</u>
Wisconsin Avenue	Oak Street	West

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII:

This ordinance becomes a part of Wisconsin Dells Code, Chapter 10.

\_\_\_\_\_  
Brian Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

ORDINANCE NO. \_\_\_\_\_  
(Zoning Code Amendment)

The City of Wisconsin Dells, Columbia, Sauk, Juneau and Adams Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

To Conditionally Allow Land Use 8.5 – Funeral Home in the C-2 Commercial Downtown Zoning District.

SECTION II: PROVISIONS AMENDED

Exhibit 5-1 Principal Uses by District is amended.

SECTION III: PROVISIONS AS AMENDED

Exhibit 5-1 Principal Uses by District is amended to reflect 8.5 – Funeral Home as Conditionally Permitted Use in the C-2 Zoning District.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII:

This ordinance becomes a part of Wisconsin Dells Code, Chapter 19.

\_\_\_\_\_  
Brian L. Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, City Clerk