

COMMON COUNCIL MEETING

CITY OF WISCONSIN DELLS

December 16, 2019

Mayor Wojnicz called the meeting to order at 7:10P.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 Alder Mike Freel
Third District Alders Dan Anchor and Ben Anderson

Excused: Second District Alder Terry Marshall

Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry, Police Chief Jody Ward, Police Lieutenant Perry Mayer, Public Work & Utilities Director David Holzem, Planning & Zoning Administrator Chris Tollaksen, Fire Chief Pat Gavinski, City Attorney Joseph Hasler, Carol Wirth with Wisconsin Public Finance Professions, LLC, Dar Mor, Matt Zietlow, Marijo Zietlow, 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. November 18, 2019 Common Council meeting minutes;
 - b. Schedule of Bills Payable dated December 16, 2019;
 - c. Bartender License applications submitted by Michael Cobel, Shalyn Leifer and Luis Martinez-Olivares; and to deny the application submitted by Courtney Sawyer.Motion carried unanimously.
4. Public Comment/Citizen Appearances: None
5. Motion by Ald. Holzem seconded by Ald. Anderson to approve the application for a Special Events Permit submitted by Jenifer Dobbs/Wisconsin Dells Festivals Inc. for Automotion 2020 to take place in the Mt. Olympus parking lot May 16-17, 2020. Motion carried unanimously.
6. Motion by Ald. Freel seconded by Ald. Anchor to approve the application for an Original Class B Beer and Class B Liquor License submitted by Myrt and Lucy's Chat & Chew, LLC, Marijo Zietlow Agent, for Myrt and Lucy's Chat & Chew Restaurant, 701 Broadway, for the licensing period of December 17, 2019 through June 30, 2020. Approval is contingent upon the sale of the property and the license for this location being surrendered by Skybox LLC. Motion carried unanimously.
7. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5110**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their December 16, 2019 meeting; it APPROVES the Municipal

Advisory Agreement with Public Finance Professionals, LLC; and to proceed with General Obligation Promissory Notes and Taxable General Obligation Promissory Notes to fund TIF District #2 projects. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

8. Ald. Anchor introduced and moved for adoption of **RESOLUTION NO. 5111**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that the list of 2020-2021 election workers and chief election inspectors be approved. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.
9. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5112**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells; WHEREAS, Wis. State Statute Sec. 5.15(6)(b) allows municipalities to combine wards for election reporting purposes if the municipality adopts an authorizing resolution, and WHEREAS, the Columbia County portion of the city has Wards 1, 2, 3, 6, 11 and 12; WHEREAS, the City of Wisconsin Dells has a current population of 2788 and only one polling location; WHEREAS, the combining of wards creates efficiencies in the election process and also for the poll workers and electors on Election Day; WHEREAS, all the necessary information as to the ward of each voter is still included in the combined poll book and is available if needed, NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wisconsin Dells, that pursuant to Wisconsin State Statutes 5.15(5)(b), for the August 11 and November 3, 2020 Elections there shall be one reporting unit for Columbia County Wards 1, 2, 3, and 6. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.
10. Ald. Anchor introduced and moved for adoption **RESOLUTION NO. 5113**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Finance Committee from their December 16, 2019; it APPROVES the First Amendment to the City of Wisconsin Dells – Concept Attractions of Wisconsin Inc. Development Agreement dated September 16, 2019. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.
11. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5114**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Public Works Committee from their December 9, 2019 meeting, it APPROVES Updates for the Functional Classification and Boundary Changes in Urban Areas. WHEREAS, a comprehensive functional classification system and boundary review is conducted across the state of Wisconsin after the decennial census update; and WHEREAS, the Village of Lake Delton/City of Wisconsin Dells area has been upgraded from a Rural Area to an Urban Area, and WHEREAS, The City of Wisconsin Dells is a major stakeholder in the Urban Area, having the responsibility to direct, coordinate and administer federal continuing, comprehensive and coordinated transportation planning throughout the designated Urban Area, and WHEREAS, the Federal Highway Administration has issued guidance related to the development of functional classification systems; and WHEREAS, the Wisconsin Department of Transportation (WisDOT) has submitted changes to the functional classification system within the Village of Lake Delton/City of Wisconsin Dells Urban Area for review and approval; and

WHEREAS, said recent changes have been presented to the City of Wisconsin Dells Public Works Committee; and WHEREAS, the changes proposed to the functional classification system are as attached as Exhibit A and the proposed change map is attached as Exhibit B; and WHEREAS, the Wisconsin Dells Common Council has reviewed the proposed updates and, to the best of their knowledge, finds:

1. The proposed updates are consistent with the Federal Highway Administration's guidance;
2. The proposed updates are consistent with the Wisconsin Department of Transportation's recommendations and justifications;

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Dells Common Council approves updates to the Functional Classification system in the Village of Lake Delton/City of Wisconsin Dells Urban Area as outlined in the attached table and draft change map and the City Clerk is to transmit this Resolution to the appropriate State and Federal officials. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

12. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5115**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the City Plan Commission from their December 9, 2019 meeting; IT APPROVES the Site Plan Application submitted by Horn Plastics Inc. for the construction of an additional warehouse and an office building at their current location of 825 Business Park Road, Columbia County Parcel 11291-1497.12, with the condition that the applicant cooperate with any corrections required to address storm water issues created by this new construction. Ald. Anchor seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

13. Ald. Holzem introduced and moved for adoption the second 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. Freel seconded the motion. Upon roll call vote the motion carried 5-0. Ordinance adopted and in full force after publication.

14. Ald. Holzem introduced and moved for adoption the first 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 5-0. First reading adopted. Second reading will take place January 20, 2019.

15. Items for referral – none.
16. Motion by Ald. Freel seconded by Ald. Anchor to adjourn. Motion carried unanimously and the meeting adjourned at 7:20pm.

Nancy R. Holzem
City Clerk/Coordinator
Posted on city's website: December 17, 2019
Published: December 26, 2019