

**COMMON COUNCIL MEETING**  
**CITY OF WISCONSIN DELLS**  
**MARCH 19, 2018**

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 Alderperson Brian Holzem  
Second District Alderpersons Dar Mor and Mike Freel  
Third District Alderperson Ben Anderson  
  
Excused: First District Alderperson Jesse DeFosse  
Third District Alderperson Ed Wojnicz  
  
Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry, Police Chief Jody Ward, Public Works & Utilities Director David Holzem, City Planner/Zoning Administrator Chris Tollaksen, City Attorney Joseph Hasler, Tim Mikonowicz from MSA Professional Services, Jeremy Ringdahl, Terry Marshall, Ed Fox, Frank Rossi, Brandon Brown, Chris Evans, Mike Evans, Elizah Leonard, Jade Herzer, and high school wrestling coaches, girls high school basketball team and coaches.
2. The Pledge of Allegiance was lead by Frank Rossi and Brandon Brown.
3. Motion by Ald. Holzem seconded by Ald. Mor to approve the following consent agenda items:
  - a. February 19, 2018 Common Council meeting minutes.
  - b. Schedule of Bills Payable dated March 19, 2018;
  - c. Applications for Bartender Licenses submitted by Mark Fedin and Roger Warren Jr.; and to deny the application submitted by Heidi Greenwood.
  - d. Application for Temporary Class B Beer License submitted by Wis. Dells Festivals Inc for Kilbourn City Live, September 28-29, 2018.
  - e. Application for a Temporary Class B Beer License submitted by Wis. Dells Festivals Inc for Dells on Tap, October 12-13, 2018.Motion carried unanimously.
4. Committee updates were given by chairpersons.
5. Mayor Landers recognized Jade Herzer and Elizah Leonard who took first and second place at the women's state wrestling tournament.
6. Mayor Landers recognized the girl's varsity high school basketball team on their first trip to the state tournament in the school's history.
7. Citizen appearances for any non-agenda item: Melanie Brown appeared stating that she was an advocate of children and had concerns with school safety as well as sexual

harassment at the school. Mayor Landers stated that she would need to address her concerns to the school board and the school resource officer.

8. Motion by Ald. Holzem seconded by Ald. Mor to approve the following applications for Special Events Permits:
- a) Cheri Holz for a car parade and parking on Saturday, July 14, 2018.
  - b) Wis. Dells Cross Country Booster Club for a mud run fundraiser Saturday, August 4, 2018.
  - c) Wis. Dells Festivals Inc for Kilbourn City Live Music & Arts Festival September 28-29, 2018.
  - d) Wis. Dells Festivals Inc for the Craft Beer Walk & Dells on Tap Festival October 12-13, 2018.

Motion carried unanimously.

9. Motion by Ald. Freel second by Ald. Mor to approve the applications for renewal of Taxicab Service Licenses for the licensing period of April 1, 2018 through March 31, 2019 submitted by:
- a) Calin Bobeanu for City Taxi
  - b) Larry Volkey for Dells Cab
  - c) Brent Mlsna for Dells Express
  - d) Jeremy Ringdahl for Kangaroo Taxi, with suspension agreement.
  - e) Michael Coleman for Sureway Taxi
  - f) Keshia Gregerson for Wisconsin Dells Taxi

Motion carried unanimously.

10. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4466. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their March 19, 2018 meeting, it APPROVES the Broadway Café Area Non-Exclusive Agreement with Cheese Cake Heaven, Inc. for non-exclusive rights to use a café zone area. Ald. Freel seconded the motion. Upon roll call vote the motion carried 4-0. Resolution adopted.
11. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4467. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their March 19, 2018 meeting, it APPROVES the Broadway Café Area Non-Exclusive Agreement with Familyland Enterprises, LLC (MACS) for non-exclusive rights to use a café zone area. Ald. Freel seconded the motion. Upon roll call vote the motion carried 3-0-1 with Ald. Anderson abstaining. Resolution adopted.
12. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4468. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the City Plan Commission from their March 12, 2018 meeting, it APPROVES the Petition for Direct Annexation by Unanimous Consent submitted by property owners Brendan and Nicole Sullivan for Columbia County Town of Newport Parcel 11291-1263.01 with the following contingencies: 1) Approval of the Certified Survey Map combining the annexed parcel with existing city parcel 11291-1243.0; and 2) Non-conforming tax parcel 1243.02 is combined with tax parcel 11291-1242 as approved by the city per Certified Survey Map

5937 in October 2017. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 4-0. Resolution adopted.

13. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4469. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Plan Commission from their March 12, 2018 meeting, it APPROVES the Certified Survey Map to combine annexed Town of Newport Parcel 11028-63.01 with existing city parcel 11291-1243.01, contingent upon approval of the annexation and permanent zoning of parcel 11028-63.01. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 4-0. Resolution adopted.
14. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4470. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their March 19, 2018 meeting, it AWARDS the low bid submitted by Pember Companies Inc. for the Eddy Street Reconstruction Project (MSA Project No. 85080). Ald. Holzem seconded the motion. Upon roll call vote the motion carried 4-0. Resolution adopted.
15. Ald. Holzem introduced and moved for adoption the second reading of the following proposed ordinance:

**ORDINANCE NO. A-822**

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

**SECTION I: PURPOSE**

To create consistency between Seasonal Workforce Housing Licensing requirements and Overnight Lodging facilities.

**SECTION II: PROVISIONS RENUMBERED & CREATED**

19.710-19.729 renumbered.  
19.710 created.

**SECTION III: PROVISION AS CREATED & RENUMBERED**

19.710 to 19.729 are renumbered to 19.711 to 19.730  
19.710 is created as follows:

19.710 Overnight Lodging.

- (1) **Extended Stay in Overnight Lodging Facilities.** For the purposes of this section, extended stay means guests staying at an Overnight Lodging Facility for more than twenty-one (21) days in any sixty (60) consecutive days.

- (2) Any owner or operator that allows a person to occupy a hotel or motel room for more than twenty-one (21) consecutive days shall prepare a completed extended-stay record with the following information:
  - (a) Name and address of each person.
  - (b) Dates of occupancy.
  - (c) Make and license plate information of vehicle.
  - (d) The owner or operator of an Overnight Lodging Facility shall retain a copy of the extended stay record on file for one (1) year from the last date of occupancy.
  - (e) Any owner or operator of an Overnight Lodging Facility offering extended stays for guests shall post a notice to all guests of the restrictions on stays for more than thirty (30) days in any sixty (60) consecutive days.
- (3) **Maximum Length of Stay in Overnight Lodging Facilities.** No person shall reside in an Overnight Lodging Facility for more than thirty (30) days in any sixty (60) consecutive days.
- (4) **Exemptions.** Length of stay restrictions do not apply to:
  - (a) The owner/operators of the facility
  - (b) Full time employees of the facility residing as a “family” (as defined in this code) within a “dwelling unit” (as defined in this code).
  - (c) Employees of the facility residing in permitted and licensed Seasonal Workforce Housing quarters.
  - (d) Guests who stay in the facility for five (5) days or less in any seven (7) consecutive days.

#### 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. Mor seconded the motion. Upon roll call vote the motion carried 4-0. Ordinance adopted and in full force after publication scheduled for March 29, 2018.

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

**ORDINANCE NO. A-823**  
(Design Review Committee Modifications)

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

**SECTION I: PURPOSE**

The purpose of this ordinance is to modify the composition and leadership of the design review committee.

**SECTION II: PROVISION CREATED**

Wisconsin Dells Code Sec. 19.262 and 19.263 are repealed.  
Wisconsin Dells Code Sec. 19.262 is recreated.  
Wisconsin Dells Code Sec. 19.263 is "Not Used".

**SECTION III: PROVISION AS CREATED:**

19.262 DRC Members, Appointments and Chair.

- (1) The Design Review Committee shall have five (5) members as follows:
  - a. Business Improvement District (BID) Chair, member or designee.
  - b. Community Development Authority (CDA) Chair, member or designee.
  - c. Common Council Member.
  - d. Two (2) public members.
- (2) The public members shall be associated with commercial ventures in the City as, without limitation, owners, operators, managers or employees; and, shall serve staggered terms of three (3) years.
- (3) The CDA, BID and Common Council members shall serve terms of one (1) year.
- (4) All members shall be appointed by the Mayor and approved by the Common Council.
- (5) The Mayor shall designate the Committee Chair subject to approval by the Common Council.

#### 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. Mor seconded the motion. Upon roll call vote the motion carried 4-0. First reading adopted. Mayor Landers requested a second reading of this ordinance so the new structure would be in place for the new committee appointment in April. It was moved by Ald. Mor seconded by Ald. Freel to suspend the rules in order to adopt the second reading. Upon roll call vote the motion carried 4-0. Ald. Mor moved to adopt the second reading. Ald. Freel seconded the motion. Upon roll call vote the motion carried 4-0. Ordinance adopted an in full force after publication scheduled for March 29, 2018.

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

#### **ORDINANCE NO. A-824** (Sign Code Changes)

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

#### SECTION I: PURPOSE

This ordinance amends the sign code regarding portable signs, non-conforming signs and ground signs.

#### SECTION II: PROVISIONS AMENDED

Wisconsin Dells Code Sec. 22.09(8)(a) is amended  
Wisconsin Dells Code Sec. 22.09(12)(b) is amended  
Wisconsin Dells Code Sec. 22.10(5)(c) is amended  
Wisconsin Dells Code Sec. 22.12(3) is amended  
Wisconsin Dells Code Chapter 22 Table E is amended

### SECTION III: PROVISIONS AS AMENDED

#### 22.09 (8) Portable Signs.

(a) **Location.** The sign ~~should~~ **shall** be located within ten (10) feet of the business entrance, but shall not be placed in a location where the **public** paved area for passage is reduced to less than six (6) **continuous** feet **in width** or within twelve (12) feet of an intersection, driveway, public stairwell or crosswalk. **Where possible, portable signs shall be located on private property.**

***C-2 Zoning District. The Design Review Committee may approve signs on public property in the C-2 Zoning District. Where possible the signs are to be located in the dedicated terrace area, which is delineated from the public walking path as colored and stamped concrete or pavers that separates the walking path from the vehicle lanes.***

#### 22.09 (12) Wind Signs.

(b) Regulation. Wind signs greater than 50 square feet in size or upon which there appears any copy or printed words shall be regulated as ~~ground~~ **pole** signs.

#### 22.10(5)(c) Pole Signs.

(i) ***C-1 Neighborhood Commercial.*** On-premises pole sign may be nearer than 500 feet to any other ~~ground~~ **pole or monument** sign, if it is the only on-premises ~~ground~~ **pole or monument** sign situated upon the premises or parcel upon which the business or commercial activity promoted is situated. Any new on-premise pole sign shall be conditionally approved by the DRC following the procedures of the CUP process per Code Chapter 19 Article 4 Division 6 (19.370-19.389). Such signs shall not exceed 50 square feet. Additional conditions may also be imposed.

(iii) ***C-4 Large Scale Commercial.*** Off-premises pole signs shall be not less than 200 feet from any other pole or monument sign or sign structure on the same side of the street on which the pole sign or sign structure is situated. An on-premises pole sign may be nearer than 200 feet to any other pole or monument sign if it is the only on-premises pole or monument sign situated upon the premises or parcel upon which the business or commercial activity is situated; and, if the business is located in a stand-alone building. Existing Sauk signs exempted: Off-premise pole signs in the C-4 Commercial Zoning District existing and documented in the 2013 Sauk County Sign inventory shall be exempt from the 200 ft spacing requirement. These signs will remain regulated by the 100 ft sign separation requirement in place when they were installed.

#### 22.12 Non-Conforming Signs & Structures

(3) **Transfer of Ownership.** A nonconforming sign on property which changes owners shall comply with this sign code unless the design and review committee, ~~after notice and public hearing,~~ determines that continuation of the nonconforming on premises sign will not have a deleterious effect on neighboring properties or be inconsistent with the redesign and rehabilitation of the business district. DRC shall consider, among other appropriate factors, whether the nonconforming on premises sign is located East of Cedar Street or is associated with a business which will not change its name or branding.

Table E: Downtown C-2 Commercial District Permitted Signage.

Portable Sign – Number of Signs Allowed

1 per business that has obtained a food license. ***Located in terrace where possible.***

#### 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 state law.

#### SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 22.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 4-0. First reading adopted. Second reading will take place on April 17<sup>th</sup>.

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

**ORDINANCE NO. A-825**  
(Sullivan Annexation - MBR No. 14080)

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 by property owners Brendan and Nicole Sullivan, 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 .5 acres. 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, Columbia County 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 R-1 Residential-Single.

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.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 4-0. First reading adopted. Second reading will take place April 17<sup>th</sup>.

19. Ald. Holzem introduced and moved for adoption the first reading of the following ordinance:

**ORDINANCE NO. A-826**  
(Permanent Zoning for Annexation)

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 R-1 Residential-Single upon annexation into the City of Wisconsin Dells:

Columbia County Tax Parcel: 11291-1243.01

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 4-0. First reading adopted. Second reading will take place April 17<sup>th</sup>.

20. Items for referral – none. Reminder that the next Common Council meeting will be on Tuesday, April 17<sup>th</sup> followed by the Reorganizational meeting.
21. Motion by Ald. Mor seconded by Ald. Freel to adjourn. Motion carried unanimously and the meeting adjourned at 7:15PM

Nancy R. Holzem  
City Clerk/Coordinator  
Posted on website: March 21, 2018  
Published: March 29, 2018