

**COMMON COUNCIL MEETING
CITY OF WISCONSIN DELLS
JANUARY 18, 2016**

Mayor Landers called the meeting to order at 7:00P.M. Notice of the meeting was provided to the *Dells Events*, WNNO Radio, and posted in accordance with State Statutes.

1. Present: First District Alderpersons Jesse DeFosse and Brian Holzem
Second District Alderpersons Mike Freel and Dar Mor
Third District Alderpersons Ed Wojnicz and Ed Fox

Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry,
Public Works & Utilities Director David Holzem, Planning & Zoning
Administrator Chris Tollaksen, Police Chief Jody Ward, Fire Inspector
Jerry Wolfram, Pat Gavinski, Assistant City Attorney Joe Hasler and Ed
Legge from the *Dells Events*.
2. The Pledge of Allegiance was said.
3. Motion by Ald. Holzem seconded by Ald. Wojnicz to approve the following consent agenda items:
 - a. December 21, 2015 Common Council meeting minutes.
 - b. Schedule of Bills Payable dated December 31, 2015 and January 18, 2016.
 - c. Approval of Bartender Licenses to Marie Herrera and John Tadych.Motion carried unanimously.
4. Updates were given by committee chairpersons.
5. There were no public comments/citizen appearances.
6. Motion by Ald. Mor seconded by Ald. Holzem to approve the Youth Art Month Proclamation requested by the Wisconsin Art Education Association. Motion carried unanimously.
7. Motion by Ald. Mor seconded by Ald. Freel to approve the appointment of Bret Anderson to the Board of Appeals and Julie Ennis to the Library Board. Motion carried unanimously.
8. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4234. BE IT HEREBY RESOLVED; that based upon the recommendation of the Finance Committee from their January 18, 2016 meeting; it APPROVES amending the 2016 Schedule of Fees to include a \$250 Legacy Sign Designation Fee referenced in municipal code sec. 22.09(4). Motion seconded by Ald. Holzem. Upon roll call vote the motion carried 6-0. Mayor Landers declared the resolution adopted.
9. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4235. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the City Plan Commission from their January 11, 2016 meeting, it

APPROVES a Conditional Use Permit to Jason Field in order to allow overnight rentals, booked by a third party, in the house located at 429 Washington Avenue. No contingencies were placed on this permit. Ald. Wojnicz seconded the motion. Upon roll call vote the motion carried 5-1 with Ald. Fox voting no. Mayor Landers declared the Resolution adopted.

10. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4236. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their January 11, 2016 meeting, it APPROVES the Professional Services Agreement with MSA for the Fiscal Sustainability Plan in conjunction with the Clean Water Fund Program. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the Resolution adopted.
11. Motion by Ald. Fox seconded by Ald. Freel to dismiss/deny the proposed resolution opposing WIAA's enforcement policy of fan-based chants. Several council members stated that it was not a matter for the city council to be taking action on. Mayor Landers stating that this shows leadership on the city's part and that the city has shown its support other matters in the past. Upon roll call vote motion to deny carried unanimously.
12. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4237. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Design Review Committee from their January 6, 2016; it APPROVES the Downtown Design Standards for the C-2 Zoning District. Ald. Wojnicz seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the Resolution adopted.
13. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4238. BE IT HEREBY RESOLVED by the City of Wisconsin Dells; it APPROVES changing the February Common Council meeting from Monday, February 15, 2016 to Monday, February 8, 2016 to accommodate the Clean Water Fund Loan process timeline. Ald. Freel seconded the motion. Upon roll call vote the motion to approve carried 6-0. Mayor Landers declared the resolution adopted.
14. Ald. Fox introduced and moved for adoption the second reading of the following ordinance:

**ORDINANCE NO. A-786
(Repeals the Cemetery Commission)**

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

SECTION I: PURPOSE

This ordinance eliminates the Cemetery Commission since the cemetery is operated under the Department of Public Works. Cemetery reserve funds are to remain as such.

SECTION II: PROVISIONS REPEALED AND AMENDED

Wisconsin Dells Code sec. 1.04(d)

Wisconsin Dells Code sec. 1.04(5)

Wisconsin Dells Code sec. 8.01

SECTION III: PROVISION AS REPEALED AND AMENDED

1.04 BOARDS AND COMMISSIONS.

- (1) Designation. The City shall have the following boards and commissions:
~~(d) — Spring Grove Cemetery Commission~~
- ~~(5) — Spring Grove Cemetery Commission. The Spring Grove Cemetery Commission shall consist of the Mayor, one member of the Common Council appointed annually by the Mayor and approved by the Common Council and three (3) members appointed by the Mayor for staggered terms of three years and approved by the Common Council. The commission shall have the powers and responsibilities set forth at Code sec. 8.01(2).~~

8.01 SPRING GROVE CEMETERY

- (1) Spring Grove Cemetery Established. The City of Wisconsin Dells does hereby determine to accept and operate a municipal cemetery which shall be called Spring Grove Cemetery; *which shall be under the direction of the Public Works Department.*
- ~~(2) — Commission Organization. The Commission shall elect a President and a Secretary. The President shall be a member of said Commission. The terms of said officers shall be for one [1] year and until their successors are elected and qualified.~~
- ~~(3) — Powers.~~
 - ~~(a) — The Spring Grove Cemetery Commission shall have full authority to operate the Spring Grove Cemetery, subject to such limitations as are contained in this chapter. The Commission may establish a compensation to be paid to its Secretary, subject to the approval of the Common Council, but all other members shall serve without pay. The Secretary shall be charged with the duty of keeping and maintaining an accurate record of the owners of lots in said cemetery and such other data as the Commission may from time to time require.~~
 - ~~(b) The Spring Grove Cemetery Commission shall from time to time make such rules or regulations for the general operation and care of Spring Grove Cemetery as it deems necessary or advisable, provided that said rules and regulations shall not conflict with any provision of this chapter, and further~~

~~provided that no such rule shall take effect until it has been published in the official city newspaper of the City of Wisconsin Dells.~~
 - ~~(c) — The Commission may employ a sexton and such other employees as it may deem necessary for the proper operation of said cemetery, establish the salary of said employees and the terms and conditions of employment.~~

~~(4) — Finance.~~

~~(a) — The Spring Grove Cemetery Commission shall annually prepare a budget showing its estimated receipts and expenditures for the ensuing year, which budget shall be submitted to the Common Council for its approval. The action of the Common Council thereon shall be final and binding upon said Commission.~~

~~(b) — The Commission shall not expend upon any project, or for the purchase of materials for a project, to exceed \$2,500.00 without permission from the Common Council. Improvements and purchases of materials for a lesser amount may be made from time to time by the Commission without the approval of the Common Council. No payments shall be made by said Commission to anyone except upon written voucher and after allowance by the Commission at a meeting thereof, excepting only duly established salaries of employees.~~

~~(c) — All funds of said Commission shall be held by the City Clerk/Treasurer and all funds collected shall be paid promptly to the City Clerk/Treasurer.~~

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 and 8.

Ald. Wojnicz seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the ordinance adopted and in full force after publication.

15. Ald. Freel introduced and moved for adoption the second reading of the following ordinance:

**ORDINANCE NO. A-787
(Chapter 15 Property Maintenance Code)**

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

SECTION I: PURPOSE:

This ordinance repeals and recreates Chapter 15 – Property Maintenance Code.

SECTION II: PROVISIONS REPEALED AND RECREATED:

Wisconsin Dells Code Chapter 15 is repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED

Recreated as “Exhibit A”.

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 15.

Ald. Fox seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the ordinance adopted and in full force after publication.

16. Ald. Holzem introduced and moved for adoption the second reading of the following ordinance:

**ORDINANCE NO. A-788
(City Parking System)**

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

SECTION I: PURPOSE

This ordinance updates the City code section which creates and regulates the city parking system.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Sec. 7.03 is repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED

7.03 PARKING SYSTEM

- (1) General. The parking system of the City of Wisconsin Dells is a public utility operated pursuant to Wis. Stat. secs. 66.0805(6) and 66.0829.
- (2) Parking Board. The affairs of the system shall be managed by the Parking Board which shall have eight (8) members as follows: Mayor, Director of Public Works, Chief of Police, three (3) members of the common council and two (2) public members. The mayor shall appoint the public members, council members, and chair subject to the approval of the Common Council for terms of one (1) year. The public members shall be appointed by the Mayor and approved by the Common Council for staggered terms of three (3) years.
- (3) Authority of Parking Board. The Parking Board shall have general powers to construct, extend, improve, operate, manage and maintain the City parking system as provided by the Common Council and shall make reports and recommendations to the Common Council. Acquisition of real property shall be in the name of the City of Wisconsin Dells and may not be made without the approval of the Common Council.
- (4) Revenue from Parking System. All monies obtained from parking devices and enforcement of street parking lots and collections for violations of parking meter regulations, shall be recorded in a designated account. None of these monies may be pledged or hypothecated in any way without the consent of the Common Council. The Common Council may elect to issue mortgage revenue bonds pursuant to Wis. Stat. § 66.0829.
- (5) Mechanical and Electronic Parking Enforcement Systems. The Parking Board shall provide for the installation, regulation, control, operation and use of mechanical and electronic parking enforcement devices, and shall maintain the devices in good workable and serviceable condition. The Parking Board shall establish fees for parking enforcement subject to approval by the Common Council.
- (6) Payment. Vehicles parked in a City parking space shall pay the fee associated with that space. If the fee is not paid, a forfeiture citation may be issued. The City shall have the discretion to suspend parking enforcement.
- (7) Designation of Parking Places. The Parking Board, or such officers and employees of the City as it shall designate, shall place lines or marks on the curb or on the street about or alongside each meter, to designate the parking space for which the meter is to be used, and each vehicle parking alongside or next to any parking meter shall park within the established lines or markings. It shall be unlawful and an offense to park any vehicle across any such line or mark, or to park a vehicle in a way that it shall not be within the area designated by lines or markings.

- (8) Fraud/Tampering. No person may:
- (a) Use fraudulent means or devices to avoid payment of parking fees; or,
 - (b) Tamper or interfere with a City installed parking device.
- (9) Penalties. The default penalty provisions of code sec. 30.04 shall apply to violations of this section; except the penalties for parking violations shall be established and approved as part of the city fee schedule.

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.

Ald. Fox seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the ordinance adopted and in full force after publication.

17. Ald. Freel introduced and moved for adoption the first reading of the following ordinance:

ORDINANCE NO. A-789
(Chapter 14 – Building & Mechanical Code)

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

SECTION I: PURPOSE:

This ordinance repeals Chapters 13 and 14 and recreates it as Chapter 14 - Property Maintenance Code.

SECTION II: PROVISIONS REPEALED AND RECREATED:

Wisconsin Dells Code Chapters 13 and 14 are repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED

Recreated as “Exhibit A”.

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 14.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the first reading of the ordinance adopted.

18. Ald. Mor introduced and moved for adoption the first reading of the following ordinance:

**ORDINANCE NO. A-790
(Chapter 22 – Sign Code)**

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

SECTION I: PURPOSE:

This ordinance repeals and recreates the city's sign code.

SECTION II: PROVISION REPEALED AND RECREATED:

Wisconsin Dells Code Chapter 22 is repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED

Recreated as Exhibit A.

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 22.

Ald. Fox seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the first reading of the ordinance adopted.

19. There were no items for referral.
20. Motion by Ald. Wojnicz seconded by Ald. Mor to adjourn. Motion carried unanimously and the meeting adjourned at 7:15PM.

Nancy R. Holzem
City Clerk/Coordinator
Published: January 23, 2016