

COMMON COUNCIL MEETING

CITY OF WISCONSIN DELLS

SEPTEMBER 16, 2019

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 Ald. Brian Holzem and Ald. Jesse DeFosse
Second District Ald. Terry Marshall and Ald. Mike Freel
Third District Ald. Dan Anchor and Ald. Ben Anderson

Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry, Police Chief Jody Ward, Police Lieutenant Perry Mayer, City Planner/Zoning Administrator Chris Tollaksen, Public Work & Utilities Director David Holzem, Fire Chief Pat Gavinski, City Attorney Joseph Hasler, Fire Inspector Jerry Wolfram, Mark Sweet, Kevin Ricks, Corena Ricks, Tara Anchor, Phil Helley, Jason Hallowell, Adam Makowski, Dave Jahnke, Lisa McClyman, and Peter Culver from the *Dells Events*.
2. Pledge of Allegiance was said.
3. Motion by Ald. Marshall seconded by Ald. Holzem to approve the following consent agenda items:
 - a. August 19, 2019 Common Council meeting minutes;
 - b. Schedule of Bills Payable dated September 16, 2019;
 - c. Bartender License applications submitted by Paul Brockway, Angelo Camacho, Crystal Donchovski, Lance Fielitz, Hannah Mortenson and Emma Quispe; and to deny the applications submitted by Brian Buchanan, Jonathon Osgood, and Anthony Zieler. Motion carried unanimously.
4. Public Comment/Citizen Appearances: None
5. Motion by Ald. Holzem seconded by Ald. Freel to approve the Proclamation recognizing October as Fire Prevention Month and October 6-12 as Fire Prevention week. Motion carried unanimously.
6. Motion by Ald. Anderson seconded by Ald. Holzem to approve the Proclamation recognizing April 28, 2020 as Arbor Day, as part of the city's Tree City program.
7. Motion by Ald. Anderson seconded by Ald. Holzem to approve the application for a Special Events Permit submitted by Ed Saari for a muscle car event downtown September 28, 2019. Motion carried unanimously.
8. Motion by Ald. Freel seconded by Ald. Anderson to approve the application for a Class B Beer and Reserve Class B Liquor License submitted by Jillybeaners LLC, Jillian Campbell agent, for River Walk Pub, 911 River Road, for the licensing period of September 17, 2019 through June 30, 2020. Motion carried unanimously.

9. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5082**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells; it approves the 2019 audit engagement letter with Johnson Block & Company in the amount of \$31,500. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

10. Ald. Anchor introduced and moved for adoption **RESOLUTION NO. 5083**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells,

WHEREAS, Columbia, Sauk, Adams, and Juneau County Boards levy a County Library Tax; and

WHEREAS, Section 43.64(2)(b) of the Wisconsin Statutes provide that such units of government which levy a tax for public library services and expend an amount for a library fund as defined by s. 43.52(1) during the year for which the county tax levy is made a sum at least equal to the county library tax rate in the prior year multiplied by the equalized valuation of property in the city for the current year, may apply for exemption from this tax; and

WHEREAS, The City of Wisconsin Dells does levy a library tax in excess of the amount calculated in accordance with 43.64(2)(b);

NOW THEREFORE BE RESOLVED that the City of Wisconsin Dells, in Columbia, Sauk, Adams and Juneau Counties, Wisconsin, be EXEMPT from the payment of any county library tax as provided in Section 43.64(2)(b) inasmuch as it will expend for its own library fund for 2019 an amount in excess of that amount calculated in accordance with 43.64(2)(b). Exemption from the payment of said county library tax shall not preclude the City of Wisconsin Dells' participation in county library services in all other respects;

BE IT FURTHER RESOLVED, that confirmed copies of this Resolution shall be forwarded by the City Clerk to the Columbia, Sauk, Adams and Juneau County Clerks and the appropriate public libraries.

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

11. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5084**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their September 16, 2019 meeting; it approves the Development Agreement with the Wisconsin Dells School District which defines specific on-site and off-site improvements and assigns responsibilities. Ald. Marshall seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

12. Ald. DeFosse introduced and moved for adoption of **RESOLUTION NO. 5085**; BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their September 16, 2019 meeting; it approves the Development Agreement with Concept Attractions of Wisconsin Inc for the Wizard Quest Development. Ald. Marshall seconded the motion. Upon roll call vote the motion carried 5-1 with Ald. Freel voting no. Ald. Freel opposed part of Elm Street being closed

as part of this development which requires the city to construct a public plaza in that area. Resolution adopted.

13. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5086**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that;

WHEREAS, the City of Wisconsin Dells, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects specified in s. 23.097(1g) and (1r), Wis. Stats.;

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project; NOW, THEREFORE, BE IT RESOLVED, the City of Wisconsin Dells will comply with all Local, State, and Federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers the Director of Public Works, to act on its behalf to:

1. Sign and submit the grant application.
2. Sign a grant agreement between applicant and the DNR.
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement.
4. Submit grant reimbursement request to the DNR.
5. Sign and submit other required documentation.

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

14. Ald. Marshall introduced and moved for adoption **RESOLUTION NO. 5087**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells; it approves the Compliance Maintenance Annual Report (CMAR) for the Sanitary Sewer with an A grade for both Financial Management and Collection Systems. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

15. Ald. Marshall introduced and moved for adoption **RESOLUTION NO. 5088**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their September 9, 2019 meeting; it approves Task Order No. 00085095 with MSA Professional Services for Hwy 12/16 at CTH A/Fitzgerald Road Intersection Improvements as part of the new high school project. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

16. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5089**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Plan Commission from their September 9, 2019 meeting; it approves a Conditional Use Permit to Matthew Musiedlak to allow a "Resort" in the one building at 1820 Cole Lane, Adams County 291-00710-0000. The property is zoned A-1 Agricultural-limited which conditionally allows a resort. The permit comes with the following contingencies:

1. The use of archery targets is granted.
2. Reasonable efforts are made to establish buffers between activity areas on this property and neighboring properties. City staff is granted the authority to approve or deny the final proposed buffers.
3. Prairie Oaks Drive right-of-way is cleaned up.
4. Building Inspector ensures that there are no code or safety issues with the house.
5. Applicant obtains and remains current with a State of Wisconsin ATCP Tourist Rooming House License.
6. Overnight Rentals of the house are subject to Premier Resort Tax and Room Tax collection; the applicant is required to provide clear accounting of the rental of this property.
7. 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, or any specific use herein, to be revoked.
8. Applicant must abide by the following restrictions:
 - a. Owner provides current, local, primary contact information to the Police Department and Zoning Office.
 - b. Renters must sign an agreement not to cause excessive noise, not to trespass on neighboring property, and not to cause any other nuisance.
 - c. This permit is non-transferable, any new owner or operator of the property will have to obtain a new Overnight Lodging Permit.
9. This permit covers the one building only and does not include overnight lodging outside of the building such as campers, tents, and recreational vehicles.
10. Any additional buildings would require an additional Conditional Use Permit and Public Hearing process.

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

17. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5090**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Plan Commission from their September 9, 2019 meeting; IT APPROVES an Amendment to the Conditional Use Permit issued to Port Huron Brewing Co. LLC for an expanded use of outdoor commercial food and beverage service, outdoor vendors, and walkup service window at 805 Business Park Road, Columbia Co. Tax Parcel 11291-1497.4. This amendment pertains to their annual Oktoberfest Celebration and has the following conditions:

1. Portable toilets are allowed for the annual Oktoberfest event only.
2. Outdoor area is to be well managed.
3. Reasonable efforts are to be made to prevent parking on other private property.
4. Any issues are to be addressed to the satisfaction of the city.
5. City may require this permit to be reviewed if significant issues arise.
6. City reserves the right to revoke the permit for this once a year event if the city

determines, in its sole judgment, that the event creates a nuisance.

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

Resolution adopted.

18. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5091**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Plan Commission from their September 9, 2019 meeting; IT APPROVES a Conditional Use Permit to Logging Camp Inc. in order to allow a Garage, Non-Residential at 912 Fitzgerald Road, Sauk Co. Parcel 291-0119-00000, with the condition that the property owner maintain the vegetation around the building and that there not be a collection of "stuff" around the building. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
19. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5092**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Plan Commission from their September 9, 2019 meeting; IT APPROVES the Site Plan Application submitted by Logging Camp Inc. for the construction of a Garage, Non-Residential at 912 Fitzgerald Road, Sauk Co. Parcel 291-0119-00000, with the condition that the property owner maintain the vegetation around the building and that there not be a collection of "stuff" around the building. Ald. Anchor seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
20. Ald. Anderson introduced and moved for adoption **RESOLUTION NO. 5093**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Plan Commission from their September 9, 2019 meeting; It APPROVES the Site Plan Applications submitted by Chris Alexander for the expansion of the mini-storage unit facility at 919 County H, Sauk County Parcel No. 291-0049-00000, with the following contingencies:
 1. If paving plan does not work out, applicant is required to fix the paving.
 2. Final Site Plan allows for a minimum of 24 ft wide, 2-way drive isles.
 3. An adequate buffer is maintained between any new building and neighboring residential properties.
 4. Applicant is responsible to address any storm water issues that this new construction may create.
 5. Final Site Plan is approved by city staff, and city staff reserves the right to require full committee and council approval of the final plan if deemed necessary.
 6. Building site and property lines are staked out if final construction is to be within 10 feet of the setback limits.

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

Resolution adopted.

21. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5094**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Plan Commission from their September 9, 2019 meeting; IT APPROVES the Certified Survey Map requested by Uphoff Properties LLC with the condition that an access easement for

Lot 1 is provided and the final Certified Survey Map is approved by city staff. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

22. Ald. Anderson introduced and moved for adoption **RESOLUTION NO. 5095**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Parking Board from their September 9, 2019 meeting; IT APPROVES creating a local parking sticker for 2020 and adopts the rules and regulations set forth for it. Ald. Freel seconded the motion. Sticker fee is \$10 and is valid for local residents and downtown employees to park for free in Lots 3 and 7.
23. Items for referral – none.
24. Motion by Ald. Holzem seconded by Ald. Freel to adjourn. Motion carried unanimously and the meeting adjourned at 7:15pm.

Nancy R. Holzem
City Clerk/Coordinator
Posted on city's website: September 19, 2019
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