

**COMMON COUNCIL MEETING
CITY OF WISCONSIN DELLS
MAY 16, 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 Brian Holzem and Jesse DeFosse
Second District Alderpersons Mike Freel and Dar Mor
Third District Alderperson Ed Fox

Excused: Third District Alderperson Ed Wojnicz

Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry, Planning & Zoning Administrator Chris Tollaksen, Public Works & Utilities Director David Holzem, Police Chief Jody Ward, BID Chairperson Kelli Trumble, Assistant City Attorney Joe Hasler, Shirley Tollaksen, Jesse Nehring, Matt Zietlow, Marijo Zietlow, Carol Wirth and Ed Legge from the *Dells Events*.
2. The Pledge of Allegiance was said.
3. Motion by Ald. Holzem seconded by Ald. Mor to approve the following consent agenda items:
 - a. April 19, 2016 Common Council meeting minutes.
 - b. Schedule of Bills Payable dated May 16, 2016.
 - c. Approval of Bartender Licenses to Bernie Agnew, Lisa Beers, Jordan Bork, Barbara Brasic, Terra Bristol, Mark Brown, Cindy Bruss, Kevin Elfers, Robert English, Brandon Erickson, Naomi Frenzel, Stephanie Giebel, Sammi Greifenhagen, John Hoffman, Martha Kowalke, Lisa Kratz, Jonathan Kuhls, Jacqueline Marti, Zachary Martin, Lisa McClyman, David Makowski, Emma Mews, Andrew Olson, Tabitha Peek, Davin Persson, Alison Peters, Shelley Revling, Lisa Roth, Elisa Schultz, Sabrina Settle, Trudy Stanton, Joshua Stevens, Michelle Stevens, Aaron VanSchoyck, Thomas Weaver, Christopher Weiland, Janine Weishoff, Samantha Wendorf, Cyprin Wright, and Zachary Zamzow; and deny licenses to Howard Switalla and Carla Zimmerman.Motion carried unanimously.
4. Updates were given by committee chairpersons.
5. There were no public comments/citizen appearances.
6. Ald. Mor stated that the city continues to keep its Tree City status and thanked Tree City Advisory Committee members, Shirley Tollaksen, Debbie Kinder and Becky Gussel for all their hard work.
7. Motion by Ald. Holzem seconded by Ald. Fox to deny the Notice of Claim submitted by Charles R. Peterson in full. Motion carried unanimously.

8. Motion by Ald. DeFosse seconded by Ald. Fox to approve the application for an Original Class B Beer & Class B (Quota Plus) Liquor License submitted by Myrt and Lucy's Chat & Chew LLC, Marijo Zietlow agent, for Myrt and Lucy's Chat & Chew Restaurant, 414 Broadway, for the licensing period of May 17, 2016 through June 30, 2016. Motion carried unanimously.
9. Motion by Ald. Freel seconded by Ald. Holzem to approve the application for an Original Class B Beer License submitted by Jesse Nehring for Jesse's Hideaway, 2255 Wisconsin Dells Parkway, for the licensing period of July 1, 2016 through June 30, 2017. Motion carried unanimously.
10. Motion by Ald. Mor seconded by Ald. Freel to approve, contingent upon successful inspections, the applications for renewal of Lodging Facility Licenses submitted by: Izek Cohen for 817 Oak Street, Dells Boat Tours for 519 Bowman Road, MNEG Concessions for 725 Vine Street, Mt. Olympus for 2127 Wis. Dells Parkway, 2127 Wis. Dells Parkway, 2127 Wis. Dells Parkway, and 300 County A, Paris Investments for 511 Vine Street and 410 Wisconsin Avenue, Riverview Boat Line for 440 Pioneer Drive and 2150 Wis. Dells Parkway, Smart Staff LLC for 612 Vine Street, World Traveler Housing for 726 Vine Street, and Dan Zinke for 711 Elm Street. Motion carried unanimously.
11. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4284. BE IT HEREBY RESOLVED; that based upon the recommendation of the Finance Committee from their May16, 2016 meeting; it APPROVES the Financial Advisory Agreement with Wisconsin Public Finance Professional, LLC for the refinancing of State Trust Fund Loans. Ald. Mor seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the resolution adopted.
12. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4285. BE IT HEREBY RESOLVED; that based upon the recommendation of the Finance Committee from their May16, 2016 meeting; it APPROVES proceeding with the refinancing of State Trust Fund Loans. Ald. Fox seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the resolution adopted.
13. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4286. BE IT HEREBY RESOLVED; that based upon the recommendation of the Finance Committee from their May16, 2016 meeting; it APPROVES the revised Business Park Water Tower Lease Agreement with New Cingular Wireless, LLC. with the understanding that the effective date is March 5, 2016 and that the rent is paid annually in advance, not monthly. Ald. Mor seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the resolution adopted.
14. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4287. BE IT HEREBY RESOLVED; that based upon the recommendation of the Finance Committee from their May16, 2016 meeting; it APPROVES the revised Unity Water Tower Lease Agreement with New Cingular Wireless, LLC. with the understanding that the effective date is March 5, 2016 and that the rent is paid annually in advance, not monthly. Ald.

Holzem seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the resolution adopted.

15. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4288. BE IT HEREBY RESOLVED; that based upon the recommendation of the Finance Committee from their May 16, 2016 meeting; it APPROVES amending the Schedule of Fees to include cemetery columbarium fees of \$800 for a single unit and \$1300 for a double unit. Ald. Fox seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the resolution adopted.
16. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4289. BE IT HEREBY RESOLVED; that based upon the recommendation of the Public Works Committee from their May 9, 2016 meeting and the Finance Committee from their May 16, 2016 meeting; it APPROVES the purchase, up to \$19,000, for a traffic reader board. Ald. DeFosse seconded the motion. Public Works will cover the cost since Public Safety did not budget for this in 2016. Upon roll call vote the motion carried 5-0. Mayor Landers declared the resolution adopted.
17. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4290. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committed from their May 9, 2016 meeting, it APPROVES the temporary sewer holding tank proposed for South Fork Campground contingent upon DNR approval. Ald. Mor seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the Resolution adopted.
18. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4291. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the BID Committee from their December 17, 2016 meeting, it ADOPTS the Dells River Arts District Brand Book & Style Guide. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the Resolution adopted.
19. Ald. Mor introduced and moved for adoption the second reading of the following ordinance:

**ORDINANCE NO. A-797
(Chapter 18 – Offenses)**

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

SECTION I: PURPOSE:

This purpose of this ordinance is to repeal and recreate Chapter 18 – Offenses in its entirety.

SECTION II: PROVISIONS REPEALED AND RECREATED:

Wisconsin Dells Code Chapter 18 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 18.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the ordinance adopted and in full force after publication.

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

ORDINANCE NO. A-798
(Quota Plus "Class B" Liquor License)

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

SECTION I: PURPOSE

2015 Wisconsin Act 286, effective June 1, 2016, clarifies for the purpose of restaurant exception to the quota system for "Class B" licenses, the establishment's 300-person seating capacity must be interior and permanent. This Ordinance adds that language to the city code as well as the longstanding statutory hotel exception.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Sec. 16.12(16) is repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED

16.12(16) "Class B" Quota Plus Exceptions

Pursuant to Wis. Stat. Sec. 125(51)(4)(v) and notwithstanding the City's "Class B: quota, the City may issue a license for the following:

- (a) A full-service restaurant that has an interior, permanent seating capacity of 300 or more persons.
- (b) A hotel that has 50 or more rooms of sleeping accommodations that has either an attached restaurant with a seating capacity of 150 or more persons or a banquet room in which banquets are attended by 400 or more person may be held.

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 16.

Ald. Fox seconded the motion. Upon roll call vote the motion carried 5-0. Mayor Landers declared the first reading of the ordinance adopted.

- 21. There were no items for referral. Special Common Council meeting to be held on Thursday, June 26th, tentatively set for 5:45pm.
- 22. Motion by Ald. Mor seconded by Ald. Freel to adjourn. Motion carried unanimously and the meeting adjourned at 7:08PM.

Nancy R. Holzem
City Clerk/Coordinator
Published: May 21, 2016