

**COMMON COUNCIL MEETING
CITY OF WISCONSIN DELLS
OCTOBER 19, 2015**

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, Parks, Recreation & Waterways Director Thad Meister, Kelli Trumble, John Langhans, Officer Brent Brown, 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. Mor to approve the following consent agenda items:
 - a. September 21, 2015 Common Council meeting minutes.
 - b. Schedule of Bills Payable dated October 19, 2015.
 - c. Approve Bartender Licenses to the following: Torren Antony, Dennis Kinworthy, Ashley Lipinski, Erik Overland, Erik Pattison, Kyle Rufsvold and Ronald Wensley.Motion carried unanimously.
4. Updates were given by committee chairpersons.
5. Motion by Ald. Mor seconded by Ald. Holzem to table the Mayor's recommended appointment to the Cemetery Commission as he has not found a member yet. Motion carried unanimously.
6. There were no citizen appearances for any non-agenda item.
7. Motion by Ald. Freel seconded by Ald. Holzem to approve Erik Overland as the new agent for the Class B Beer & Class C Wine License held by Rib Kings of America Inc. dba Famous Dave's BBQ. Motion carried unanimously.
8. Motion by Ald. Holzem seconded by Ald. Wojnicz to table the Original Application for a Class B Beer and Class C Wine License submitted by Wesley Johnson for True Music/Forte Entertainment, 714 Oak Street, for the licensing period of October 20, 2015 through June 30, 2016. Motion carried unanimously. Applicant was not present at the meeting.
9. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4203. BE IT HEREBY RESOLVED; that based upon the recommendation of the BID Committee

from their October 14, 2015 meeting; It Approves and Adopts the DELLS RIVER ARTS DISTRICT logo and brand name. Motion seconded by Ald. DeFosse. Upon roll call vote the motion carried 6-0. Mayor Landers declared the resolution adopted.

10. Ald. DeFosse introduced and moved for adoption RESOLUTION NO. 4204. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their October 19, 2015 meeting, It Approves the contract with ZEBRADOG for branding, graphic standards and temporary website work, to be paid for the Business Improvement District. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the Resolution adopted.
11. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4205. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their September 21, 2015 meeting; It Approves the 2016 Schedule of Fees. Ald. Freel seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the Resolution adopted.
12. Ald. Fox introduced and moved for adoption RESOLUTION NO. 4206. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Parks, Recreation & Waterways Committee from their October 5, 2015 meeting; It Approves the 2015-2020 Comprehensive Outdoor Recreation Plan. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the Resolution adopted.
13. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4207. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the City Plan Commission from their October 6, 2015 meeting, It Approves the Certified Survey Map for Parcel No. 291-801 in order for Don Gavinski to split this parcel. Ald. Mor seconded the motion. Upon roll call vote the motion to approve carried 6-0. Mayor Landers declared the resolution adopted.
14. Ald. Wojnicz introduced and moved for adoption RESOLUTION NO. 4208. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Personnel Committee from their October 19, 2015 meeting, It Approves the 2016-2018 Collective Bargaining Agreement between the City and WPPA Local 462. Ald. Mor seconded the motion. Upon roll call vote the motion to approve carried 6-0. Mayor Landers declared the resolution adopted.
15. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4209. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Commission from their October 19, 2015 meeting, It Approves the Fire Protection Services Agreement between the City and the Townships of Dell Prairie, Lyndon, New Haven, Newport, and Springville. Ald. Mor seconded the motion. Upon roll call vote the motion to approve carried 6-0. Mayor Landers declared the resolution adopted.
16. Ald. Fox introduced and moved for adoption RESOLUTION NO. 4210. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their October 19, 2015 meeting, It

Approves the proposal form MSA Professional Services for a 2016 WEDC CDI Grant Application. Ald. Mor seconded the motion. Upon roll call vote the motion to approve carried 6-0. Mayor Landers declared the resolution adopted.

17. Motion by Ald. Freel to table the proposal from MSA Professional Services for Broadway 200 & 500 Block café zone design and construction. Ald. Fox seconded the motion. Upon roll call vote the motion to table carried 6-0.
18. Motion by Ald. Holzem to table the proposal from MSA Professional Services for preliminary design of downtown plaza area. Ald. Wojnicz seconded the motion. Upon roll call vote the motion to table carried 6-0.
19. Motion by Ald. Freel to table the proposal from MSA Professional Services for the development of a final implementation plan and budget for the Dells River Arts District. Ald. Fox seconded the motion. Upon roll call vote the motion to table carried 6-0.
20. Ald. Mor introduced and moved for adoption the second reading of the following ordinance:

**ORDINANCE NO. A-779
(City Plan Commission)**

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

SECTION I: PURPOSE

This ordinance modifies the composition of the City Plan Commission.

SECTION II: PROVISIONS AFFECTED

- A. Wisconsin Dells Code sec. 1.04(2) is repealed and recreated.
- B. Wisconsin Dells Code sec. 19.203 is repealed and recreated.

SECTION III: PROVISION AS AFFECTED:

- A. 1.04(2) City Plan Commission. See Code sec. 19.203
- B. 19.203 City Plan Commission; composition and appointment of members.
 - (1) Members and appointment. The commission shall consist of seven (7) members appointed by the mayor and confirmed by the common council as follows:
 - (a) The mayor, who shall serve as chair,
 - (b) a member of the common council,
 - (c) the fire chief, and
 - (d) four (4) citizen members.
 - (2) Terms. The citizen members shall serve staggered terms of three (3) years. The mayor and fire chief shall serve during their terms. The council member shall serve a term of one (1) year.

- (3) Considerations in making citizen appointments. Citizen members shall be persons of recognized experience and qualifications and shall be residents of the city. (See Wis. Stat. sec. 62.23(1)(d))
- (4) Conditions for removal. A citizen member shall be removed from the commission and the member's office declared vacant when the member (1) fails to attend three (3) successive meetings without excused absences; or (2) moved outside of the city.

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, Chapters 1 and 19.

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

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

**ORDINANCE NO. A-780
(Chapter 18 Updates)**

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

SECTION I: PURPOSE

This ordinance adopts by reference the following state law violations as municipal code offenses: Wis. Stat. secs: 192.32-Trespassing on railroad; 940.32-Stalking; and, 948.45-Contributing to truancy. Copies of the underlying statutes are attached.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Secs. 18.03 (4), 18.07(7) and 18.09(24) are created.

SECTION III: PROVISION RECREATED

Code sections created:

- A. 18.03(4) Contributing to truancy. Wis. Stat. sec. 948.45 is adopted.
- B. 18.07(7) Stalking. Wis. Stat. sec. 940.32 is adopted.
- C. 18.09 (24) Trespassing on railroad. Wis. Stat. sec. 192.32 is adopted.

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

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

**ORDINANCE NO. A-781
(Animals at Large and Exercise)**

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

SECTION I: PURPOSE

This ordinance updates and clarifies city code provisions which regulate animals at large and exercise. It was suggested by the assistant city attorney who handles city prosecutions in municipal court.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Sec. 25.05 and 25.06 is repealed and recreated as Code Sec. 25.05.

SECTION III: PROVISION AS REPEALED AND RECREATED

25.05 Animals at Large and Exercise

- (1) Dogs, cats, or other domestic animals shall not be permitted to run at large within the city limits. A dog, cat or other domestic animal shall be considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person.
- (2) Dogs, cats or other domestic animals shall be kept on a leash no longer than six (6) feet at all times when off the premises of their owner; and, the person in physical control of the animal shall be competent to supervise and physically capable to restrain the animal.
- (3) The owner or person in control shall not allow or permit the animal to defecate upon the property not owned by such person or without such other property owner's consent or upon any public property, without immediately removing and disposing the excrement in a sanitary manner.

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 25.

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

23. No items for referral.
24. Motion by Ald. Fox seconded by Ald. Mor to adjourn. Motion carried unanimously and the meeting adjourned at 7:15PM.

Nancy R. Holzem
City Clerk/Coordinator
Published: October 24, 2015