

COMMON COUNCIL MEETING

CITY OF WISCONSIN DELLS

JANUARY 20, 2020

Mayor Wojnicz 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 Alders Brian Holzem and Jesse DeFosse
Second District Alders Mike Freel and Terry Marshall
Third District Alders Dan Anchor and Ben Anderson

Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry, Police Chief Jody Ward, Public Work & Utilities Director David Holzem, Planning & Zoning Administrator Chris Tollaksen, City Attorney Joseph Hasler, Adam Makowski, Dave Thalacker, and Peter Culver from the *Dells Events*.
2. Pledge of Allegiance was said.
3. Motion by Ald. Holzem seconded by Ald. Anchor to approve the following consent agenda items:
 - a. December 16, 2019 Common Council meeting minutes;
 - b. Schedule of Bills Payable dated December 31, 2019 and January 20, 2020;
 - c. Applications for Bartender License submitted by LeeAnn Conrado, Anthony Hernandez Jr., Michaela Jonas, Stephanie Martin, Chelsea Mason, Jordan Van Cleave, Morgan Zywicki and Anthony Zieler; and to deny the applications submitted by Austin Cole Jenkins and Isaac Breedlove.Motion carried unanimously.
4. Public Comment/Citizen Appearances: None
5. Motion by Ald. DeFosse seconded by Ald. Anderson to approve the change in Agent on the Class B Beer & Class B Liquor Licenses held by Kristie's Foods Dells LLC for Maurer's Market, 216 Washington Avenue, naming Jeffrey Maurer as the agent. Motion carried unanimously.
6. Motion by Ald. Holzem seconded by Ald. Anderson to approve the application for a Tourist Rooming House-Short Term Rental License submitted by Anna Hutchison for the house at 1515 Deer Run Ridge with the following contingencies:
 - a. Building Inspector ensures there are no code or safety issues with the house.
 - b. Occupancy meets and maintains the minimum standards as verified by the building inspector.
 - c. Applicant obtains and remains current with a State of Wisconsin ATCP Tourist Rooming House License.

- d. Overnight rental of the house will be subject to PRT and Room Tax collection and the applicant is responsible for providing clear accounting of the rental of this property.
- e. Any nuisances are addressed to the satisfaction of the city, including but not limited to noise, maintenance, and parking. Failure to address nuisances to the city's satisfaction can cause this permit to be revoked.
- f. Applicant must abide by the following restrictions:
 - Owner provides current, local and primary contact information to the Police Department and the Zoning Office.
 - Renters sign an agreement not to cause excessive noise, not to trespass on neighboring property, and not to cause any other nuisances.
 - License is non-transferable. Any new owner or operator of the property will have to obtain a new license.
- g. The City of Wisconsin Dells reserves the right to monitor the activity permitted and regulated; to modify its ordinances, policies, procedures and requirements to reflect observed effects on the neighborhood, changes in State Law and/or the interpretation of them, as well as community, public comments and concerns.

Concerns were brought up regarding this not being the applicants primary or secondary residence and the impact this will have on the neighboring properties. Attorney Hasler explained the varying interpretations of the state law regulating these types of rental properties. Motion carried 5-1 with Ald. Freel voting no. Motion carried.

- 7. Ald. Anchor introduced and moved for adoption **RESOLUTION NO. 5116**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells; it ACCEPTS the Quit Claim Deed and Dedication of Public Right-of-Way as set forth in Quit Claim Deed from Trappers Canyon Associates by Allen Paschen to the City of Wisconsin Dells, a Wisconsin Municipal Corporation. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
- 8. Ald. Marshall introduced and moved for adoption **RESOLUTION NO. 5117**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Plan Commission from their January 13, 2020 meeting; it APPROVES the Certified Survey Map associated with the location of a new sanitary sewer lift station that will be constructed near the new high school. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
- 9. Ald. Marshall introduced and moved for adoption of **RESOLUTION NO. 5118**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that; it APPROVES the Conveyance Agreement with the Wisconsin Dells School District for land in connection with the construction of a new sanitary sewer lift station near the new high school. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
- 10. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5119**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Public Works Committee, it AWARDS the new high school utility extension project to the

low bidder of Gerke Excavating Inc. for the amount of \$1,912,056.50. Ald. Anchor seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

11. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5120**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Plan Commission; it APPROVES a Conditional Use Permit to RRAD Development LLC in order to allow Overnight Lodging at 1007 and 1009 Oak Street, Columbia County Parcel 11291-467.A, with the following contingencies:

- a. Building Inspector ensures there are no code or safety issues with the house.
- b. Occupancy meets and maintains the minimum standards as verified by the building inspector.
- c. Applicant obtains and remains current with a State of Wisconsin ATCP Tourist Rooming House License.
- d. Overnight rental of the house will be subject to PRT and Room Tax collection and the applicant is responsible for providing clear accounting of the rental of this property.
- e. Any nuisances are addressed to the satisfaction of the city, including but not limited to noise, maintenance, and parking.
- f. Applicant must abide by the following restrictions:
 - Owner provides current, local and primary contact information to the Police Department and the Zoning Office.
 - Renters sign an agreement not to cause excessive noise, not to trespass on neighboring property, and not to cause any other nuisances.
 - Permit is non-transferable. Any new owner or operator of the property will have to obtain a new Overnight Lodging Permit.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

12. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5121**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Plan Commission from their January 13, 2020 meeting, it APPROVES a Conditional Use Permit to RRAD Development LLC in order to allow Seasonal Workforce Housing at 175 Sweet Briar Drive, Sauk County Parcel 291-0190-00000 with the following contingencies:

- a. Building Inspector ensures there are no code or safety issues with the house.
- b. Occupancy meets the minimum standards as verified by the building inspector.
- c. Permit is valid only for the applicant and is not transferable.
- d. Full second exit must be installed on the second floor if the occupancy exceeds 4 occupants on the second floor.
- e. If any parking concerns arise, the applicant must cooperate with the city to have them resolved.

- f. If maintenance and supervision of the facility is not maintained at a satisfactory level as determined by the city in its sole judgement, citations may be issued immediately and the permit may be revoked.
 - g. Any issues that arise must be addressed to the satisfaction of the city.
- Upon roll call vote the motion carried 6-0. Resolution adopted.

13. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5122**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the City Plan Commission from their January 13, 2020 meeting; IT APPROVES the Certified Survey Map requested by Meggie Obinski in order to combine three Columbia County Parcels (11291-1324, 11291-1326 and 11291-1327) at 1501 Pleasant View Drive and recreate them as two parcels. Ald. Marshall seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

14. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5123**. WHEREAS, passenger rail service is increasingly being recognized as a critical modal choice for small and medium sized communities, providing reasonably priced, safe, accessible transportation to complement the highway network; and

WHEREAS, Wisconsin Dells is served by the Amtrak Empire Builder with one train in each direction every day on a route linking the community with the economic centers of Milwaukee, Chicago, and Minneapolis-St. Paul, as well as Portage, Columbus, Lacrosse, and Tomah, among others in neighboring states. Amtrak provides direct passenger rail service from Wisconsin Dells to 45 cities and towns all the way to the Pacific Northwest, and connects with other cities nationwide.

WHEREAS, Wisconsin Dells' tourist industry is the number one job creator in the County, with 4 to 5 million annual visitors, many who come from the Twin Cities and Chicago metropolitan area, and passenger rail service is a component of bringing people to our attractions, as well as bringing employees to the community, which is crucial to the success of our businesses.

WHEREAS, the single daily round-trip train is limited in its ability to bring more visitors and workers to Wisconsin Dells given its limited schedule and often sold-out trains.

WHEREAS, Amtrak has set record ridership with thirty-two and one half million trips provided in Federal Fiscal Year 2019, earning \$3.3 billion in revenue, and reducing Federal operating support to the lowest ever, \$29 million. 13,631 customers boarded and alighted from Amtrak trains at the Wisconsin Dells station in Federal Fiscal Year 2018. This would increase to as much as 23,000 with the addition of a two daily trains, indicating the value that increased passenger rail service could have for residents of Columbia County; and

WHEREAS, Wisconsin Department of Transportation, like 17 other U.S. states, has an operating contract with Amtrak to supplement service along the existing Chicago to Milwaukee route with 14 additional train departures six days per week with and twelve on Sunday, because travel utility and demand is best served with multiple frequencies (departures and arrivals) each day providing competitive travel service that prompts

motorists to opt not to drive and expanding the capacity of the existing transportation network between Milwaukee and Chicago with seats on trains; and

WHEREAS, the U.S. Federal government appropriated \$1.4 billion for rail-specific, competitive grants available for states to implement passenger rail improvement projects, making this mode a priority for the nation's mobility; and

WHEREAS, the Southeast Wisconsin business community sees the value of frequent passenger rail service as critical to efficient travel for employees, allows productive use of time during travel, and increases the attractiveness of Southeast Wisconsin as a business location and tourism destination, and the Wisconsin Dells wants experience similar benefits; and

WHEREAS, the City of Wisconsin Dells wants to experience the economic and mobility benefits made possible by more frequent passenger train departures, such as that being experienced by communities on 28 Amtrak-state partnered passenger rail corridor serves across the U.S; and

WHEREAS, Improving the ease of access to Wisconsin Dells for business and tourism will enhance Wisconsin Dells' attractiveness and facilitate worker retention economic growth; and

WHEREAS, Wisconsin Dells wants to grow economically and encourage development, and improved passenger rail service beyond the single daily round-trip will be a powerful tool to do this.

WHEREAS, Wisconsin Dells recognizes that transportation investments that benefit Wisconsin residents and businesses require public support for construction and ongoing operations, as long as projects have a positive return on investment.

THEREFORE, BE IT RESOLVED that the City of Wisconsin Dells Common Council strongly supports continued efforts by the State of Wisconsin and the Wisconsin legislature to implement a second daily round-trip train between the Twin Cities, Wisconsin Dells, Milwaukee, and Chicago, and asks that all reasonable measures be taken to begin the service.

Ald. Marshall seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

15. Ald. Anchor introduced and moved for adoption **RESOLUTION NO. 5124**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin; it APPROVES moving the February 17, 2020 Common Council meeting to Monday, February 24, 2020. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
16. Ald. Holzem introduced and moved for adoption the second reading of the following ordinance

ORDINANCE NO. A-849
(Zoning Code Updates)

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

SECTION I: PURPOSE

To make several zoning code changes based on the recommendation of the City Plan Commission from a Public Hearing on December 6, 2019.

SECTION II: PROVISIONS AMENDED AND CREATED

- A. Exhibit 5-1 Principal Uses by District is amended
- B. Exhibit 5-2 Accessory Uses by District is amended
- C. Code Sec. 19.110 is amended
- D. Code Sec. 19.674 is amended
- E. Code Sec. 19.677 is created
- F. Code Sec. 19.678 is created
- G. Code Sec. 19.710(3) is created
- H. Code Sec. 19.803(1) is amended
- I. Code Sec. 19.823 is amended

SECTION III: PROVISIONS AS AMENDED AND CREATED

Amendments and Creations as attached 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 19

Ald. Freel seconded the motion. Upon roll call vote the motion carried 6-0. 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-850
(Correct Zoning of Parcels Adjacent to Mobile Home Park)

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 amend the zoning classification of parcels near Tower View Mobile Home Park that are incorrectly zoned R-9 mobile home park.

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 REZONED

- **Columbia County Parcels 11291-740, 11291-852.1, 11291-852.B, 11291-907.3, and a portion of 11291-710 are hereby rezoned from R-9 Residential Mobile Home Park to R-3 Residential Mixed Use;**
- **Columbia County Parcels 11291-908.1 and a portion of 11291-1008.4 are hereby rezoned from R-9 Residential Mobile Home Park to C-1 Commercial Neighborhood.**

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.

Ald. Anderson seconded the motion. Upon roll call vote the motion carried 6-0. First reading adopted.

18. Items for referral – Council meeting start time referred to Legislative Committee for a possible change. Ald. Freel asked that the property conditions around the Oak Grove Condo area on Michigan Avenue be addressed again.

19. Motion by Ald. Freel seconded by Ald. Anchor to adjourn. Motion carried unanimously and the meeting adjourned at 7:15pm.

Nancy R. Holzem
City Clerk/Coordinator
Posted on city's website: January 22, 2020
Published: January 30, 2020