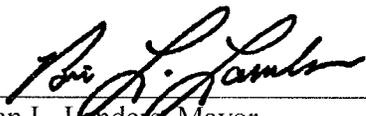


NOTICE OF SPECIAL MEETING OF THE WISCONSIN DELLS COMMON COUNCIL

NOTICE IS HEREBY GIVEN that a **Special Meeting of the Wisconsin Dells Common Council** will be held on **Monday, April 13, 2015 at 6:30P.M.** at the Municipal Building, 300 La Crosse Street, to consider the following agenda items:

1. Call to Order and attendance.
2. Pledge of Allegiance.
3. Citizen Appearances for any non-agenda item
4. Applications for Bartender Licenses
5. Application for an Original Class B Beer License submitted by Stromberg Wei LLC, Michael Stromberg agent, for Wei's Chinese Restaurant, 630 S. Frontage Road, for the licensing period of April 15, 2015 through June 30, 2015.
6. Applications for Firework Sales submitted by Richard Christensen for 4 Travel Mart locations, Brian Holzem for 2 retail locations, and Dan Zinke for Zinke's Village Market.
7. Application for Riding Stable/Horses for Hire submitted by Dells Adventure Development of Beaver Springs Riding Stable, 600 Trout Road.
8. Application for Special Events Permit for 10th Annual Taste of the Dells, June 6-7, 2015.
9. Applications for Lodging Facility Licenses for 510 Vine Street and 931 Capital Street.
10. Resolution to Approve the low bid for the Pool Economic Feasibility/Operational Study.
11. Resolution to Approve the low bid for DPW Project No. 1-2015 Oak Street Reconstruction.
12. Resolution to Approve the contract with Water Dragon for 2015 sidewalk washing.
13. Resolution to Approve the contract with Show Stripping for 2015 line marking.
14. Resolution to Approve a Conditional Use Permit to Wayne Schult to allow land use 5.1 Campground on Town of Newport Parcels 11028.81a and 11028.81.A1 upon annexation.
15. Resolution to Approve the a RiverWalk Easement Plat
16. Second Reading of Ordinance to Repeal and Recreate City Code 19.728 Wireless Telecommunication Mobile Services Facility.
17. Second Reading of Ordinance to Annex a portion of Sauk County Parcel 291-0087-20000.
18. Second Reading of Ordinance to Zone above annexed lands as C-4 Commercial Large Scale.
19. First (and Possible Second) Reading of Ordinance to Annex lands from the Town of Newport as petition by unanimous consent of property owner Tru-Ax, LLC, Rhonda Oines.
20. First (and Possible Second) Reading of Ordinance to zone above annexed lands as C-4 Commercial Large Scale.
21. First Reading of Ordinance to Formalize the Business Improvement District's Planning, Budget and Operational Process.
22. First Reading of Ordinance to Amend Code sec. 16.03 Mobile Home & Mobile Home Park Licensing to Reflect Current State Law and Rules
23. First Reading of Ordinance to Repeal and Recreate Code sec. 18.06 to reflect the State Smoking Ban and Recent Regulation of Nicotine Products.
24. Business for referral.
25. Discussion/Decision on April 27, 2015 meeting date.
26. Adjourn.

Dated this 10th day of April, 2015



Brian L. Landels, Mayor

PLEASE BE ADVISED THAT UPON REASONABLE NOTICE, THE CITY OF WISCONSIN DELLS WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES TO AFFORD INDIVIDUALS WITH DISABILITIES AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETING ACTIVITIES.

CITY OF WISCONSIN DELLS
OPERATOR'S (BARTENDER) LICENSE APPLICATION

ITEM 4

FOR OFFICE USE ONLY

Receipt# 50423-Cr-Card

Amount Paid: \$ 60.00

License Exp. Date Provisional: _____ (not more than 60 days)

Operators-June 30, 2016 (even year)

Temporary Period _____ (not more than 14 days)

Council Date Granted: _____

License #: _____ Date Issued: _____

Police Dept Verification: 4-7-15 @ (-CH)

Police Chief: _____ Approved: [Signature]

Denied: _____

Please Note:

- You must be 18 years of age or older to apply.
- Answer all questions truthfully and completely. A background record check will be conducted by the Police Dept.
- A Beverage Server Certificate, proof of registration in the class, or proof of having an Operator License within the last two years must accompany all New License Applications.

Application Date 4-7-15

License Applying For:

New \$60

Renewal \$60

Provisional \$10

Temporary \$10 (Bona Fide Clubs Only)

Date(s) Needed (14 day max.): _____

Limited to one per year. No training course required.

Check the appropriate box that applies to you:

I have an Operator's License in effect at this time. (Attach proof if not held w/City of Wisconsin Dells)

I have held an Operator's License within past 2 years (Attach proof)

I have completed the Beverage Server Training Course within past 2 years (Attach Completion Certificate)

I am enrolled in the Beverage Server Training Course

Class Date and Location: _____

(After completing the course, bring in your certificate to receive license)

I am applying for a Temporary Operator's License

To the Common Council of the City of Wisconsin Dells, Wisconsin:

I hereby apply for a license to serve from the date hereof to **June 30, 2016**, inclusive, fermented malt beverages and intoxicating liquors, subject to limitations imposed by Secs. 125.04, 125.12, 125.32, 125.68 of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, federal, state, or local, affecting the sale of such beverages and liquors if a license is granted to me.

PLEASE PRINT

Name Baker David John

Last First Middle

Home Address 2689 State Aul 13 Wisconsin Dells WI 53965

Street City State Zip

Mail License to (if different from Home Address) _____

Street City State Zip

Previous Addresses within the past 10 years

1807 City Cx Embeavor, Wis 53930

Drivers License # B260-1706-6066-04 State Issued WI

Phone Number 608-393-6121 Date of Birth 2-26-66 Place of Birth Adams

Physical Description Sex M Race W Height 5' 11" Eye Color: Br Hair Color: Br

License to be used at (Name of Business)

Ambers Resort & Conference Center - Smokey's Bar

(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No X
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No X
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No X
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No X

If you answered yes to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

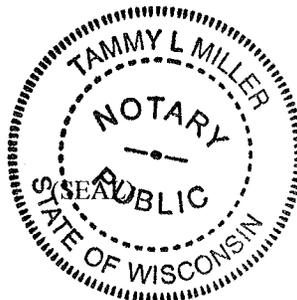
<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN
COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: *Dan J. Baber* Date: 4-7-15
Dan J. Baber

Subscribed and sworn to before me this 07th day
of April, 2015.
Tammy L Miller
Notary Public
My Commission Expires: 4-14-18



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No X
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No X
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No X
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No X

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

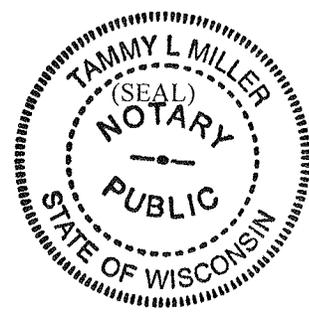
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: Shane D. Burger Date: 4-1-2015

Subscribed and sworn to before me this 1st day of April, 2015.

Tammy L Miller
Notary Public

My Commission Expires: 4-14-18



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No X
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No X
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No X
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No X

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

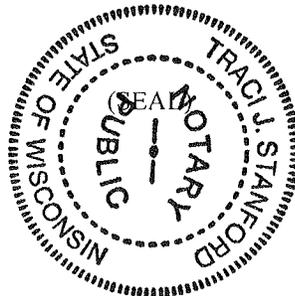
Signature of Applicant: [Handwritten Signature]

Date: 23 MARCH 2015

Subscribed and sworn to before me this 23rd day of March, 2015.

[Handwritten Signature]
Notary Public

My Commission Expires: 10/25/2015



- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No
- 3. Are there currently any charges, federal, state, or local pending against you? Yes No ___
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>
	petty theft	Sauk	WI

STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

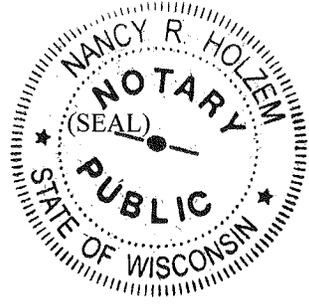
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: Elieba Marten Date: 3/12/15
Elieba Marten 3/13/15

Subscribed and sworn to before me this 13th day of Feb March, 20 15.

Nancy R. Holzem
Notary Public

My Commission Expires: 10-18-15



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN

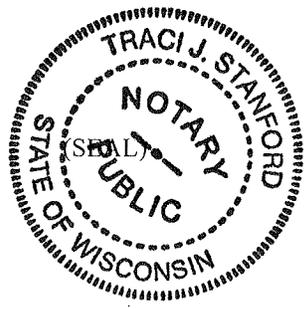
COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: Shannon Newman Date: 3/20/2015

Subscribed and sworn to before me this 20th day of March, 2015.
[Signature]
Notary Public

My Commission Expires: 10/25/2015



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No X
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No X
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No X
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No X

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

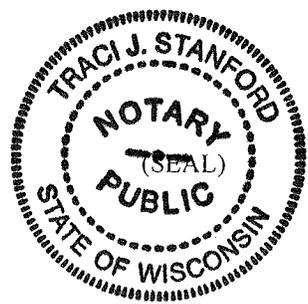
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant:  Date: 03.27.2015

Subscribed and sworn to before me this 27th day of March, 2015.

Notary Public

My Commission Expires: 10/25/2015



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No X
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No X
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No X
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No X

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

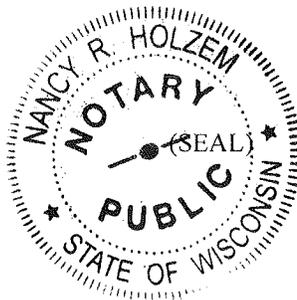
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: *Adama Dumas* Date: 3-12-15

Subscribed and sworn to before me this 13th day of March, 2015.

Nancy R. Holzem
Notary Public

My Commission Expires: 10-18-15



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

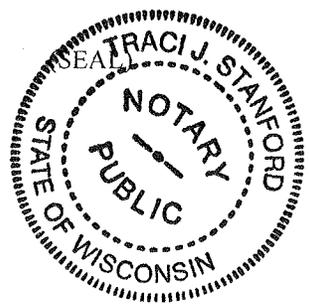
STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: Kathleen Dana Clomer Date: 3-24 2015

Subscribed and sworn to before me this 24~~th~~ day of March 20 15
[Signature]
Notary Public
My Commission Expires: 10/25/2015



ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning April 15 20 15 ;
 ending April 15 June 30 20 15

TO THE GOVERNING BODY of the: Town of
 Village of } Wisconsin Dells
 City of }

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): Stromberg Wei LLC
dba Wei's Chinese Restaurant

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	Owner/ Member Michael Stromberg	2235 Doris Rd Reedsburg, WI	53959
Vice President/Member	Owner / Member Lisu Stromberg Wei	2235 Doris Rd Reedsburg, WI	53959
Secretary/Member	*** Note *** mailing address PO Box 744 Lake Delton, WI 53940		
Treasurer/Member			
Agent	<u>Michael Stromberg</u>		
Directors/Managers			

Vice President/Member Owner / Member Lisu Stromberg Wei 2235 Doris Rd Reedsburg, WI 53959

Secretary/Member *** Note *** mailing address PO Box 744 Lake Delton, WI 53940

Treasurer/Member _____

Agent Michael Stromberg

Directors/Managers _____

3. Trade Name Wei's Chinese Restaurant Business Phone Number 608-844-3534
4. Address of Premises 630 S. Frontage Rd Wisconsin Dells 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 Wisconsin and date 03/11/14 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.) Wei's Chinese Restaurant building structure & outdoor patio

10. Legal description (omit if street address is given above): 630 S. Frontage Rd Wisconsin Dells, WI 53965

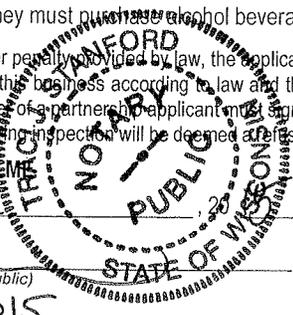
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? _____

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 a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [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 the 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 13th day of March, 2015


 (Clerk/Notary Public)

Michael Stromberg
 (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)

My commission expires 10/25/2015

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>3-13-2015</u>	Date reported to council/board <u>4-6-2015</u>	Date provisional license issued _____	Signature of Clerk / Deputy Clerk
Date license granted _____	Date license issued _____	License number issued _____	

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Stromberg		Michael		Edwin	
Home Address (street/route)		Post Office	City	State	Zip Code
2235 Norris Rd Reedsburg, WI 53959		PO Box 744	Lake Delton, WI	WI	53940
Home Phone Number		Age	Date of Birth	Place of Birth	
608-963-7136		52	6/13/62	Hinsdale, IL	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.

Michael Stromberg of Stromberg Wei LLC dba Wei's Chinese Restaurant
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 40 years
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.

4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)

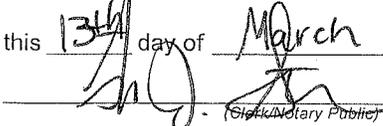
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

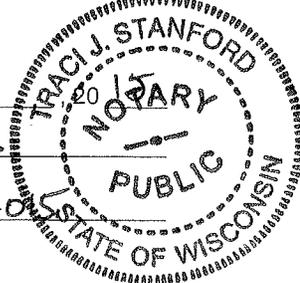
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Skinner Transfer Corp	2020 E. Main St. Reedsburg, WI	1986	_____
Employer's Name	Employer's Address	Employed From	To

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 13th day of March

(Notary Public)




(Signature of Named Individual)

My commission expires 10/25/2015



SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Wisconsin Dells County of Sauk

The undersigned duly authorized officer(s)/members/managers of Stromberg Wei LLC dba Weis Chinese Restaurant
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Weis Chinese Restaurant

located at 630 S. Frontage Rd Wisconsin Dells, WI 53965
(trade name)

appoints Michael Stromberg
(name of appointed agent)
2235 Doris Rd Reedsburg, WI 53959
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 40 years

Place of residence last year _____

For: Stromberg Wei LLC
(name of corporation/organization/limited liability company)

By: Michael Stromberg
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Michael Stromberg, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Michael Stromberg 3/13/15 Agent's age 52
(signature of agent) (date)

2235 Doris Rd Reedsburg, WI 53959 Date of birth 6/13/62
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)

City of Wisconsin Dells

Application for: FIREWORK SALES

ITEM 6

Date Submitted: 3/27/15 Fee: \$275 for First Site, \$60.00 for Add'l Sites \$ 455 Receipt No. 50296

Name of Applicant: Richard Christensen

Address of Applicant: 646 Gillette Drive, Wisconsin Dells, WI 53965

Daytime Telephone Number: (608) 393-6081

Driver's License Number: C623 - 7486 - 8350 - 08 State: WI

Business Name(s) and Address(s) of where Fireworks are to be sold:

Broadway Travel Mart - 802 Broadway, Wis. Dells, WI

Travel Mart Shell - 2415 Wis Dells Pkwy, Wis Dells, WI

Lower Dells Travel Mart - 710 Trout Road, Wis Dells, WI

R+6 Travel Mart - 611 Frontage Road, Wis Dells, WI

Name and Address of property owner if different than above: Travel Mart Inc.

P.O. Box 120, Wis. Dells, WI 53965

Itemization of Fireworks to be sold: Cone fountains, not exceeding 75 grams in weight,

designed to sit on the ground, emits sparks and smoke. Caps containing

not more than 1/4 grain of explosive mixture. Toy snakes containing no

mercury. Sparklers not exceeding 36 inches in length and not containing

magnesium, chlorate or perchlorate. Devices that spray cut paper

(cont. on back)



Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.20

Date Approved: _____ Conditions (if any): _____

Date Denied: _____ Reason(s): _____

* License valid from _____, 20____ through April 30, 20____

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. 01/07

**CITY OF WISCONSIN DELLS
APPLICATION FOR LICENSE
FIREWORK SALES**

Date Submitted: 03/19/2015 Fee: \$275.00 1st Site, \$60.00 add'l Sites \$335.00 Receipt No. 50249

Name of Applicant: Brian K. Holzem

Address of Applicant: 505 Bowman Road, Wisconsin Dells, WI 53965

Daytime Telephone Number: (608) 254-4101

Driver's License Number: H425-0715-6138-08 State: WI

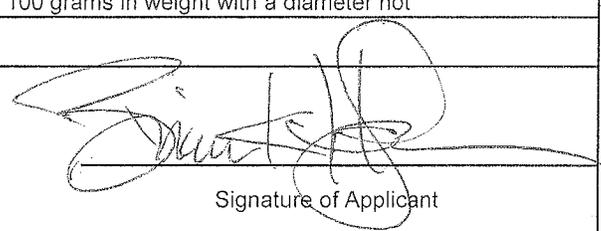
Business Name(s) and Address(es) of where Fireworkds are to be sold: _____

Native Sun - 302 Broadway, WI Dells

38 Broadway - 38 Broadway, WI Dells

Name and Address of property owner if different than above: _____

Itemization of Fireworks to be sold: Cone fountains not exceeding 75 grams in weight designed to sit on the ground; emits sparks and smoke. Caps containing not more than 1/4 grain of explosive mixture. Toy snakes containing no mercury. Sparklers not exceeding 36 inches in length and do not contain magnesium, chlorate, or per chlorate. Devices that spray-out paper confetti or streamers and contain less than 1/4 grain of explosive mixture. Devices that produce an audible sound but don't explode, spark, move, or emit an external flame after ignition and does not exceed 3 grams in weight. Devices that emit smoke with no external flames and do not leave the ground. Cylindrical fountains not exceeding 100 grams in weight with a diameter not exceeding .75 inches, designed to sit on the ground.


Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.20

___ Date Approved: _____ Conditions (if any): _____

___ Date Denied: _____ Reason(s): _____

* License valid from May 1, 2015, through April 30, 2016

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. 01/07

City of Wisconsin Dells

Application for: FIREWORK SALES

Date Submitted: 3-17-15 Fee: \$275 for First Site, \$60.00 for Add'l Sites \$275 Receipt No. 50166
jm

Name of Applicant: DANIEL G. ZINKE

Address of Applicant: 1105 ARROWHEAD CT WIS DELLS WI 53965

Daytime Telephone Number: (608) 254-8313

Driver's License Number: 2520-1675-8177-00 State: WI

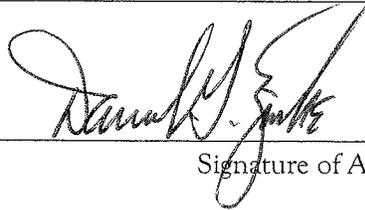
Business Name(s) and Address(s) of where Fireworks are to be sold: ZINKE'S MARKET INC.

216 WASHINGTON AVE. WIS DELLS WI 53965

Name and Address of property owner if different than above: _____

Itemization of Fireworks to be sold: ALL LEGAL FIREWORKS ACCORDING TO CITY

CODES



Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.20

Date Approved: _____ Conditions (if any): _____

Date Denied: _____ Reason(s): _____

* License valid from _____, 20__ through April 30, 20__

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. 01/07

City of Wisconsin Dells

Application for: RIDING STABLE/HORSES FOR HIRE

ITEM 7

Date Submitted: 3/30/15 Fee \$200 Plus \$25 per horse 575⁰⁰ Receipt No. 50320

Name of Applicant: Dells Adventure Development Inc / Beaver Springs Date of Birth: 06-12-66

Address of Applicant: 600 TROUT RD Wis Dells

Daytime Telephone Number: (608) 254 2735 Email Address: _____

Applicant's Drivers License Number: T4250776621204 State: _____

Name and Address of Business: Beaver Springs Riding Stable
600 TROUT RD, Wis Dells WI 53965-8007

Number of Horses: 15

Proposed hours of Operation: 9am - 7pm

Description of Route: (Attach map) on file. Same as last year.

*Attach written permission from property owners if applicable.

Description of the manner and location in which the horses will be feed, sheltered, stabled or transported within the City:

on file, same as previous years.

Safety and Sanitation Methods: same as last year

Printed Name of Applicant:

Dells Adventure Development Inc by: Brent Tolksa
pres  3/30/15

Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.01

Date Approved: _____ License Valid from _____, 20____ through April 30, 20____

Conditions (if any): _____

Date Denied: _____ Reason(s): _____

City of Wisconsin Dells

ITEM 8

Application for: SPECIAL EVENTS PERMIT

Date From: JUNE 6, 2015 To: JUNE 7, 2015 FEE \$160.00 Receipt No. 50273
3-26-2015

Name of Applicant: DOWNTOWN DELLS COMMITTEE

Address of Applicant: PO BOX 473

Daytime Telephone Number: (608) 254-2992 Email Address: outofthewoodswiddells@

Name & Address of Officers, if Corporation: _____
frontier.com

FOR SPECIAL EVENTS PERMIT:

Type of Event: 10th TASTE of WISCONSIN DELLS

Location of Event: 700 block ELM STREET CITY LOTS 2/4

Number and Types of Participants: at least 7,000

Contact Person: MARK SWEET Telephone No: 254-2992

Fireworks: YES or NO

Sandwich Board Signs: YES or NO

FOR PARADE PERMIT:

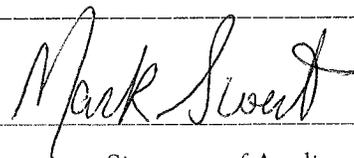
Assembly Area: not applicable this year. No CORVETTES PARADE.

Starting Time & Estimated Length: rest of street closures to be sent to WDPD by me.

Starting Point: _____

Parade Route: _____

Number of Units: _____



Signature of Applicant

Subject to compliance with Wisconsin Dells Municipal Code chapter 24

Date Approved: _____ day of _____ 20____

Date Denied: _____ Reason(s): _____

City of Wisconsin Dells

Application for LODGING FACILITY LICENSE

ITEM 9

Date From May 1st to April 30, 2016 Fee \$ 850 Receipt No. 50378 4-2-15
(\$50 each for first 15 sleeping units; \$25 each add'l)

Applicant Name: A2J Entertainment, Adam Seymer & Jason Field

Applicant Address: 1550 Wise Dells Pkwy, WI Dells

Telephone Number: 608-254-2266 x2

Lodging Facility Address: 510 Vine St

Number of Sleeping Units: 19

Zoning Classification: _____
(Facilities in Residential Areas are grandfathered facilities only.)

Name & Telephone No. of On-Site Supervisor: Adam Seymer 608-547-2332

Manner in which the facility will be supervised and maintained: Two onsite
supervisors & two offsite managers

Adam Seymer
Applicant's Signature

4-1-15
Date

License subject to compliance with Wisconsin Dells Code Section 16.06

Note: Incomplete, false, or misleading information can delay the review process and/or be grounds for denial of license.

FOR OFFICE USE ONLY

Date of Inspection: _____ Inspected by: _____
Recommendations: _____

Request for License Approved on _____, 20__ by the Common Council.

Request for License Denied on _____, 20__ by the Common Council.
Reason for Denial: _____

City of Wisconsin Dells

Application for LODGING FACILITY LICENSE

ITEM 9

3-30-2015
JJS

50302

Date From April 30, 2015 to April 30, 20 16 Fee \$ 750 Receipt No. 50302
((\$50 each for first 15 sleeping units; \$25 each add'l)

Applicant Name: CATHERINE MAYER

Applicant Address: 931 Capital St Wisconsin Dells WI 53965

Telephone Number: 608 217 3873

Lodging Facility Address: 931 Capital St Wisconsin Dells WI 53965

Number of Sleeping Units: 15

Zoning Classification: Comm.
(Facilities in Residential Areas are grandfathered facilities only.)

Name & Telephone No. of On-Site Supervisor: 608 370 3353 or 608 217 3873

Manner in which the facility will be supervised and maintained: Same as last year

C. Mayer
Applicant's Signature

3/29/2015
Date

License subject to compliance with Wisconsin Dells Code Section 16.06

Note: Incomplete, false, or misleading information can delay the review process and/or be grounds for denial of license.

FOR OFFICE USE ONLY

Date of Inspection: _____ Inspected by: _____
Recommendations: _____

Request for License Approved on _____, 20__ by the Common Council.

Request for License Denied on _____, 20__ by the Common Council.

Reason for Denial: _____

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 PARKS, RECREATION & WATERWAYS COMMITTEE from their April 6, 2015 meeting:

TO APPROVE the low bid of \$15,700 submitted by Ballard King & Associates LTD for the Economic Feasibility & Operational Pro-Forma Study for the Gussel Aquatic Center.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays _____ abst

Date Introduced: April 13 2015

Date Passed:

Date Published:



PROFESSIONAL SERVICES

More ideas. Better solutions.

April 6, 2015

Thad Meister, Parks, Recreation, and Waterways Director
City of Wisconsin Dells Parks and Recreation
300 LaCrosse St.
Wisconsin Dells, WI 53965

Re: Economic Feasibility & Operational Pro-Forma Study
Gussel Aquatic & Recreation Center

Dear Thad:

A request for proposal (RFP) was released (as attached) for services for the Gussel Aquatic & Recreation Center Economic Feasibility & Operational Pro-Forma Study. Proposals were received last week and summarized as follows:

Firm	Cost of Services
Ballard King & Associates LTD	\$15,700 *
GreenPlay LLC	\$17,700
Hotel & Leisure Advisors, LLC	\$30,000

MSA and Water Technologies are comfortable with all three firms being capable of providing these services in a quality manner. In considering the selection of a consultant for this study, the City has discretion to select the proposal that is in the best interest of the City.

The initial differentiator is cost with the two low firms being relatively close in price and third being substantially higher. With that being said the two proposals considered more closely are from Ballard King & Associates and GreenPlay. Both firms are providing a comparable scope of service, including meetings (in person & remote). However, Ballard King is assuming two on-site meetings while GreenPlay is only providing one on-site per the RFP.

Therefore, MSA perceives that Ballard King & Associates is the apparent low qualified bidder for this effort.

After a consultant is tentatively selected at the Park & Recreation Meeting on April 6th, we can request that the selected firm provide an agreement for services to allow the City the opportunity to act on the formal approval of the agreement at the City Council Meeting on April 13th.

If there are any questions or comments, please contact me.

Sincerely,

E. Carter Arndt
Project Architect

Enc.

Offices in Illinois, Iowa, Minnesota, and Wisconsin

1230 SOUTH BOULEVARD • BARABOO, WI 53913
608.356.2771 • 1.800.362.4505 • FAX: 608.356.2770
www.msa-ps.com

REQUEST FOR PROPOSAL
Economic Feasibility & Operational Pro-Forma Study
GUSSEL AQUATIC & RECREATION CENTER

City of Wisconsin Dells, Wisconsin
Proposals Due: Thursday, April 2, 2015, 3:00pm

I. Invitation

The City of Wisconsin Dells is seeking fee proposals from qualified consulting firms to provide professional services to the City to develop an Economic Feasibility & Operational Pro-Forma Study for the City of Wisconsin Dells Gussel Aquatic and Recreation Center.

Firms have been invited as follows (others may be added):

Ballard King and Associates 2743 E Ravenhill Circle Highlands Ranch, CO 80126	GreenPlay 1021 E. South Boulder Rd, Suite N Louisville, CO 80027
Hotel & Leisure Advisors 14805 Detroit Ave, Ste 420 Cleveland, OH 44107-3921	Market & Feasibility Advisors One South Dearborn Chicago, IL 60603

II. Project Description

The City of Wisconsin Dells has a strong commitment to provide high quality parks and recreation facilities and programs for citizens of the community. The City is leading the development of a proposed Recreational Facility to be located in the City of Wisconsin Dells. This opportunity has been spurred on by a local donor willing to donate 3.5 million dollars to the project.

However, overall project costs including long term operational expenses require study to determine the project feasibility for the community. One other goal of this initial planning effort is to form a consensus of project scope with the varied stakeholder entities involved with the project. Possible stakeholders include the donor, two local municipalities, the School District, the outdoor swim team and donor(s). The consultant will collect and analyze data to support this need. The consultant will work closely with City staff and the Parks and Recreation Advisory Board in compiling and preparing the findings of this effort. The consultant will create a document for distribution to the public.

Initial project programming to consider the desired facility amenities and the associated "ballpark" project costs is currently underway with an architect and aquatics designer.

However, further study is needed (as requested in this RFP) to determine economic feasibility and operational pro-formas. Identification and consideration of potential revenue streams along with the cost of operations are needed in order to forecast the ongoing costs for a range of facilities scenarios. Included in this effort will be feedback to the architect and aquatics designer in regard to various scenarios, and consider the economic viability of the project. The architect's and aquatics designer's effort will be underway simultaneously to the requested development of an economic feasibility and operational pro-forma study.

The consultant of this RFP will collect and analyze data to support this need. The consultant will work closely with City staff and the Parks and Recreation Advisory Board in compiling and preparing the findings of this effort. The consultant will create a document for distribution to the public.

The Facility Attributes are under consideration as part of an architectural aquatics programming study. The facility may include:

- i. Site Amenities (Parking, Exterior recreation space, possible aquatics)
- ii. Common Areas

1. Reception/Information/Check-In
 2. Commons/Lobby
 3. Locker/Shower/Toilet Rooms
 4. Concessions & or Vending
- iii. Aquatics
1. Indoor Aquatics
 - a. 8-lane 25-meter Pool
 - b. Possible Diving Well
 - c. Possible Zero Entry Area or Separate Kiddie Area
 - d. Possible Limited Water Slides
 - e. Spectator and Team Seating
 - f. Guard/Staff Room
 - g. First Aid Area
 - h. Pool Equipment
 - i. Storage & support
 2. Possible Outdoor Aquatics
- iv. Recreation Center
1. Gymnasium
 - a. Basketball courts
 - b. 4 volleyball courts
 - c. Gym divider
 - d. Optional Walking Track
 2. Multi-Purpose Room with warming kitchen
 - a. Storage for tables/chairs
 - b. Sub-dividable option
 3. Martial Arts/Tumbling Room/Fitness
 - a. 30 x 30 Wrestling Mats
 - b. Storage for Tumbling/Martial Arts/Fitness equipment
 4. Fitness Area
 - a. Cardio Equipment – Quantity and Type
 - b. Low Volume Free Weights
 5. Conference/Meeting Room
- v. Administrative Office Areas
1. One Private office
 2. Common work areas with 2 work Stations
 3. Staff room
 4. Proximity to Lobby Reception desired
- vi. Support Areas
1. Storage
 2. Facility Related Storage
 3. Park & Recreation Department Storage
 4. Custodial and Mechanical Rooms

The facility could vary in size from approximately 25,000 square feet to 65,000 square feet. A series of **scenarios** will be considered by the City, but only two will be identified for fiscal pro-forma analysis. The overall scenarios that the City will select may change but are tentatively as follows:

1. Base Aquatics Facility with 8-lane swimming pool and associated support spaces.
2. Base Facility plus leisure/children's aquatics.
3. Both scenarios listed above with recreation amenities.
4. All scenarios listed above with an option for outdoor aquatics facilities (for warm weather use).

III. Scope of Services

This process is to include the discussions of what amenities have higher cost recovery abilities and those that do not. As well as reviewing the amenities that create an overall synergy that create successful facilities. Provide an analysis of forecasted fiscal long term expenditures and revenue opportunities to operate the facility. Provide final suggested implementation strategies. Specific items to include in the study:

1. **Initial Project Consideration**
 - a. Review project information and programming data (as prepared by others) to become generally familiar with the proposed facility.
 - b. Lead a conference call with the Owner's representative and Programming consultants to discuss the project.
 - c. Act as professional facilitators to gather specific information about services, use, preferences and any agency strengths, weaknesses, opportunities and threats.
2. **Meetings and Conference Calls/Video Conferences**
 - a. A minimum of one in-person meeting. The meeting shall review amenities that have higher cost recovery abilities and those that do not. As well as review of the amenities that create an overall synergy that create successful facilities.
 - b. Follow-up conference or video calls as necessary to accomplish the objectives of this effort.
3. **Project Consideration**
 - a. Coordinate with the architect and aquatics designer performing the programming study.
 - b. Offer suggestions to help build consensus and agreement on the plan and if consensus is not possible, provide information for informed decision making for the City.
 - c. Review and interpret demographic trends and characteristics of the City of Wisconsin Dells using local information from the City and regional and local sources.
 - d. Develop and prioritize recommendations for facility needs based on usefulness to the community and financial viability.
 - e. Identify areas of service shortfalls and projected impact of future trends.
 - i. Provide a user fee analysis for facilities and programs and services.
 - ii. Provide an analysis of the best possible providers for programs and services, and identify and discern any unnecessary duplication of services through public and private program providers.
 - iii. Provide recommendations for minimizing duplications or enhancing possibilities for collaborative partnerships where appropriate.
 - iv. Analyze general demographic information for the community.
4. **Economic Feasibility Projections**
 - a. Provide an analysis of forecasted fiscal long term expenditures and revenue opportunities to operate the facility.
 - b. Provide general cursory market analysis including demographic, population and market area as needed to support the economic considerations of the project.
 - c. Including market consideration, annual operations and revenue budgeting, staffing projections and feedback on the global project budgeting for two final scenarios.
 - d. Develop recommendations for operations, staffing, maintenance, programming and funding needs.
5. **Development of Final Plans and Supporting Materials:**
 - a. Summary of findings and recommendations.
 - b. Charts, graphs, maps and other data as needed to support the plan and its presentation to the appropriate audiences.
 - c. Financial and Action Plans.
 - d. A color version of the draft FINDINGS consisting of one (1) printed and bound color copy, and an electronic copy in a format compatible with the City's software.
 - e. A color version of the final FINDINGS document consisting of three (3) printed and bound color copies, and an electronic copy in a format compatible with the City's software.

IV. Items to be provided by the City of Wisconsin Dells

1. Copies of all existing studies, plans, programs, and other data including the City of Wisconsin Dells Comprehensive General Plan and access to all applicable records.
2. Assistance with on-going meetings.
3. Progress information and findings as prepared by the architect and aquatics designer performing the programming study.

V. All proposals should include the following background information:

1. A Letter of Submission shall include the name, address and telephone number of the person(s) who is authorized to legally represent the firm.
2. General background on the firm and its experience in preparing efforts of this kind.

3. A narrative that presents the services the firm would provide detailing the approach, methodology, deliverables and client meetings to be provided.
4. A timeline for providing services.
5. The fee for the cost of services.

VI. Fee Structure For Services

The fee structure shall be one of the following:

1. Lump-Sum, including all reimbursables.
2. Time and Materials Not To Exceed, including all reimbursables.

VII. Tentative Project Schedule

The following tentative schedule is anticipated:

April 6, 2015	Park & Recreation Committee Meeting to review proposals & tentative selection
April 9, 2015	Formal Agreement required from tentative selection
April 13 2015	Formal City Council acceptance of agreement
April 20, 2015	Services will commence
6-8 weeks	Preparation and completion of the study

VIII. Proposal Response

The proposal response submitted shall contain all information as requested herein, and any additional information necessary to summarize the overall benefit of the proposal to the City. Proposing firms should one PDF of the proposal no later than 3:00 p.m. on April 2, 2015. Hard Copy or e-mail submittals are acceptable.

Submittals should be directed to:

Thad Meister
E-mail: tmeister@dellsnet.com
Wisconsin Dells / Lake Delton
Parks, Recreation, and Waterways Director
300 LaCrosse St.
Wisconsin Dells, WI 53965
608-254-7458

The submittal of a proposal shall be taken as prima facie evidence that the proposing individual/firm has full knowledge of the scope, nature, quality, and quantity of the project to be performed and the detailed requirements and conditions under which the project is to be performed.

This solicitation does not commit the City of Wisconsin Dells to award a contract, to pay any cost incurred with the preparation of a proposal, or to procure or contract for services or supplies. The City of Wisconsin Dells reserves the right to accept or reject any or all proposals received in response to this request, to negotiate with any qualified source, or cancel in whole or part this proposal process if it is in the best interest of the City to do so. Subsequent to contract negotiations, prospective consultants may be required to submit revisions to their proposals. All proposers should note that any contract pursuant to this solicitation is dependent upon the recommendation of the City staff and the approval of the Wisconsin Dells City Council.

IX. General Requirement of the Selected Proposing Firm

1. Consultant shall prepare the Owner/Consultant agreement that references the scope of this RFP.
2. Successful consultant will be paid monthly on actual invoices as work is completed.
3. Effectively perform the stated services.

X. Evaluation Criteria

Selection of the successful firm with whom negotiations shall commence will be made through an evaluation process based on the following general criteria: Project Approach, Project Team, Project Schedule Past Project Experience and Client References, and the proposed fee.



BALLARD* KING
 & ASSOCIATES LTD
 Recreation Facility Planning and Operation Consultants

SCOPE OF SERVICES
 Wisconsin Dells Feasibility Study



**Wisconsin Dells Economic Feasibility
 Operational Pro-Forma Study
 Scope of Services**

Market Analysis:

- * Project review and update
- * Service area identification.
- * Review of demographic characteristics/community profile
 - Population/age range/income
 - Population growth
 - Businesses/schools
 - Trends
- * Review and analyze existing programs/services
 - Existing program statistics
 - Demand for programs/services
- * Review competitive market analysis
 - Visit similar facility type in the general area
 - Inventory program and services offered
 - Operational structure
 - Admission rates/attendance numbers/expense and revenue comparison
- * Comparison with national, regional and local participation statistics and trends
 - NSGA standards
 - Potential participation levels

Citizen Participation Plan:

- * Review any existing research
- * Conduct/participate community stakeholder meetings (4)
 - Identify key community leaders, staff and project influence individuals
 - Conduct interviews to gain responses from these individuals/groups
- * Conduct public meeting at the appropriate time
- * Compile and interpret all information received

*Ballard*King and Associates is committed to comprehensive planning and operations consulting services, providing for the effective and efficient use of available resources to develop and operate sports, recreation and wellness facilities.*



BALLARD* KING
& ASSOCIATES LTD
Recreation Facility Planning and Operation Consultants

SCOPE OF SERVICES
Wisconsin Dells Feasibility Study



Programming Assistance:

- * Review project component recommendation/prioritization
 - Validate the facility program
- * Operating structure and parameters
 - Philosophy of operation
 - Priority of use

Feasibility and Operations Analysis (2 options):

- * Develop fee structure
 - Drop-in
 - Multiple admissions/annual passes
 - Rentals
- * Sources of income
 - Identification and verification of revenue sources
- * Operating cost projections
 - Develop a line item budget
 - Personnel by position
 - Contractual services
 - Commodities
 - Capital replacement
- * Revenue generation projections
 - Develop a line item accounting
 - Admissions
 - Programs and services
 - Rentals
 - Other revenue sources
- * Revenue/expenditure comparisons
 - Cost recovery level
- * Project recommendations/profitability of options
 - Marketing strategy
 - Program/service considerations

Final Report:

- * Written final report and recommendation

*Ballard*King and Associates is committed to comprehensive planning and operations consulting services, providing for the effective and efficient use of available resources to develop and operate sports, recreation and wellness facilities.*



BALLARD* KING
& ASSOCIATES LTD
Recreation Facility Planning and Operation Consultants

SCOPE OF SERVICES
Wisconsin Dells Feasibility Study



Methodology

Based upon B*K's understanding of the project and the information gathered we would recommend the following approach to the market study and feasibility analysis.

Phase 1:

The initial step of this project will be to examine any previous information that the Wisconsin Dells has gathered concerning the development of a community center and assist with the development of a steering committee for the project.

Having reviewed the information B*K will begin to conduct the demographic analysis of the study. In this phase B*K will be tasked with developing service areas for the facility, analyzing demographic characteristics of said service areas, overlaying participation rates from the National Sporting Goods Association (NSGA) and the National Endowment of the Arts (NEA). It is important to note that one, the identification of service areas will be completed working in conjunction with Grove City employees and two, B*K will use the most current accessible demographic information.

Phase 2:

The focus of Phase 2 is the completion of the competitive market analysis where a representative of B*K will be on site to identify, review and visit each the alternative service providers that exist in the identified service areas. This step of identifying potential competitors in the service areas is an important step when providing recommendations about facility components and the subsequent size of said components.

Phase 3:

This will be one of the most important Phases of the project as it is where the public is engaged about a community center. The project manager from B*K will be on-site for a 2-day period of time to conduct stakeholder meetings and public meeting. B*K will require assistance from the City in identifying whom these groups and individuals are and in establishing meeting times over the 2-day period. These stakeholder meetings can be any combination of elected officials, City staff, youth sports groups, adult sports groups,

*Ballard*King and Associates is committed to comprehensive planning and operations consulting services, providing for the effective and efficient use of available resources to develop and operate sports, recreation and wellness facilities.*



BALLARD* KING
& ASSOCIATES LTD
Recreation Facility Planning and Operation Consultants

SCOPE OF SERVICES
Wisconsin Dells Feasibility Study



seniors, citizens, alternative service providers, etc. Through the course of these 2-days B*K will want to gain a general reaction about the concept of a community wellness center, the components that groups would like to see included along with their propensity and willingness to pay for services.

Phase 4:

With the demographic information, competitive market analysis, stakeholder meetings and public meeting complete, B*K can then develop a program statement that outlines basic facility components and potential uses. This program statement can then be provided to the architect who can then provide facility cost estimates including land, architectural/engineering, building and other.

Phase 5:

With the program statement complete and the component sizes verified by the architect B*K will then apply their Operational Performance Indicator Analysis (OPIA) to the proposed community wellness center. The OPIA process is a time-tested process that B*K has used to develop realistic operating budgets for community wellness facilities. The end result of this process will be a line item budget that will take into account staffing, contractual services, commodities and capital improvement. Additionally the budget will address revenue projections and provide a 5-year operation projection for the facility. The revenue projections will be based upon memberships, daily admissions, program revenue and the like.

Phase 6:

The last phase of the process will be to develop a final report that encapsulates the entire process in an easy to read, easy to follow format that Grove City can utilize as a decision making tool in moving the project forward and subsequently opening the facility.

*Ballard*King and Associates is committed to comprehensive planning and operations consulting services, providing for the effective and efficient use of available resources to develop and operate sports, recreation and wellness facilities.*



SCOPE OF SERVICES
Wisconsin Dells Feasibility Study

**Wisconsin Dells Economic Feasibility
Operational Pro-Forma Study
Letter of Agreement**

Terms:

1. Ballard*King and Associates agrees to provide the consulting services that are outlined in the attached scope of service for the City of Wisconsin Dells. Payment shall not exceed \$15,700 including two trips to the Wisconsin Dells. All materials and documents prepared by Ballard*King as part of the scope of services shall be provided to the client to be used as the client determines.
2. Any modification in the scope of services and fees must be mutually agreed upon to in writing prior to implementation of the changes.
3. The project fee will be billed at selected intervals of the project upon completion of those specified project services. All invoices are due in full within 30 days of the bill's receipt. A monthly interest rate of 1 and ½ will be assessed on any outstanding balance after 30 days.

City of Wisconsin Dells Date

Jeffery L King

Ballard*King and Associates Date

*Ballard*King and Associates is committed to comprehensive planning and operations consulting services, providing for the effective and efficient use of available resources to develop and operate sports, recreation and wellness facilities.*

CITY OF WISCONSIN DELLS
RESOLUTION NO. _____

ITEM 11

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 April 13, 2015 meeting;

IT APPROVES the low bid of \$ _____ received from _____
for Public Works Project No. 1-2015, Oak Street Reconstruction.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays _____ abst.
Date Introduced: April 13, 2015
Date Passed:
Date Published:

CITY OF WISCONSIN DELLS
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 April 13, 2015 meeting;

IT APPROVES the contract with Water Dragon for 2015 sidewalk pressure washing services.

Brian L. Landers, Mayor

Attest:

Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays _____ abst.

Date Introduced: April 13, 2015

Date Passed:

Date Published:

CITY OF WISCONSIN DELLS
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 April 13, 2015 meeting;

IT APPROVES the contract with Show Stripping for 2015 line marking services.

Brian L. Landers, Mayor

Attest:

Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays _____ abst.

Date Introduced: April 13, 2015

Date Passed:

Date Published:

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 April 8, 2015 meeting;

IT APPROVES a Conditional Use Permit to Wayne Schulz to allow land use 5.1 Campground on Town of Newport Parcels 11028.81.A and 11028.81.A1 with the contingencies listed in the staff report.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays
Date Introduced: April 13, 2015
Date Passed:
Date Published:

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	50295
Application number	

1. Applicant information

Applicant name Wayne Schult (South Park campground)
 Street address W15197 Vine St
 City Wisconsin Dells
 State and zip code WI 53965
 Daytime telephone number 608-448-8623
 Fax number, if any _____
 E-mail, if any waync58@hotmail.com

2. Subject property information

Street address	<u>W15197 Vine St. Wisconsin Dells WI 53965</u>	
Parcel number	<u>(1102881A)(1102881A)</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>Recreation (1102866B)</u>	
Describe the current use	<u>Campground</u>	

3. Proposed use. Describe the proposed use.

To continue as campground with overnight + seasonal site as well as rental units

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

Business should not adversely affect surrounding area

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.

None

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
campground would be consistent with the Comprehensive Plan for Wisconsin Dells

b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site
None

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

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

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

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
minimal

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

--	--

7. **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".

8. Applicant certification

◆ I certify that the application is true as of the date it was submitted to the City for review.	
◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the agreement below.	

Applicant Signature

Date

Wayne Schult

3/10/15

Governing Regulations

The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.

Reimbursement Agreement for Application Review Costs

A. Payment for Eligible Costs.

By submitting this application for review, the applicant agrees to pay all administrative costs incurred by the City in the processing, study, and review of the application including costs for planning, legal, engineering, and related services, referred to herein as eligible costs.

B. Guarantee of Payment.

To guarantee reimbursement, the applicant shall submit one of the following along with this application:

1. an irrevocable letter of credit in the name of the City in an amount as set by the zoning administrator; or
2. a cash deposit in an amount as set by the zoning administrator.

If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1½ percent shall be charged on invoices not paid within 30 days of the invoice date. The City shall access the letter of credit to pay for overdue invoices, including late penalty charges, and submit a written notice to the applicant.

If remaining monies in the cash account are insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to deposit additional monies into the cash account in an amount as set by the zoning administrator. If the principal amount of the irrevocable letter of credit is insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to submit a second letter of credit in an amount as set by the zoning administrator. The applicant may withdraw this application prior to final action by the City Council by submitting a written letter to the City. Upon such notice, the City shall cease all work related to the review of the application. However, withdrawal of this application does not terminate this reimbursement agreement.

If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

C. Termination of Guarantee.

If a cash deposit is used to guarantee reimbursement, the City agrees to reimburse the applicant any unused monies in the cash account, including earned interest, within 60 days of the date when the City Council takes final action on the application. If a letter of credit is used, the City shall send a written letter to the applicant releasing the applicant from the letter of credit when all outstanding invoices have been paid.

<i>Wayne Schult</i>	<i>3/10/15</i>
---------------------	----------------

Applicant Signature

Date

The City has received an annexation, zoning, CUP, and Site Plan request for property in Columbia County, Town of Newport on the south side of east Vine St (near the Hwy 16 intersection). The property consists of Newport parcels 11028-81.A, 11028-81.A1, and 11028-66B, which on the south side of Trout Rd and currently has a Newport Address of W15197 Vine St, it is a campground that has not been open for several years.

The applicant has requested that the property be zoned C-4 Commercial – Large scale, which is consistent with the zoning of other properties in this area. The applicant has stated that they would like to improve and re-open the campground with new cabins and RV camping lots. A Campground requires a Conditional Use Permit in the C-4 Zoning district and must be approved separately by the City.

The C-4 Zoning will allow land uses on this property consistent with the long term plan for large commercial development on this property. The adjacent City property is zoned C-4 Commercial, large scale and C-1 Commercial, neighborhood. The C-1 Zone is the Cambrian Condo development to the south of the campground. There is a significant wooded ravine on the north part of the condo property,

The property to be annexed is not currently served by City water and sewer. The applicant intends to connect to City water immediately, but has requested to continue to use the existing septic system holding tanks for one year before connecting to the City sewer. This is primarily due to the fact that standard City gravity sewer is not immediately available to the campground property. The applicant will have to install a private sewer lift station and pump their sewage to the Vine St. lift station. The Public Works Committee has agreed to allow the applicant to operate in 2015 utilizing the existing septic holding tanks, and then connect to the City sewer in the spring 2016.

The applicant intends to substantially re-develop the campground to cater to RV campers, and a significant amount of seasonal occupants. The applicant also intends to set up cabin camping sites that will cater to sports teams, mostly from the Woodside sports complex. The current Site plan calls for a total of 67 sites = 21 cabins and 46 RV sites. There would also be tent camping throughout the site. State allowable Campground densities are 25 sites per acre. This site is over 11 acres, so there could be a total of 275 sites. The re-development will occur in Phases, with the 2015 phase currently planned to include 6 RV sites and 6 cabins. The applicant intends to utilize the existing access to the Site for 2015, but intends to construct a new access off of Grand Cambrian Dr., approximately 240 ft from the intersection with Vine St. This new entrance should occur as soon as possible, as the current intersection of Vine St, Grand Cambrian Drive, and STH 16 is not ideal.

The Zoning code requires all campsites be setback 40 feet from the perimeter property lines of the campground property. The current site plan has a handful of sites on the north and south ends of the properties that are currently shown within this setback. However, most of these sites are not part of the Phase 1 development that is to be constructed in 2015. RV site #1 is the only site in Phase 1 that lies within 40 ft of the property line. This is partly due to the fact that the Vine St. road Right Of Way in the town is rather large at 100 feet. The rest of Vine St. in the City limits is an 80 ft Right Of Way. It appears that if the Vine St. ROW were 80 ft, then this lot would not lie within 40 feet of the property line. The applicant is working with his engineer to update the Site plan to comply with the 40 foot set-back requirement.

This leads into the fact that most towns do not have road Right of Way, and the property lines run to the middle of the road. This is the case for the western half of Vine St. and the South portion of Grand Cambrian Dr. adjacent to the proposed campground site. Approval of the CUP and Site plan for this project should be contingent on the owner dedicating the appropriate road ROW to the City. There is another issue with the Vine

St. ROW. Future plans for the City may involve a new sewer line being run along this property on Vine St. The City may want to ensure that the Vine St. ROW is adequate to accommodate a future sewer line.

There is also a question about the Campground license requirements. A while back the City stopped issuing campground licenses, as the State already issues an annual license and performs inspections. However, the campground license ordinance still exists, and it contains some requirements that are above and beyond the State requirements. The State requirement for campsite density and bathroom facilities appears in line with the City requirements. However, the City Campsite License Ordinance specifies a minimum width for internal streets, while the State requirement appears to only state "access to a campground shall be designed to minimize congestion and hazards at the entrance and exit", and that internal streets are "graded and maintained to provide drainage and control dust." The internal streets for Phase 1 of this project are in line with the current City ordinance on the books, but the future plans may have some conflicts.

It should also be noted that the State Campground license includes seasonal camping. The applicant intends to allow units to be occupied for the entire summer. This appears to fall under a standard campground use, and will be approved as part of this CUP application.

The request for C-4 Zoning of the annexed parcels appears consistent with the surrounding commercial properties. The C-1 Zoned property to the south of campground is developed as a single family home subdivision, but it is already surrounded by C-4 Zoning districts.

The CUP and Site plan application appears to allow for improved traffic flow into the facility. It is noted that the owner intends to utilize the existing access for the first Phase and will construct the new access in as part of the next Phase of construction in 2016. The additional development of the existing campground will affect the natural environment. However, the owner has stated he intends to work within the existing landscape as much as possible. As a campground, it will technically be in operation for 24 hours a day. The expectation is that the owner/operator manages the property to comply with all existing nuisance ordinances. The owner/operation will be expected to cooperate with the City to address any effects on neighboring properties or other issues that may arise. This property had previously been operated as a campground. Continued operation of a campground at this site would not appear to have a negative effect on the normal and orderly development of the surrounding area. The surrounding commercially zoned properties have considered development as other amusements/attractions or commercial businesses.

The approval of the **zoning request** should carry the following contingencies:

- 1) The property is annexed into the City of Wis. Dells
- 2) All associated road Right Of Way is dedicated to the City.
- 3) The property is connected to City water immediately and City sewer in the spring of 2016.

The approval of the **CUP request** should carry the following contingencies:

- 1) The Septic holding tanks comply with all existing requirements, including any county permitting.
- 2) The Campground maintains a valid State license.
- 3) The Campground and Seasonal sites are managed to ensure they do not become a nuisance
- 4) The Owner/Operator cooperates with the City to address any concerns that may arise.

The approval of the **Site Plan request** should carry the following contingencies:

- 1) Approval is for Phase 1 only. Future construction phases will need additional Site plan approvals.
- 2) The Vine St. and Grand Cambrian Dr. Right Of Way is dedicated to the City.
- 3) Adequate buffers are maintained between the campsites and surrounding properties.

Chris Tollaksen
City of Wisconsin Dells
04/01/15

CITY OF WISCONSIN DELLS
RESOLUTION NO. _____

ITEM 15

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 April 13, 2015 meeting;

IT APPROVES the RiverWalk Easement Plat.

Brian L. Landers, Mayor

Attest:

Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays _____ abst.

Date Introduced: April 13, 2015

Date Passed:

Date Published:

4/9/2015

City of Wisconsin DellsORDINANCE NO. A-762

(Wireless telecommunications mobile service facilities)

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

SECTION I: PURPOSE

State law largely pre-empts municipal regulation of cell towers. For example, local height limits, aesthetic criteria and zoning regulations are generally "off limits". This ordinance provides a measure of local oversight consistent with state law. It is primarily procedural rather than substantive; designed to assure that applicants observe the minimal permitted review criteria.

SECTION II: PROVISION CREATED

Wisconsin Dells Code sec. 19.728 is repealed and recreated.

SECTION III: PROVISION AS CREATED:**19.728 Wireless Telecommunication Mobile Service Facilities**

- (1) Purpose. This section is intended to regulate mobile service facilities to the full extent allowed by Wis. Stat. §66.0404 and other applicable laws. Nothing herein is intended to regulate or to authorize the regulation of mobile services facilities in a manner that is preempted or prohibited by Wis. Stat. §66.0404 or other applicable laws.
- (2) Definitions.
 - (a) "Class 1 collocation" means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility but does need to engage in substantial modification.
 - (b) "Class 2 collocation" means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility or engage in the substantial modification.

- (c) "Mobile service facility" means the set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment that is necessary to provide mobile service to a discrete geographical area but does not include the underlying support structure.
- (d) "Mobile service support structure" means a freestanding structure that is designed to support a mobile service facility.
- (e) "Substantial modification" means the modification of a mobile service support structure, including the mounting of an antenna on such a structure, that does any of the following:

- 1. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
- 2. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.
- 3. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation.
- 4. Increases the square footage of an existing compound to a total area of more than 2,500 square feet.

- (f) "Support structure" means an existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structures.

(3) New towers and facilities. The siting and construction of new mobile service support structures and facilities shall be subject to the following requirements:

- (a) Application process. The applicant shall submit a written application which shall include all of the following information:
 - 1. The name and business address of, and the contact individual for, the applicant.
 - 2. The location of the proposed support structure.

3. The location of the mobile service facility.
 4. A construction plan which describes the tower, equipment, network components, antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new tower.
 5. An explanation why the applicant chose the proposed location, and why the applicant did not choose collocation, including a sworn statement from the responsible party attesting that collocation within the applicant's service area would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome.
- (b) Fee. Any petition shall be accompanied by a fee in the amount set out in a City fee schedule. Costs incurred by the city in obtaining legal, planning, engineering and other technical and professional advice in connection with the review of the conditional use and preparation of the conditions to be imposed shall be charged to the petitioner. Such fee shall not exceed the limits established by Wis. Stat. §66.040(4)(d). (Note: current limit is \$3,000.00)
- (c) Determination of completeness within ten days of submittal. The building inspector shall review the application and determine whether the application is complete. If the application includes all of the foregoing information, the application shall be found to be complete. The building inspector shall notify the applicant in writing within ten days of receiving the application if it is found not to be complete, and such notice shall specify in detail the required information that was incomplete. Applicants are allowed to resubmit their applications as often as necessary until it is complete.
- (d) Conditional use review procedure. The mobile service support structure shall be a conditional use, subject to the ordinary conditional use regulations and procedures of this chapter.
- (e) Requirements.
1. Before a new tower site is requested, all the existing tower facilities shall be considered and evaluated. If an existing facility cannot be used, a justification report, citing the reasons it cannot be used must be provided with the application as described in subsection 3(a)5 above.

2. All new antenna support structures shall be mono-poles; which are defined as a smooth tapered pole, without stepped sections or guy wires; except that, lattice structures are permitted, if necessary, to accommodate collocation.
3. All new antenna support structures shall be constructed to a standard that permits the collocation of a minimum of three telecommunication company facilities on a single tower.
4. Intentionally left blank.
5. All antenna support structures shall meet the following conditions and requirements:
 - a. The proposed antenna or antenna structure and/or towers shall not result in restriction or interference with air traffic or air travel to or from any existing or proposed airport.
 - b. There shall be a setback of sufficient radius around the antenna structure that its collapse will be contained on the property and not affect regularly occupied buildings on the subject site. This requirement may be waived upon presentation of written consent by adjoining owners and occupants.
 - c. No form of advertising shall be allowed on the antenna, antenna structure, base, framework or other buildings or facilities associated with the use.
 - d. All cable to and from the antenna and/or antenna structure shall be installed underground unless the antenna is mounted on a building where cable will go directly into the structure.
 - e. The site and all structures shall have monthly maintenance and an annual investigation of structural stability.
 - f. Exhibits of the proposed tower structure design and design of the maintenance building and site shall be attached to the conditional use permit document.

6. Site restrictions are as follows:

- a. The exterior of all buildings shall be architecturally compatible and consistent with surrounding building and structures and constructed in accordance with the plan approved appropriately and shall be neatly maintained at all times.
- b. The telecommunications facilities may not include offices, vehicle storage, or outdoor storage or broadcast studios; except for emergency purposes or other uses that are not needed to send or receive transmission as determined by the City.
- c. There shall be adequate space on site to accommodate maintenance vehicles.
- d. A site grading and storm water drainage plan shall be reviewed and approved by the building inspector.
- e. Areas not used for parking or drives shall be landscaped according to the plan approved.
- f. Parking lot and security lighting is to be installed and maintained in a manner that will avoid glare or excessive illumination spilling over on adjoining properties.
- g. No mobile service support structure shall be located on a lot in a residence district, unless the lot is greater than two (2) acres in area and the principal use is other than residential.
- h. Mobile service support structures towers, guy wires, appurtenant equipment and building shall comply with the yard and set back requirements of the zoning district in which they are located.

7. Telecommunications companies that are parties to conditional use permits shall warrant the safety of the technology of the facilities and hold the City, its officers, and employees harmless for any claims or losses to the city

or its residents; including reasonable attorney fees arising from, or related to, the use of the facilities.

8. Intentionally left blank.
9. Any other condition recommended by the plan commission and approved by the Common Council.

(f) Limitations upon authority. The city review and action in the matter shall be subject to the limitations imposed by Wis. Stat. §66.0404(4). In the event the applicant believes the city has exceeded its authority in this regard, the applicant shall notify the city in writing and the city reserves the right to reconsider the matter, to ensure that applicable laws are followed.

(4) Modifications. The construction of modifications to an existing mobile service support structure or mobile service facility shall be subject to the following requirements:

(a) Substantial modifications.

1. Application and review process. A substantial modification is regulated the same as a new structure or facility, as described in subsection 3(a) above, except that the required plans should describe the proposed modifications, rather than describe the new structure or facility.

(b) Non-substantial modifications.

1. Application information. The applicant shall submit a written application that describes the applicant's basis for concluding that the modification is not substantial, and all of the following information:

- (a) The name and business address of, and the contact individual for, the applicant.
- (b) The location of the affected support structure.
- (c) The location of the proposed facility.

2. Fee. Any petition shall be accompanied by a fee in the amount established by the City fee schedule. Costs incurred by the city in obtaining legal, planning,

engineering and other technical and professional advice in connection with the review of the application and preparation of the conditions to be imposed shall be charged to the petitioner. Such fee shall not exceed the limits established by Wis. Stat. §66.404(4)(d). (Note: current limit is \$500.00)

3. Completeness determination within five days. The building inspector will determine whether the application is complete. If the application includes all of the foregoing information, the application shall be found to be complete. The department of community development must notify the applicant in writing within five days of receiving the application if it is found not to be complete, specifying in detail the required information that was incomplete. The applicant may resubmit as often as necessary until it is complete.

4. Determination. The building inspector shall make a decision on the application within 45 days of receipt of a complete application, unless the time is extended by the petitioner. The decision shall be stated in writing. If approval is not granted, the reasons therefore will be included in such record.

5. Limitations upon authority. The city review and action in the matter shall be subject to the limitations imposed by Wis. Stat. §66.404(4), and such other laws as may apply which may include 47 USCA § 1455. In the event the applicant believes the city has exceeded its authority in this regard, the applicant shall notify the city in writing and the city reserves the right to reconsider the matter, to ensure that applicable laws are followed.

(5) Abandonment and Bond.

- (a) If a mobile service support structure shall cease to be used for a period exceeding one year and a day, the owner or operator of the structure shall remove the structure upon the written request of the Zoning Administrator at no cost to the City within ninety (90) days of the request.
- (b) Prior to the issuance of any building or zoning permits, a performance bond shall be provided to guarantee that a support structure that has ceased being used for mobile service

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

INTRODUCED: _____
PUBLISHED: _____
PASSED: _____

City of Wisconsin Dells
Office of City Attorney

110 Main Street
Post Office Box 231
Reedsburg, Wisconsin 53959-0231

Telephone (608) 524-8231
Facsimile (608) 524-4766

Memorandum

To: Mobile Service Tower Ordinance File
From: Joseph J. Hasler
Date: April 8, 2015
Re: ATT Concerns

A local ATT representative has voiced four primary concerns with the proposed ordinance. I have these comments in connection with the second reading:

1. The ordinance requires that new antenna support structures be mono-poles. The critique is that mono-pole structures may not lend themselves to collocation. The proposed ordinance requires that new towers be constructed to permit a minimum of three separate antenna arrays. We may wish to revise the proposed ordinance to provide that, while mono-poles are preferred, lattice structures are allowed.
2. The proposed ordinance provides that the structure be set-back a sufficient distance to collapse entirely on the property. The ATT critique is that the statute requires uniform city wide setback requirements for structures. The purpose of the fall zone requirement is to prevent damage on adjoining property caused by a stricken tower. Setback requirements are typically established to address density and "open space" concerns. I recommend that this proposed ordinance section remain unchanged.
3. The proposed ordinance provides that a mobile service support structure may not be located in a residential district unless the lot is greater than two acres in area and the principal use is other than residential. The ATT critique is this provision is contrary to the statutory prohibition of "an ordinance prohibiting the placement of a mobile service structure in particular locations within a political subdivision. The proposal does not completely restrict mobile service towers from residential neighborhoods as a matter of zoning or use. It simply establishes minimum lot size criteria. I think that is defensible.
4. The proposed ordinance provides "all cable to and from the antenna and/or antenna structure shall be installed underground unless the antenna is mounted on a building where cable will go directly into the structure". ATT says this language is vague and problematic; vague because it does not differentiate between on site and off site cable and wiring; and, problematic because it may interfere with reasonable siting and collocation considerations. I have no objection to the removal of this clause.

Three final comments regarding the proposed ordinance:

1. The ordinance specifically provides that applicants may challenge the review of City's authority under the statute.
2. The proposed Wisconsin Dells ordinance is consistent with ordinances adopted or under consideration in other Wisconsin municipalities.
3. This is a new statute in an evolving area of law. I am satisfied that the proposed ordinance is a good starting point.

Follow-up Notes:

1. Based upon recent discussions regarding mobile tower bonds, I suggest a specific ordinance provision covering that either related topics of abandonment and bonds.
2. Attached is an ordinance which incorporates these discussion points.

CITY OF WISCONSIN DELLS
ORDINANCE NO. A-763
(Correcting Legal Description in Detachment Ordinance No. A-79)

WHEREAS, the City of Wisconsin Dells adopted Ordinance No. A-79 on August 27, 1981 that detached certain lands from the City to the Town of Delton,

WHEREAS, there was in error in the legal description in Ordinance No. A-79 and a portion of land was listed in error as being detached;

THEREFORE, The City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, does hereby ordain as follows to correct the detachment error:

SECTION 1: Territory Annexed by Direct Annexation.

The NW NE of Section 8, T13N, R6E, that lies easterly of I90/94.
The property shall become part of Sauk County Tax Parcel 291-0087-20000.

SECTION 2: Effect of Annexation.

From and after the effective date of this ordinance, the territory described in Section 1 shall be a part of the City of Wisconsin Dells for any and all purposes provided by law, and all persons residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Wisconsin Dells.

SECTION 3. Temporary Zoning Classification.

The territory annexed to the City of Wisconsin Dells shall by this ordinance be temporarily zoned C-4 Commercial-Large Scale.

SECTION 4. Severability.

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 5. Effective Date.

This ordinance shall take effect upon passage and publication as provided by law and becomes part of the Zoning Map for the City of Wisconsin Dells.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

INTRODUCED: March 23, 2015
FIRST READING PASSED: March 23, 2015
SECOND READING PASSED:
PUBLISHED: March 28, 2015

**ORDINANCE NO. A-764
(Permanent Zoning for Annexation)**

ITEM 18

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 establish permanent zoning on recently annexed lands.

SECTION II: PROVISIONS AMENDED

The zoning map for the City of Wisconsin Dells as set forth in the official map provided for in the Wisconsin Dells Code of Ordinances is hereby permanently amended so as to zone the territory as provided below.

SECTION III: PROPERTY PERMANENTLY ZONED

The following property is hereby permanently zoned C-4 Large Scale Commercial upon annexation into the City of Wisconsin Dells:

Sauk County Tax Parcel: 291-0087-20000

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 Zoning Map for the Wisconsin Dells.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

INTRODUCED: March 23, 2015
FIRST READING: March 23, 2015
SECOND READING:
PUBLISHED: March 28, 2015

ORDINANCE NO. _____
(Southfork Annexation - MBR No. 13839)

ITEM 19

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

SECTION 1: Territory Annexed by Direct Annexation.

In accordance with Wis. State Statute sec. 66.0217(2) and the Petition for Direct Annexation by Unanimous Consent filed with the City Clerk on the 2nd day of March, 2015, by property owner Tru-Ax LLC, Rhonda Oines, the following described territory in the Town of Newport, Columbia County, Wisconsin is hereby annexed in to the City of Wisconsin Dells, Wisconsin and the zoning map as set forth in section 19.612 of the Wisconsin Dells Municipal Code is hereby permanently amended to include the property set forth below. Total acres of said property is 23. Population is 0. Annexation boundary map is attached as Exhibit A. Legal description is attached as Exhibit B. Upon annexation, said property will become part of City of Wisconsin Dells Ward 1.

SECTION 2: Effect of Annexation.

From and after the effective date of this ordinance, the territory described in Section 1 shall be a part of the City of Wisconsin Dells for any and all purposes provided by law, and all persons residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Wisconsin Dells.

SECTION 3. Temporary Zoning Classification.

The territory annexed to the City of Wisconsin Dells shall by this ordinance be temporarily zoned C-4 Commercial-Large Scale.

SECTION 4. Severability.

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 5. Effective Date.

This ordinance shall take effect upon passage and publication as provided by law and becomes part of the Zoning Map for the City of Wisconsin Dells.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

INTRODUCED: April 13, 2015

FIRST PASSED:

SECOND READING PASSED:

PUBLISHED:

Tax Parcel Map

EXHIBIT

A

MAP SCALE 1:11,931

SOURCE Columbia County Land Information
www.co.columbia.wi.us/ColumbiaCounty/LandInformation

DATE March 4, 2015

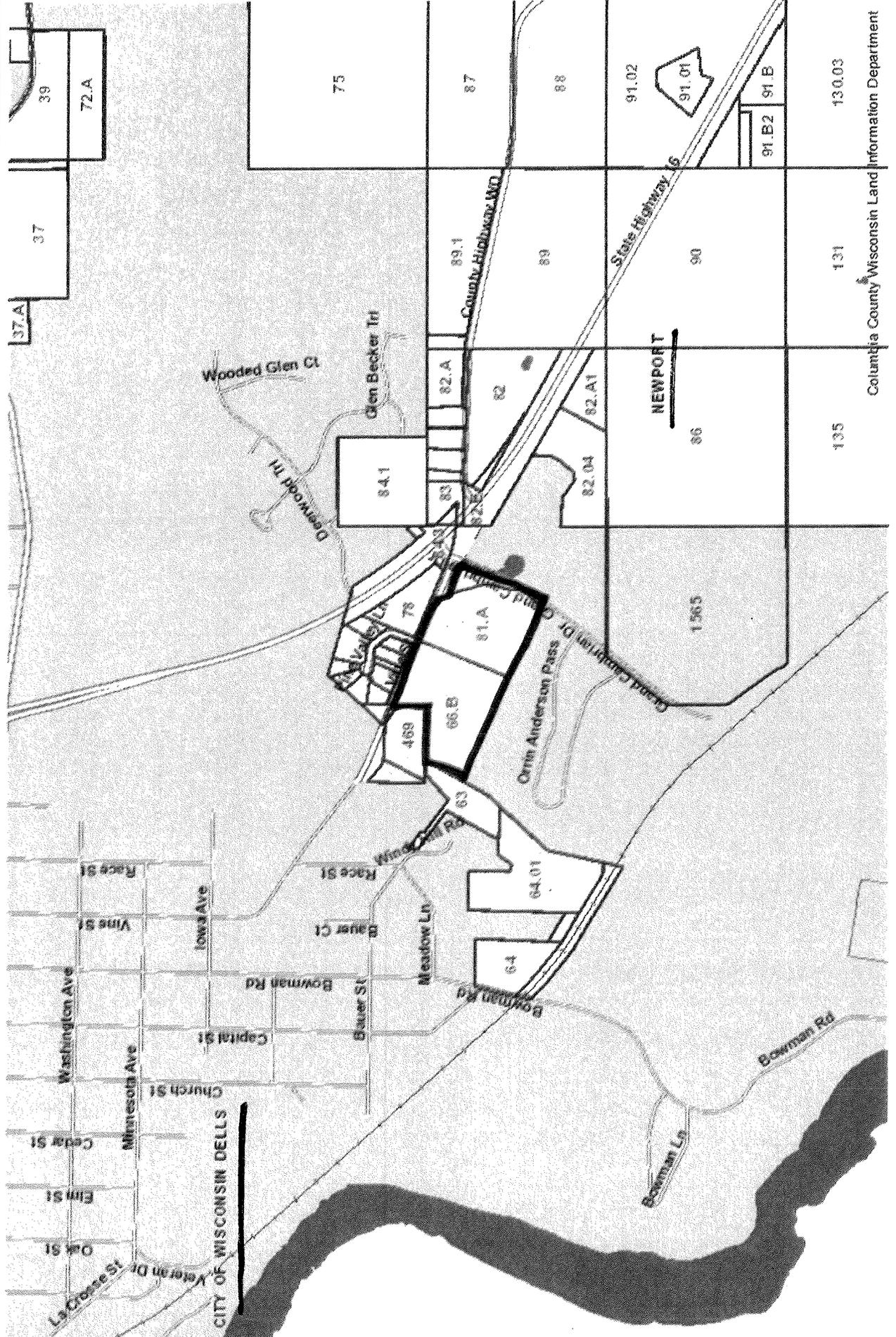
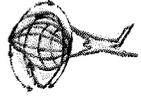


EXHIBIT B
73030

DESCRIPTION OF PARCEL A:

Part of the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ and NW $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 11 and NE $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 10, T13N, R6E, Town of Newport, Columbia County, Wisconsin bounded by the following described line: Beginning at a point that is on the E-W quarter line of Section 10 and 13.71 chains east of the northwest corner of said NE $\frac{1}{4}$ -SE $\frac{1}{4}$; thence EAST on said quarter line to the E $\frac{1}{4}$ corner of said Section 10; thence NORTH on the west line of said Section 11, 254.1 feet to the center line of Vine Street; thence S67°13'E, 511.0 feet along said center line of Vine Street; thence S22°47'W, 715.00 feet; thence N67°13'W, 840 feet, more or less, to a point that is S30°W from the point of beginning; thence N30°E, 328 feet, more or less to the point of beginning.

Said parcel contains 10.7 acres, more or less, and is subject to highway and other easements of record.

DESCRIPTION OF PARCEL B:

Part of the NW $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 11, T13N, R6E, Town of Newport, Columbia County, Wisconsin bounded by the following described line: Commencing at the W $\frac{1}{4}$ corner of said Section 11; thence North, 254.1 feet along the west line of said Section 11 to the center line of Vine Street; thence S67°13'E along said center line of Vine Street, 861.0 feet; thence S15°13'E, 383.6 feet; thence S15°14'W, 171.0 feet; thence S6°07'W, 80.0 feet; thence S36°22'W, 171.2 feet to the point of beginning; thence N36°22'E, 171.2 feet; thence N6°07'E, 80.0 feet; thence N15°14'E, 171.0 feet; thence N15°13'W to the southerly line of STM 16 (recorded as USH 16) as recorded in Records 196 page 165; thence Southeasterly along said southerly line of STM 16 to the northwest corner of land described in Records 157 page 269, also being on the easterly R/W line of Lynch Road; thence S23°56'45"W along said easterly R/W line, 231.60 feet; thence Southerly on a curve to the right, radius 2335.01 feet, to a point that is S67°13'E from the point of beginning; thence N67°13'W, 33 feet, more or less, to the point of beginning.

Said parcel contains 1.8 acres, more or less, and is subject to highway and other easements of record.

DESCRIPTION OF PARCEL C:

Part of the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 10 and NW $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 11, T13N, R6E, Town of Newport, Columbia County, Wisconsin bounded by the following described line: Commencing at the E $\frac{1}{4}$ corner of said Section 10; thence SOUTH along the section line, 819.07 feet; thence S78°50'E, 13.58 feet; thence S86°22'E, 319.98 feet; thence N71°11'E, 216.67 feet; thence S75°10'E, 212.58 feet to the point of beginning and the southeast corner of lands owned by James Flock described in Records 362 page 581; thence N75°10'W, 212.58 feet; thence S71°11'W, 216.67 feet; thence N86°22'W, 319.98 feet; thence N78°50'W, 384.88 feet; thence N64°46'W, 448 feet, more or less, to west line of Aqua Ducks land; thence N42°E along said west line, 134 feet, more or less, to an angle point in said west line; thence N30°E, 200 feet, more or less, to a point that is N67°13'W from the point of beginning; thence S67°13'E, 1430 feet, more or less, to the point of beginning.

Said parcel contains 7.8 acres and is subject to easements of record.

An agreement has been signed by Ronnie Flock and Ken Carlson to exclude setting stakes on all of the above parcels except the south line of Parcel C.

SURVEYORS CERTIFICATE:

I, Kenneth G. Carlson, registered land surveyor, hereby certify that I have surveyed, staked and mapped the above described parcels and have complied with the provisions of A-E 7 of the Wisconsin Adm. Code to the best of my knowledge, information and belief.

June 3, 1991
DGC

Kenneth G. Carlson
Kenneth G. Carlson



ORDINANCE NO. _____
(Southfork Permanent Zoning for Annexation)

ITEM 20

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 establish permanent zoning on recently annexed lands.

SECTION II: PROVISIONS AMENDED

The zoning map for the City of Wisconsin Dells as set forth in the official map provided for in the Wisconsin Dells Code of Ordinances is hereby permanently amended so as to zone the territory as provided below.

SECTION III: PROPERTY PERMANENTLY ZONED

The following property is hereby permanently zoned C-4 Large Scale Commercial upon annexation into the City of Wisconsin Dells:

Columbia County Tax Parcel: 11028-81A and 11028-81A.1

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 Zoning Map for the Wisconsin Dells.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

INTRODUCED: April 13, 2015

FIRST READING:

SECOND READING:

PUBLISHED:

March 10, 2015

City of Wisconsin DellsORDINANCE NO. _____
(Business Improvement District)

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

SECTION I: PURPOSE

Wisconsin Dells created a Business Improvement District in 1998 when the City Council adopted a Resolution accepting an operating plan and operating budget. The plan and budget have been reviewed and approved annually as part of the City budget process. This Ordinance formalizes the BID's planning, budget and operational processes.

SECTION II: PROVISION CREATED

Wisconsin Dells Code sec. 1.11 is created.

SECTION III: PROVISION AS CREATED**1.11 BUSINESS IMPROVEMENT DISTRICT**

- (1) The duly established, constituted and operational business improvement district shall have the powers and duties enumerated in Wis. Stat. sec. 66.1109, as provided in the operating plan and as generally provided in this code of ordinances.
- (2) The business improvement district shall be managed by a board of directors which is responsible for development, modification and implementation of the operating plan and budget.
- (3) The board shall consist of seven (7) members appointed by the Mayor and confirmed by the Common Council. Six (6) of the members shall serve staggered terms of three years; and, a member of the Common Council shall be appointed annually. A majority of the board shall own or occupy real property in the district.
- (4) The mayor shall designate the chair and vice chair of the board.

- (5) In conjunction with the City's annual budget cycle, the board shall report on the district's activities, accomplishments and goals.
- (6) The board may adopt bylaws and operating procedures in furtherance of its powers and duties.

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 1.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk

INTRODUCED: _____
PUBLISHED: _____
PASSED: _____

4/1/2015

City of Wisconsin Dells
ORDINANCE NO. _____

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

INTENT:

This ordinance updates the City's mobile home code section to reflect current state law and rules.

SECTION II: PROVISION CREATED

Wisconsin Dells Code secs.16.03(1) and 16.03(2) are re-titled and amended.
Wisconsin Dells Code secs. 16.03(10)(c) and 16.03 (17)(c) are created.

SECTION III: SECTION AS CREATED

A. 16.03 Manufactured and Mobile Home Communities.

(1) Purpose.

(a) It is the intent and purpose of this section to regulate manufactured and mobile home communities in the City of Wisconsin Dells to provide adequate standards to protect the public health, safety, convenience and general welfare, consistent with Wis. Stat. Sec. 66.0435 and Wis. Admin. Code Chap. SPS 326.

(b) No person shall establish, operate or maintain, or permit to be established, operated or maintained upon any property owned, leased or controlled, a manufactured and mobile home community within the limits of the City without having first secured a license. The license year shall be from July 1 to June 30 and may be renewed under the provisions of this section for additional periods of one year.

(c) The application for a license or renewal shall be filed with the City Clerk and shall be accompanied by the fee in the amount set forth in City Fee Schedule. A fee shall be paid for each transfer of a license. A license may not be transferred or assigned to a new owner.

(2) Definitions.

The definitions of Wis. Stat. Sec. 66.0435 and Wis. Admin. Code Chap. SPS 326 are adopted by reference as if fully set forth.

B. Code Section 16.03(10)(c) is created.

- (c) No person shall park any mobile home on any platted street, alley, highway or other public right-of-way.

C. Code Section 16.03(17)(c) is created.

- (17) Bond. The Fee required by code sec. (1)(c) shall be accompanied by a surety bond in the amount of Five Thousand and 00/100 Dollars **(\$5,000.00)**. The bond shall guarantee the collection by the licensee of the monthly parking permit fee provided for in subsec. 15 and the payment of such fees to the City, the payment by the licensee of any fine or forfeiture including legal costs imposed upon or levied against said licensee for a violation of the ordinances of the City pursuant to which such license is granted, and shall also be for the use and benefit and may be prosecuted and recovery had thereon by any person who may be injured or damaged by reason of the license violating the provisions of this section.

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: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 16.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk

March 11, 2015

City of Wisconsin Dells

ORDINANCE NO. _____
(Smoking and Smoking Products)

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

SECTION I: PURPOSE

This ordinance is a recodification of the City Code Section regarding smoking and smoking products. It reflects the state smoking ban and recent regulation of nicotine products.

SECTION II: PROVISION CREATED

Wisconsin Dells Code sec. 18.06 is repealed and recreated.

SECTION III: PROVISION AS CREATED:

18.06 Smoking and Smoking Products

- (1) Smoking Prohibited. Wis. Stat. sec. 101.123, State Smoking Prohibition, as amended from time to time is adopted by reference.
- (2) Tobacco on school property. Wis. Stat. sec. 120.12(20) is adopted by reference.
- (3) Minors.
 - (a) Definitions in this subsection:
 1. "Cigarette" has the meaning given in Wis. Stat. sec. 139.30(1m).
 2. "Minor" means a person who is less than 18 years of age.
 3. "Law Enforcement Officer" has the meaning given in Wis. Stat. sec. 30.50(4s).
 4. "Tobacco Products" has the meaning given in Wis. Stat. sec. 139.75(12).
 5. "Nicotine Product" has the meaning given in Wis. Stat. sec. 134.66(1)(f).

- (b) Except as provided in subsection (c), no minor may do any of the following:
 - 1. Buy or attempt to buy any cigarette, tobacco product or nicotine product.
 - 2. Falsely represent their age for the purpose of receiving any cigarette, tobacco product, or nicotine product.
 - 3. Possess any cigarette, tobacco product or nicotine product.
- (c) A minor may purchase or possess cigarettes, tobacco products or nicotine products for the sole purpose of resale in the course of employment during their working hours if employed by a retailer licensed under Wis. Stat. sec. 134.65(1)
- (d) A law enforcement officer shall seize any cigarette, tobacco product or nicotine product involved in any violation of subsection (2) committed in their presence.
- (e) No person may procure for, sell, dispense, furnish or give away any cigarette, tobacco products or nicotine product to a minor.

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 18.