

COMMON COUNCIL MEETING

CITY OF WISCONSIN DELLS

November 18, 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 Alders Brian Holzem and Jesse DeFosse
Second District Alders Terry Marshall and Mike Freel
Third District Alders Dan Anchor and Ben Anderson

Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry, Police Chief Jody Ward, Police Lieutenant Perry Mayer, Public Work & Utilities Director David Holzem, Fire Chief Pat Gavinski, Chris Jaye, 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. October 21, 2019 Common Council meeting minutes;
 - b. Schedule of Bills Payable dated November 18, 2019;
 - c. Bartender License applications submitted by Kiara Czappa and Alyssa Delp.Motion carried unanimously.
4. Public Comment/Citizen Appearances: None
5. Mayor Wojnicz declared the Public Hearing open on the City's 2020 General Fund and Debt Levy Budget. No one presented to speak for or against. Mayor Wojnicz declared the Public Hearing closed.
6. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5100**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their October 28, 2019 meeting; it APPROVES and ADOPTS the following 2020 budgets: (a) General Fund Operating and Debt Levy Budget; (b) Capital Budget; (c) Water, Sewer, Electric and Parking Utility Budgets; (d) Fire, Rivers & Bay, and Room Tax Special Revenue Fund Budgets; (e) Premier Resort Tax Distribution; (f) Business Improvement District Budget; (g) Tax Incremental Financing District Budgets; and (h) EMS Commission Budget. Ald. Freel seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
7. Ald. Freel introduced and moved for adoption of **RESOLUTION NO. 5101**, BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their October 28, 2019 meeting; IT APPROVES the 2020 Schedule of Fees. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
8. Ald. DeFosse introduced and moved for adoption **RESOLUTION NO. 5102**. BE IT HEREBY

RESOLVED by the City of Wisconsin Dells as follows: The Intergovernmental Agreement, for partial funding of the new Wisconsin Dells High School project, between the Village of Lake Delton and the City of Wisconsin Dells is approved; and BE IT FURTHER RESOLVED that city officials and staff are authorized to execute the documents necessary to effectuate the agreement, including without limitations, a Promissory Note in the amount of 4.7 million dollars. Ald. Anderson seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

9. Ald. Anchor introduced and moved for adoption **RESOLUTION NO. 5103**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that the letter from Mayor Wojnicz and City Clerk/Administrative Coordinator Nancy Holzem to Concept Attractions, extending the closing date in the Concept Attractions Development Agreement to January 15, 2020 be approved. Ald. Anderson seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
10. Ald. Marshall introduced and moved for adoption **RESOLUTION NO. 5104**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that city officials and staff are authorized to execute and deliver an amendment as follows: The 920 Race Street Affordable Housing Development Agreement dated May 21, 2018 by and between the City of Wisconsin Dells and Mirus Wisconsin Dells II, LLC is amended as follows:

1. Section 3F. is created as follows: The city shall pay the developer a project grant in the amount of \$50,000 when a certificate of occupancy had been issued for the project. The payment shall be made within 21 days of the date the occupancy permit and shall be payable to Mirus and its primary lender.
2. Section 3C. is amended to provide a closing date no later than June 30, 2020.

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

11. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5105**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their November 13, 2019 meeting; it APPROVES Alternate 2b for the roundabout intersection on STH 12/16 at County A and Fitzgerald Road as part of the new high school project. Ald. Marshall seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
12. Ald. Marshall introduced and moved for adoption **RESOLUTION NO. 5106**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their November 13, 2019 meeting; it APPROVES a Water and Electric Rate Case Study and the Engagement Letter with Johnson-Block for the services. Ald. Anchor seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
13. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5107**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Plan Commission from their November 13, 2019 meeting; IT APPROVES the Site Plan

application submitted by Riverwood Eagle's Nest LLC for construction of Phase 1A of their senior community development, at 103 Bowman Road which consists in part of 30 assisted living units and 22 memory care units, with the following contingencies:

1. All final utility plans (water, electric, sanitary and storm sewer) are provided to the city for review and approval prior to the commencement of any construction. If utilities are located outside of a roadway adequate access for utility maintenance and repair shall be provided. Plans for utilities outside of the roadway may be denied if they are found to be unacceptable to the city.
2. Any site improvement not part of this plan shall be approved by city staff at their sole discretion.
3. As-builts with GPS locations and easements acceptable to the city shall be provided for all utilities prior to the city accepting their dedication as public utilities. Issuances of building occupancy permits may be withheld if utility dedication is not completed.
4. Storm water is not allowed to run on Bowman Road or anywhere else where it would cause a nuisance or damage. The developer is responsible for upsizing downstream culverts and installing additional erosion control measures if required. This would apply to any area taking storm water from this site, including Bowman Road at the railroad crossing.
5. The bio-filter ponds are adequately maintained so as to provide the expected performance in the future.
6. Overflow from any of the storm water features shall generally follow the design path. The developer will be responsible for any nuisances or damage that occurs. The developer will need to add flow control measure for flow outside the design path and add additional erosion measures if needed.
7. The access to the garbage dumpster is not acceptable, as the road does not provide enough room for the city garbage truck to turn around. Before the city will provide garbage service, acceptable access must be provided and approved by the city.
8. The owner shall sign a waiver holding the city harmless for any damage caused to private roads by the large garbage trucks.

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

14. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5108**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Plan Commission from their November 18, 2019 meeting; it APPROVES the Certified Survey Map requested by Riverview Boat Line in order to divide parcels 291-0106-00000 and 291-0111-00000 with the following contingencies:

1. Verification that the building separation requirements comply with State Code.
2. Parcel No. 291-0106-00000 remnant maintains 40 feet of frontage along Wisconsin Dells Parkway.
3. Remnant parcels in the north-west area meet parcel requirements including frontage to Wisconsin Dells Parkway.
4. Documentation of utilities and potential easements for public utilities (storm sewer) is addressed to the satisfaction of the city.

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

15. Ald. Anchor introduced and moved for adoption **RESOLUTION NO. 5109**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their November 18, 2019 meeting; it APPROVES the Tax Incremental District #2 Development Agreement between the City of Wisconsin Dells and Duane Kleinsasser, LLC for construction of apartments off of Trout Road. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.
16. Ald. Freel introduced and moved for adoption the first reading of the following ordinance:

**ORDINANCE NO. A-848
(Sign Code Updates)**

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 update the sign code pertaining to monument signs, roof signs, portable signs, projecting signs and off-premise signs.

SECTION II: PROVISIONS AMENDED

Wisconsin Dells Code sec. 22.02, 22.05, 22.09 AND 22.10

SECTION III: PROVISIONS AS AMENDED:

Section 22.02 Definitions

- (18) Monument Sign: a detached, self-supporting sign mounted or incorporated into a solid base. *(In certain cases the base may have two (2) separate legs that are no taller than the width of the base, with approval of the DRC).*
- (33) Roof Sign: any sign erected, constructed or maintained wholly upon or above the roof of any building with the principal support attached to the roof

structure. *The Design Review Committee may consider signs technically attached to the roof of a structure a "Wall Sign" if such sign is within eighteen (18) inches of the building wall and projects no more than 5 feet above the roof line of the building*

Section 22.05 Exemptions

The following signs are exempt from the permit requirements of this ordinance:

- (16) Sandwich boards, "A" frame and Pedestal Signs in the *C-1 or* C-2 District, following the downtown design standard and subject to review of the Design Review Committee (DRC).

Section 22.09 General Sign Regulations

(9) Portable Signs.

- (a) Location. The sign 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-1 and* C-2 Zoning District. The Design Review Committee may approve signs on public property in the *C-1 and* 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.
- (b) Usage. The sign shall only be used during business hours.
- (c) Material. The sign shall be made of a durable material such as wood or metal.

(10) Projecting Signs.

- (a) Area Limitations. Projecting signs shall not exceed three hundred (300) square feet on each side, or as defined in Code Sec. 22.10, whichever is stricter.
- (b) Projection over Public Property. Every projecting sign shall be placed at least ten (10) feet above the public sidewalk over which it is erected. No projecting sign shall project more than four (4) feet, six (6) inches into the public way. *Off-Broadway Exception: The Design Review Committee may allow a projecting sign that is NOT ON BROADWAY to project up to six (6) feet into the public way. Following notification of property owners & business operators within 50 feet of the subject parcel, the Design Review Committee shall determine that such projection would not cause undue hardship to a neighboring business.*
- (c) Height. The highest point of a projecting sign shall be no more than ten (10) feet above the roof line of the building upon which

the projecting sign is placed, or as defined in Code Sec. 22.10, whichever is stricter.

- (d) Content. Projecting signs shall promote or relate only to on-premises goods, services or activities.
- (e) Placement. Projecting signs shall be a minimum of forty (40) feet apart; except that each building or business may have a projecting sign.
- (f) Declaration of Policy. The erection of a projecting sign over the public right-of-way is declared to be a privilege granted by the City of Wisconsin Dells. There is no guarantee that all applications for projecting signs will be approved or that all designs will be permitted. Applications will be considered on a case by case basis and evaluated on their contribution to downtown Wisconsin Dells.

Section 22.10 Specific Sign Requirements, per Zoning District

- (4) C-2 Downtown Commercial Zoning District.
 - (a) Total Allowable Sign Area. The total sign area permitted (i.e. all sign areas within a facade combined) shall not exceed five (5) square feet per one (1) lineal foot of business frontage with the minimum of 144 square feet and a maximum of 300 square feet allowed.
 - (b) Permitted Signs. The following signs or other advertising structures are permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; *Portable Signs*, Projecting and Blade signs; Temporary signs; Wall signs; and, Window Signs. See Table (E) for restrictions on these permitted signs.
 - (c) Off-Premise Signs. Off-premise signs are prohibited; meaning content of signs is limited to the business, service, and activity available or conducted on the subject lot, except in the following condition.
 - (i) When a business or service does not have direct access to a public street, signs directing traffic to the subject business or service may be located off premises at the nearest point of access. Such signs are counted as part of the total allowable sign area.
- (5) C-1 Neighborhood Commercial, C-3 Highway Commercial, C-4 Large-scale Commercial, and M-1 Mixed Use Zoning Districts.
 - (a) Permitted Signs. The following signs or other advertising structures are permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; Pole signs; *Portable Signs*; Projecting and Blade signs; Roof signs; Temporary signs; Wall signs; Wind signs; and, Window Signs.
 - (b) *Off-Premise Signs. Off-premise signs are prohibited; meaning content of signs is limited to the business, service, and activity available or conducted on the subject lot, except in the following condition.*
 - (i) *When a business or service does not have direct access to a public street, signs directing traffic to the subject business or service may be located off premises at the nearest point of*

access. Such signs are counted as part of the total allowable sign area.

~~*(b) Prohibited Signs. Off-premise signs are prohibited in the C-1 Commercial neighborhood Zoning District*~~

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 22.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. First reading adopted. Second reading will take place December 16, 2019.

17. Items for referral – none.
18. Motion by Ald. Freel seconded by Ald. Anchor to adjourn. Motion carried unanimously and the meeting adjourned at 7:12pm.

Nancy R. Holzem
City Clerk/Coordinator
Posted on city's website: November 20, 2019
Published: November 28, 2019