City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

COMMON COUNCIL AGENDA
MONDAY, JULY 23, 2018
REEDSBURG CITY HALL COUNCIL CHAMBERS
7:00 P.M.

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

THE COUNCIL WILL RECEIVE INFORMATION ON NON-AGENDA TOPICS BROUGHT BEFORE THE COUNCIL BY MEMBERS OF THE PUBLIC. THE COUNCIL WILL NOT DISCUSS THESE TOPICS, AND WILL NOT TAKE ACTION ON ANY OF THEM AT THIS MEETING.

I. CONSENT AGENDA: (one motion to approve all Consent items)

A. Approve minutes from the Council meeting held on July 9, 2018.
B. Operator's Licenses (New) – Christina Hewitt-Milojevic - Location: Shopko Hometown.
C. Approve Temporary Class "B" / "Class B" Retailers Licenses: Sacred Heart Parish – Sacred Hearts Parish - Fall Festival – Date: Sept. 8th and 9th 2018. Location: 545 N. Oak Street.
D. Approve Temporary Class "B" / "Class B" Retailers Licenses: WI. State Jim Bean – WI. State Jim Bean Club - Picnic and Craft sale – Date: Aug. 25, 2018. Location: 200 Viking Drive.
E. Approve/Deny Billing to 602 4th Street. Recommendation – City Attorney: Remove Billing.

II. MAYOR PROCLAMATIONS, PRESENTATIONS, APPOINTMENTS:

A. Oath of Office: Police Officer Marcus Stanley
B. Park and Recreation Month – July 2018
C. 2018 National Farmers Market Week: August 5-11, 2018

III. GENERAL BUSINESS:

A. Great Sauk Trail Information and presentation.

IV. RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS:

A. Planning Commission: Approve/Deny a Resolution 4345-18. A Resolution of the City Council to approve a Certified Survey Map (CSM) to divide parcel #2408-106 into two lots for two future houses at 415 Midway, Reedsburg WI.

B. Planning Commission: Approve/Deny a Resolution 4346-18. A Resolution of the City Council to approve a Certified Survey Map (CSM) to attach two parcels #1313 and 1313-01 at 1023 Plum and to divide the main parcel into three separate parcels.

C. Reedsburg Utility Commission: Approve/Deny a Resolution 4347-18 of the City Council in support of Telecommuter Opportunities and "Telecommuter Forward" Certification.

D. Ordinance Committee: 2nd reading and hold Public Hearing for Ordinance 1875-18. An Ordinance to amend Chapter 29.09 and 29.10 also adding Chapter 17.22. Amend Chapter 29.09, 29.10 to change a term to "Animals at large" and adding section 17.22 Section 7 for Chickens to the ordinance. Allows by

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zoning code with annual license.

E. Planning Commission: 2nd reading and hold Public Hearing for Ordinance 1876-18. An Ordinance to amend Chapter 17.13 Section 9, ('C'), (1) to make changes to the owner occupancy of home businesses in R-1, R-2, or B-3 zoned rentals by owners consent.

F. Ordinance Committee: 2nd reading and hold Public Hearing for Ordinance 1877-18. An Ordinance to amend Chapter 12.01: Intoxicating Liquor and Fermented Malt Beverages. Amend Chapter 12.01 Section 3 – Operator's Licenses.

G. Ordinance Committee: Introduction, 1st reading and setting Public Hearing for August 13, 2018 for Ordinance 1878-18. An ordinance amending Chapter 11 Health and Sanitation, amending section 11.01, removing sections 11.13 and 11.14.

H. Ordinance Committee: Introduction, 1st reading and setting Public Hearing for August 13, 2018 for Ordinance 1879-18. An ordinance amending Chapter 10.03 Public Nuisances Affecting Public Health, amending several sections in Chapter 10 and removing duplication found in Chapter 11.

I. Ordinance Committee: Introduction, 1st reading and setting Public Hearing for August 13, 2018 for Ordinance 1880-18.An ordinance amending Chapter 7 Traffic Code, Amending section 7.08(5) changing the time for parking upon city streets and alleys. A revision is also being recommended to provide authority to the Public Works Committee to deliver a City Resolution for City Names, placement of stop signs, street directions and parking.

V. CITY ADMINISTRATOR REPORTS:

Monthly City Administrator Report.

VI. COMMISSION, COMMITTEE, BOARD AND STAFF REPORTS: (2nd Meeting of the Month)

Ordinance Committee (2nd Meeting – Held Prior to CC)

Community Development Authority	Ethics Committee *
Library Board	Room Tax Commission *
Historical Preservation Commission	Reedsburg Arts Committee *
Park and Recreation Committee	Reedsburg Industrial Commercial Dev. Commission*
Plan Commission	Public Safety Committee *
Public Works Committee	Police and Fire Commission *
Utility Commission	Zoning Board *

'*' Report out at next City Council meeting following most recently held Commission, Committee or Board meeting

VII. OFFICE OF THE MAYOR:

A. Upcoming Community Events

VIII. ADJOURN

Posted: July 19, 2018

Last Resolution: 4347-18 Last Ordinance: 1880-18

The City of Reedsburg does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings and programs are available by calling (608) 524-6404. To be able to meet the needs of a request for a different format contact the City Clerk-Treasurer at 134 S. Locust Street, Reedsburg, WI at least 48 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

City of Reedsburg Meeting of the Common Council
July 9, 2018

Present: Aldermen, Dave Moon, Craig Braunschweig, Jason Schulte, Mike Gargano, Calvin Craker, Dave Knudsen, and Brandt Werner.

Absent: Aldermen Heuer and Peterson

Others Present: Stephen Compton, Jacob Crosetto, Tim Becker, Brian Duvalle, Derek Horkan, Steve Zibell, Matt Scott, Jake Stanek, Charlie Walker, Citizens, Press.

Mayor Dave Estes called the regular session of the Common Council to order at 7:00 p.m. in the Common Council Chambers.

Approve Consent Agenda: consisting the minutes from the Council meeting held on June 25, 2018; May 2018 Bills; June 2018 Bills; June 2018 Building Permit Report; Operator's Licenses for Robert Schanke, Brendan Scully, Nicole Schofell, Chris Stoffer, Amy Campbell, Samantha Jahn, Mark Rosenow, Lacy Calhoun, Mackenzie Kaney, and Edith Valles; and the Annual Weights and Measures Report conducted by WM Inspections, LLC.

Motion Craker, Second: Schulte to approve the remaining items on the consent agenda. Motion carried 8-0.

MAYOR PROCLAMATIONS, PRESENTATIONS, AND APPOINTMENTS:

A. Bob Utley: Former Water Utility Superintendent, Alderman, Municipal Court Champion
    a. Mayor Dave Estes Bob Utley and ceremoniously named the Council Meeting in his honor.

GENERAL BUSINESS:

A. Deer Ridge Development (Subdivision) – Final Plat and Development Agreement
    a. Citizen Comments:
        i. Kenneth Howes, 1024 9th St.: Kenneth advised the Council that he believed that the development agreement needed an additional clause to hold the city harmless, as well as including a surety bond in case of negligence related to water damage.
        ii. Jim Krueger, 1011 10th Ct.: Jim stated his opposition to the plan because of the number of lots already existing in the City. He does not believe that there needs to be five more lots when there are over 50 vacant lots for sale.
    b. **Motion: Knudsen, Second: Craker to approve the Plat. Motion carried 6-1-0 with Schulte voting no.**
    c. **Motion: Moon, Second: Craker to approve the Development Agreement. Motion carried 6-1-0 with Schulte voting no.**

RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS:

A. Finance Committee: Webb Fund Request – Boy Scouts of America, Troop 247. Panda Ball Pit - $587.45 by Charlie Walker/Kari Walker.
    a. **Motion: Knudsen, Second: Schulte to increase the request to $1,000 and approve the request. Motion carried 7-0.**

B. Ordinance Committee: 2nd reading and holding Public Hearing for Ordinance 1873-18. An Ordinance to amend Chapter 36. The Ordinance will add language to Section 36.06 - Collections of Forfeitures and Costs, establishes separate revenue fund and authorizes the Judge to adjust municipal court fees by sending a Resolution to the City Council.
    a. **Motion: Schulte, Second: Braunschweig to approve 1873-18 as presented. Motion carried 7-0.**

C. Public Works Committee: 2nd reading and holding Public Hearing for Ordinance 1874-18. An Ordinance to amend Chapter 7.05 Section 12 to change the traffic control signs at Booster Boulevard and South Pine Street.
    a. **Motion: Werner, Second: Craker to approve Ordinance 1874-18 as presented. Motion carried 7-0.**

Motion to adjourn by Gargano with a second from Braunschweig. Motion carried 7-0.

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Jacob Crosetto
City Clerk-Treasurer

Operator License Application

(Pursuant to Reedsburg Ordinance, Section 12.01)

☒ New ☐ Renewal ☐ Provisional - $15.00 ☐ Operator Fee - $50.00 ☒ Operator Fee - $25.00 *[eff. July of even-numbered years]* Pd 7-6-18

Office Use Only	License # 3696	Provisional #	Fee Is Non-Refundable

Filling out your application

- An Operator License is a privilege, not a right. **Any false answers or omissions may result in the denial of your application.**
- This application must be filled out accurately and completely.
- If you have any doubt as to whether to include the facts of a specific incident it is recommended that you disclose the information.
- If you are unsure about how to respond to any questions on this form, check with the City Clerk for clarification.
- Your application will not be processed until you deal with outstanding warrants.
- You can obtain information regarding your arrest and conviction record from the police department, the court with which you interacted, or the Wisconsin Circuit Court Access website at www.wcca.wicourts.gov/index.xsl (CCAP *may not provide a comprehensive list of ALL arrests and convictions*).

Review of your application

- The Reedsburg Police Department will perform a background check to verify that the information you have provided is complete and accurate.
- If there are concerns about your arrest and/or conviction record as it relates to your application, or if it appears that you falsified or omitted information from your application, you may be called to appear before the Ordinance Committee.
- If you are asked to appear but choose not to do so, your application may be denied.
- *Meetings of the Ordinance Committee are open to the public.*

Last Name	First Name	M.I.	E-Mail Address
Hewitt-Milajevic	Christina	M	hewittchristina12@gmail.com

Residence: Street Address	City	State	Zip
204 E. Main Street, Apt. 301	Reedsburg	WI	53959

Phone	Date of Birth	Birth Place (City, State)	Race	Sex	Height	Weight	Hair	Eyes
(608)432-9405	/ /	Deland, FL	W	F	5'4"	125	BLD	BLue

Driver's License Number (State & Number)	Place of Employment	Contact Person & phone number
	Shopko Hometown	Bryan - (608)495-5170

Other names, aliases or birth dates ever used

Cities and States lived in since age 18, including where you now reside:	From:	To:
Reedsburg, WI	5/1/17	present
Redgranite, WI	1/2017	5/1/17
Wisconsin Dells, WI	8/2016	1/2017
Berlin, WI	2007	8/2016

Indicate whether you are a U.S. Citizen, U.S. Alien, or Temporary Resident
☒ U.S. Citizen ☐ Alien ☐ Temporary Resident (employment number)

Arrest and Conviction Record

Since your 17th birthday, have you ever been convicted of a felony or misdemeanor? (Including criminal traffic offenses)	☐ Yes	☒ No
As a juvenile, were you ever waived into adult court and convicted of a felony or misdemeanor?	☐ Yes	☒ No
Have you ever been convicted by a military court-martial?	☐ Yes	☒ No
Have you ever been convicted of disorderly conduct that involved violence against another person?	☒ Yes	☐ No

Continue on Reverse Side

List Any Pending Criminal Charges, Citations or Tickets

Year	Location	Charge	At the time of incident were you under the influence of alcohol and/or other drugs?	Did the incident occur in or around an establishment that serves alcohol?
	N/A			

List All Criminal Convictions, Municipal/Ordinance Violations, Citations and Tickets (Excluding Parking Tickets)

Year	Location	Charge	At the time of incident were you under the influence of alcohol and/or other drugs?	Did the incident occur in or around an establishment that serves alcohol?
2013	Berlin, WI	Disorderly Conduct/mis. Assult Battery	No	No (Charges Dropped)

Application must be notarized.

The undersigned affirms that he/she made complete and true answers to each question and understands that his/her past record will become part of this application and that the applicant applying for an Operator License is a Wisconsin resident.

Subscribed and sworn before me
This 6 day of July, 2018

Anita M. Young
Notary Public

My Commission expires 11-03-21

Christine Hearth-Milojevic
Applicants Signature

Approved by the Common Council on _____ Initials _____

To be filled out by the Reedsburg Police Department

- ☐ Subject has no Criminal Arrest Record with either the Wisconsin State Crime Bureau of with the Reedsburg Police Department
- ☐ Files indicate that subject has the attached Criminal Arrest Record

Reedsburg Police Department Authorized Signature

7/9/18
Date

WISCONSIN
SELLER / SERVER CERTIFICATION

Trainee Name: Christina Hewitt-Milojevic

School Name: 360training.com, Inc.

Date of Completion: 07/06/2018

Certification #: WI-83629

I, _____

Certify that the above named person successfully completed an approved Learn2Serve Seller/Server course.

COMPLIES WITH WISCONSIN STATUTES 125.04, 125.17,134.66

learn2 serve

Corporate Headquarters
6801 N Capital of Texas Hwy, Suite 150
Austin, TX 78731
P: 877.881.2235

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE $ 10.00 Application Date: 6-25-18

☐ Town ☐ Village ☒ City of Reedsburg County of Sauk

The named organization applies for: *(check appropriate box(es).)*

☐ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

☐ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning Sept 8 and ending Sept 9 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. Organization *(check appropriate box)* → ☐ Bona fide Club ☒ Church ☐ Lodge/Society ☐ Chamber of Commerce or similar Civic or Trade Organization ☐ Veteran's Organization ☐ Fair Association

(a) Name Sacred Heart Parish Fall Festival

(b) Address 545 N. Oak St. Reedsburg, WI 53959
(Street) ☐ Town ☐ Village ☒ City

(c) Date organized _____

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box: ☐

(f) Names and addresses of all officers:

President _____

Vice President _____

Secretary _____

Treasurer _____

(g) Name and address of manager or person in charge of affair: Lisa Rockweiler E7544 South Avenue, Reedsburg WI 53959

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 545 N. Oak St., Reedsburg WI 53959

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? _____

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

3. Name of Event

(a) List name of the event Sacred Heart Fall Festival

(b) Dates of event Sept 8 & 9, 2018

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Sacred Heart Fall Festival
(Name of Organization)

Officer Karyn Bunker
(Signature/date)

Officer _____
(Signature/date)

Officer _____
(Signature/date)

Officer _____
(Signature/date)

Date Filed with Clerk 7-2-2018

Date Reported to Council or Board _____

Date Granted by Council _____

License No. 1949/Pd 7/2/18

AT-315 (R. 6-16) Wisconsin Department of Revenue

Additional Information

May be Granted and Issued only to:

(1) Bona fide clubs.

(2) State, county, or local fair associations, or agricultural societies.

(3) Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application.

(4) Posts of veterans organizations.

(5) Chambers of commerce or similar civic or trade organizations organized under ch. 181, Wis. Stats.

Application:

(1) Filing: In writing, for each event, on Form AT-315.

(2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)

(3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)

b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

(4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.

(5) Publication: Not required.

Fee: Determined by the municipality, but may not exceed $10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress. A municipality may issue up to 20 licenses to the same licensee for a single event, if each license is issued for the same date and time.

Restrictions:

(1) License may not be issued to individuals.

(2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.

(3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.

(4) License may cover either a specified area or the entire picnic grounds.

(5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)

(6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)

(7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)

(8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/"Class B" licensed picnic area. (s. 125.32(6), Wis. Stats.)

(9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society, chamber of commerce or similar civic or trade organization or veterans' post in any 12 month period. A municipality may issue up to 20 wine licenses to the same licensee if: 1) each license is issued for the same date and times, 2) the licensee is the sponsor of an event held at multiple locations within the municipality on this date and at these times, 3) an admission fee is charged for participation in the event and no additional fee is charged for service of alcohol beverages at the event, and 4) within the immediately preceding 12-month period, the municipality has issued these multiple licenses for fewer than 2 events. In addition, each event for which multiple licenses are issued shall count as one license toward the 2-license limit.

(10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE $ 10.00 Application Date: 7-9-18

☐ Town ☐ Village ☒ City of REEDSBURG County of SAUK

The named organization applies for: *(check appropriate box(es).)*

☒ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

☐ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 8-25-18 and ending 8-25-18 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. **Organization** *(check appropriate box)* → ☐ Bona fide Club ☐ Church ☒ Lodge/Society ☐ Chamber of Commerce or similar Civic or Trade Organization ☐ Veteran's Organization ☐ Fair Association

   (a) Name Wi State Jim Beam Club Picnic

   (b) Address 2905 Waubesa Ave (Street) Madison Wi 53711 ☐ Town ☐ Village ☒ City

   (c) Date organized 1973

   (d) If corporation, give date of incorporation N/A

   (e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box: ☒

   (f) Names and addresses of all officers:

   ~~President~~ Wi State Directon

   Vice President N/A

   Secretary N/A

   Treasurer N/A

   (g) Name and address of manager or person in charge of affair: Cecil A Gillingham 2905 Waubesa Ave Madison Wi 53711

2. **Location of Premises Where Beer and/or Wine Will Be Sold, Served, ~~Consumed~~, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:** Sale of Car Decanters, Possibly holding Alcohol

   (a) Street number 200 Viking Drive Reedsburg Wi 53959

   (b) Lot ____ Block ____

   (c) Do premises occupy all or part of building? ____

   (d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

3. **Name of Event**

   (a) List name of the event Wis State Picnic & Craft Sale

   (b) Dates of event August 25th 2018

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Wi State Jim Beam Clubs (Name of Organization)

Officer Cecil A Gillingham (Signature/date)

Officer ____ (Signature/date)

Officer ____ (Signature/date)

Officer ____ (Signature/date)

Date Filed with Clerk 7-9-18

Date Reported to Council or Board ____

Date Granted by Council ____

License No. 3423 | Pd

AT-315 (R. 6-16) Wisconsin Department of Revenue

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STAFF REPORT **AGENDA ITEM:** I-E

To: Finance Committee and City Council
By: Brian Duvalle, Planning/Building
Through: Stephen P. Compton, City Administrator
Date of Meeting: July 23, 2018 [Initial Finance Committee/CC July 9, 2018]
Subject: Grass Mowing at 602 4th St. - Ordinance 10. 03(6)

BACKGROUND AND REQUEST

This property owner is challenging a grass bill they received after Prestige mowed their property. The house is currently used as a rental as the owner lives outside Reedsburg.

ANALYSIS

- Prestige Landscaping has the mowing contract for 2018 - $50 per hour per employee.
- The property owner was sent a notice on May 16 with a 10-day corrective timeframe.

* May 17th (Indication by Property Owner/Attorney – Grass mowed)
* May 18th (Indication by Property Owner/Attorney – Grass mowed)

- Prestige mowed the property on May 29.
- The owner claims they mowed on June 2.
- The City received Prestige's invoice on June 6.
- The City billed the property owner on June 15.

* Property Owner indicates they mowed the grass on these two dates.

Data: For the last six months there have been 80 Code Enforcement Violations, 18 have been closed leaving 62 open. 31 cases are for 10.03(6) Grass/Weeds.

FINANCIAL IMPACT

$122.00 includes two contracted employees for one hour plus 22% administrative fee.

STAFF RECOMMENDATION

City Administrator has reviewed the complaint from the property owner and the City Attorney has reviewed the procedure used under Ord 10.03(6).

The recommendation based upon the City Attorney procedural review will be to take down the mowing bill presented to the property owner for 602 4th Street.

The agenda item is forwarded to the City Council - **City Consent Agenda for action.**

An internal "Code Enforcement" manual /standard operating procedure is being developed.

ATTACHMENTS

City Attorney Letter – dated July 13, 2018
May 16, 2018 notice, Prestige invoice, City invoice

CITY OF REEDSBURG
OFFICE OF CITY ATTORNEY

110 Main Street
Post Office Box 231
Reedsburg, Wisconsin 53959-0231

Telephone (608) 524-8231
Facsimile (608) 524-4766

July 13, 2018

Stephen P. Compton, City Administrator
City of Reedsburg
134 South Locust Street
P. O. Box 490
Reedsburg, WI 53959

Re: Citizen Complaint: Mowing Bill
602 4th Street, Reedsburg

Dear Stephen:

I reviewed the file and contacted counsel for the property owner.

The facts surrounding the bill are unique compared with other similar bills of past property owners. I recommend the owner's bill be voided for the mowing service provided.

In this instance the contractor did not take pictures of the property before and after mowing to document the condition of the same.

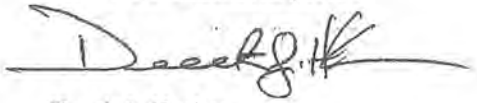
Some questions exist how the 10-day notice is calculated as provided in the Ordinance. State statutes provide alternative methods. If the 10-day notice excludes weekends and holidays, the mowing on May 29, 2018, the day after Memorial Day, may have been within the 10-day notice periods of time for owner to complete mowing.

I suggest we review and consider modification of the Ordinance. Also, I suggest establishing a revised protocol. This to include property pictures at time of notice, prior to and immediately following mowing service.

Please do not hesitate to contact me with questions. Thank you.

Very truly yours,

CITY OF REEDSBURG



Derek J. Horkan
Assistant City Attorney
djhorkan@lgtlawfirm.com

DJH/ds

Proclamation

Recognizing

July—Park and Recreation Month

July is National Park & Recreation Month and we're celebrating all month long! Discover the power of play and adventure in parks. For children and adults, play is a vital part of our mental wellbeing, physical health and personal interactions. During Park and Recreation Month, in collaboration with the National Recreation & Park Association, Reedsburg Parks is challenging everyone to get their play on with your local parks! Discover your play-full side with Recreation Parks!

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including Reedsburg, Wisconsin; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community and parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Reedsburg, Wisconsin recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED BY City of Reedsburg, City Council that July is recognized as Park and Recreation Month in the Reedsburg, Wisconsin.

IN WITNESS THEREOF, I have hereunto set my hand and caused the seal of the City of Reedsburg to be affixed this 23th day of July in the year 2018.

_____

David Estes
Mayor, City of Reedsburg

Proclamation

Recognizing

2018 National Farmers Market Week

August 5-11, 2018

Let's celebrate Farmers Markets! National Farmers Market Week is a great opportunity to show the nation how much value markets bring to their communities. The Farmers Market features fresh produce from local farmers in the Reedsburg area. There's no better way to strengthen your local community than to shop and eat locally! Grown healthy and fresh food for you and your family. By visiting the Farmers Market, you support our local famers as well as businesses and community members. The week helps to boost market attendance and visibility. The Reedsburg Farmers Market has three great locations and the season runs May 15 - October 15.

WHEREAS: City of Reedsburg has been attempting to assist the creation of a coordinated Farmers Market for the past several year; and

WHEREAS: The Chamber of Commerce works to supervise the Farmers Market along with other events in City Park to new residents and visitor as a Tourism Resource Center for guests to the Reedsburg area and surrounding communities; and

Reedsburg City Park (222 N Park Street)
Every Monday & Thursday from 9:00 A.M. to 4:00 P.M.

WHEREAS: Reedsburg Area Medical Center operates a supervised Farmers Market in north Reedsburg area at the Hospital location; and

Reedsburg Area Medical Center (2000 N Dewey Avenue)
Every Friday from 10:00 A.M. - 3:00 P.M.

WHEREAS: Mark Weaver, Park Plaza operates a supervised Farmers Market in east Reedsburg at the Park Plaza; and

Park Plaza Lot (2670 E Main Street)
Every Monday & Thursday from 9:00 A.M. to 4:00 P.M.

WHEREAS: These three businesses serve as the Farmers Market point of contact in the City....

NOW, THEREFORE, BE IT RESOLVED: that I, David Estes, Mayor of the City of Reedsburg, do hereby recognize them for their service for all they have done for our community and honor them during Farmer Market Week.

IN WITNESS THEREOF, I have hereunto set my hand and caused the seal of the City of Reedsburg to be affixed this 23th day of July in the year 2018.

_____

David Estes
Mayor, City of Reedsburg

City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

STAFF REPORT

AGENDA ITEM: IV - A

To: Mayor and Common Council
Prepared By: Brian Duvalle, Planning and Building
Thru: Stephen P. Compton, City Administrator
Date of Meeting: July 23, 2018

Subject: Ernstmeyer CSM – 415 Midway; Resolution 4345-18

BACKGROUND AND REQUEST

APPLICANT: Jeff Ernstmeyer
LOCATION: 415 Midway Dr; Parcel #2408-106
ZONING: R-1 Residential
PROPOSED LAND USE CHANGE: Certified Survey Map (CSM)
DESCRIPTION OF PROPERTY/IMPROVEMENTS: Proposed CSM to divide current parcel into two.

ANALYSIS
This CSM would divide the parcel into two lots for two future houses. The rezoning has been approved to R-1 Residential.

FINANCIAL IMPACT
N/A

STAFF RECOMMENDATION
The Plan Commission recommends approval.

If the Mayor and City Council are ready, the following action can be taken:

Motion to approve/deny – Resolution 4345-18.

ATTACHMENTS
Application; Resolution 4345-18

RESOLUTION
(Ernstmeyer CSM – 415 Midway – Parcel #2408-106)

File No. 4345-18

Resolved, that this Certified Survey located in the City of Reedsburg is hereby approved by the Common Council of the City of Reedsburg.

STATE OF WISCONSIN)
COUNTY OF SAUK)

I hereby certify that the foregoing resolution is a true, correct and complete copy of a resolution duly and regularly passed by the Common Council of the City of Reedsburg on the 23rd day of July, 2018, and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 23rd day of July, 2018.

_____

Jacob Crosetto
City Clerk

Revised 2/18

City of Reedsburg Land Use Application

134 S. Locust St.
PO Box 490
Reedsburg, WI 53959

Ph: 608-524-6404
Fax: 608-524-8458
bduvalle@ci.reedsburg.wi.us

APPLICANT: JEFF LANSINGER

ADDRESS: 33598 CO HWY K CITY: BARNEVILLE STATE: WI

ZIP: 53941 PHONE: 986-2311 FAX: _____

E-MAIL: JEFFCFRONWEB@YAHOO.COM

PROPERTY OWNER: (if different from Applicant) _____

LOCATION: MIDWAY DR & CARROUSEL DR LOT # 20 415 Midway PARCEL #: 2408-106

LAND USE REQUEST

(Please describe one or more as applicable – attach extra pages/maps if necessary)

- [X] **Certified Survey Map (CSM):** _____
- [ ] **Conditional Use Permit:** _____

  For *CONDITIONAL USE PERMIT* requests, also answer "A & B" on back page.
- [ ] **Preliminary Plat:** ____ **Final Plat:** _____ **Name of Plat:** _____
- [X] **Rezoning - From:** R-2 **To:** R-1 **TID #** _____
- [ ] **Site Plan Review:** (See "B" on back page) _____
- [ ] **Zoning Appeal / Interpretation:** _____
- [ ] **Zoning Variance:** _____

  For *VARIANCE* requests, also answer "C" on back page.
- [ ] **Other or Annexation:** _____

AFFIDAVIT

I certify that the information and plans submitted are true and accurate to the best of my knowledge. I also give permission to City zoning officials to enter my property for inspection purposes.

4-24-18
Applicant Signature / Date

4-24-18
Owner Signature / Date

Extraterritorial Committee Date: _____
Plan Commission Date: _____
Board of Zoning Appeals Date: _____
City Council Action & Date: _____

Account #10-461500-00

The applicant or representative MUST ATTEND the meeting.

G:\wpnet\Zoning - Planning\Land Use Appl.doc

Cond Use; Site Plan $153	
Cond Use-Agriculture $400	
Variance $112	
Rezoning $200	X
C.S.M. $171	X
Subdivision Plat $610	
- w/ Stormwater Plan $100	
Flood Plain Zone $189	
Annexaiton $200	
Plan Amend $200	
Date Paid	1028028
Receipt #	pd ✓

pd 6-26-18 ✓

04/25/18

SAUK COUNTY CERTIFIED SURVEY MAP No. _____

Located in Lot 20, First Addition Westerfair Subdivision, SE1/4-SW1/4, Section 9, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin.

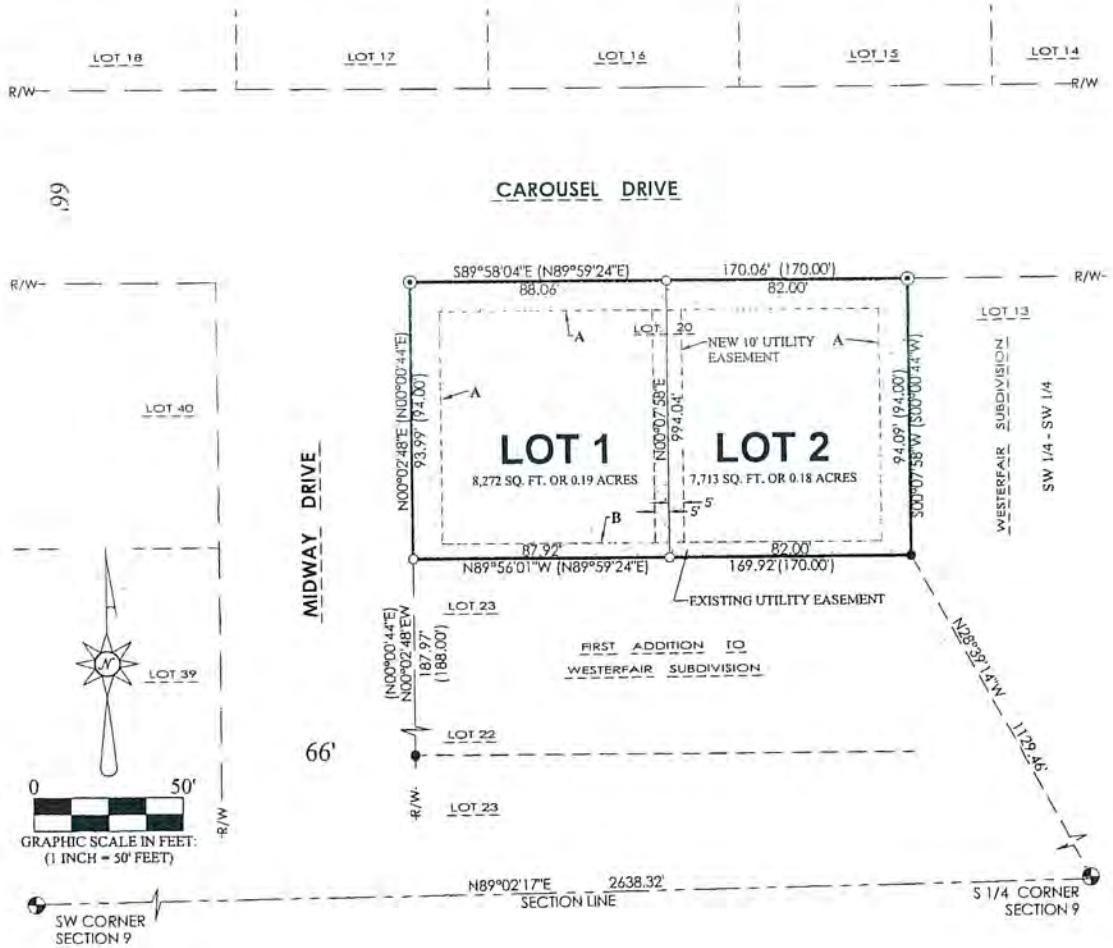
Client and Owner:
Ernstmeyer Land Company, 33598 County Highway K, LaValle, WI, 53941

Carlson Surveying, Div. of General Engineering, P O Box 340, Portage, WI, 53901 Phone (608) 742.2169

Bearings are referenced to south line of SE1/4, Section 9 which bears N89°02'17"E, Grid north, Sauk County Coordinate system, NAD 83(97).

WISCONSIN
MARK C CARLSON S-2021 Baraboo, WI
LAND SURVEYOR
6-25-18

- ◔ = Found section corner, MAG nail (all ties verified)
- • = Found 3/4" round iron rod
- ⊙ = Found 1 1/4" round iron rod
- ○ = Set ¾" x 24" round iron road weighing 1.5#/lin. ft.
- ( ) = Recorded as
- **A** = 10' wide utility easement per First Addition Westerfair Subdivision
- **B** = 5' wide utility easement per First Addition Westerfair Subdivision



SURVEYOR'S CERTIFICATE:

I, Mark C. Carlson, Professional Land Surveyor, hereby certify that I have surveyed, divided and mapped a parcel of land located in located in Lot 20, First Addition Westerfair Subdivision, SE1/4-SW1/4, Section 9, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin bounded by the following described line:

Commencing at the S1/4 corner of said Section 9; thence N28°39'14"W, 1129.46 feet to the southeast corner of said Lot 20; thence N89°56'01"W along the south line of Lot 20, 169.92 feet to southwest corner of said Lot 20; thence N0°02'48"E, 93.99 feet to northwest corner of said Lot 20; thence S89°58'04"E along the north line of said Lot 20, 170.06 feet to the northeast corner of said Lot 20; thence S0°07'58"W along said east line, 94.09 feet to the point of beginning.

Said described parcel contains 15,985 square feet or 0.37 acres, and is subject to existing utility easements of record and new utility easement for the City of Reedsburg along the lot line between Lot 1 & Lot 2.

That I have complied with the provisions of Chapter 236.34 Wisconsin Statutes, A-E 7 of the Wisconsin Administrative Code and the subdivision regulations of City of Reedsburg and Sauk County to the best of my knowledge, information and belief in surveying, mapping and dividing the same.

That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made.

That I have made such survey under the direction of Jeff Ernstmeyer.

6-25-18 Mark C Carlson

Date Mark C. Carlson

CITY OF REEDSBURG APPROVAL:

Resolved by the Common Council of the City of Reedsburg, Sauk County, Wisconsin that it hereby approves this Certified Survey Map covering lands located in the City of Reedsburg, Lot 20, First Addition Westerfair Subdivision, SE1/4-SW1/4, Section 9, T12N, R4E owned by Ernstmeyer Land Company.

_____ _____

Date Mayor

_____

Clerk/Treasurer

City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

STAFF REPORT

AGENDA ITEM: IV-B

To: Mayor and Common Council
Prepared By: Brian Duvalle, Planning and Building
Thru: Stephen P. Compton, City Administrator
Date of Meeting: July 23, 2018

Subject: Filus CSM – 1023 Plum; Resolution 4346-18

BACKGROUND AND REQUEST

APPLICANT: Matthew Filus, Agent
LOCATION: 1023 Plum St; Parcel #s 1313 & 1313-01
ZONING: R-3 Residential
PROPOSED LAND USE CHANGE: Certified Survey Map (CSM)
DESCRIPTION OF PROPERTY/IMPROVEMENTS: Proposed CSM to attach two parcels and divide main parcel into three.

ANALYSIS
This CSM would attach the two lots associated with the existing apartments. The owner wishes to sell the excess area separately.

FINANCIAL IMPACT
N/A

STAFF RECOMMENDATION
The Plan Commission recommends approval.

If the Mayor and City Council are ready, the following action can be taken:

Motion to approve/deny – Resolution 4346-18.

ATTACHMENTS
Application; Resolution 4346-18

RESOLUTION
(Filus CSM – 1023 Plum St – Parcel #1313 & 1313-01)

File No. 4346-18

Resolved, that this Certified Survey located in the City of Reedsburg is hereby approved by the Common Council of the City of Reedsburg.

STATE OF WISCONSIN)
COUNTY OF SAUK)

I hereby certify that the foregoing resolution is a true, correct and complete copy of a resolution duly and regularly passed by the Common Council of the City of Reedsburg on the 23rd day of July, 2018, and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 23rd day of July, 2018.

_____

Jacob Crosetto
City Clerk

Revised 6/17

City of Reedsburg Land Use Application

134 S. Locust St.
PO Box 490
Reedsburg, WI 53959

Ph: 608-524-6404
Fax: 608-524-8458
bduvalle@ci.reedsburg.wi.us

APPLICANT: MATTHEW M FILUS, AGENT

ADDRESS: 1320 AMBER COURT **CITY:** REEDSBURG **STATE:** WI

ZIP: 53959 **PHONE:** 608.381.6882 **FAX:** 866.848.3055

E- MAIL: MFILUS@ES-WI.COM

PROPERTY OWNER: (if different from Applicant) REEDSBURG ON THE MOVE

LOCATION: NE-SE, SEC 10, T7N, R4E **PARCEL #:** 1313 / 1313-01

LAND USE REQUEST

(Please describe one or more as applicable – attach extra pages/maps if necessary)

- ☒ **Certified Survey Map (CSM):** 3-LOT CSM
- ☐ **Conditional Use Permit:** _____

  For *CONDITIONAL USE PERMIT* requests, also answer "A & B" on back page.
- ☐ **Preliminary Plat:** ____ **Final Plat:** _____ **Name of Plat:** _____
- ☐ **Rezoning - From:** _____ **To:** _____
- ☐ **Site Plan Review:** (See "B" on back page) _____
- ☐ **Zoning Appeal / Interpretation:** _____
- ☐ **Zoning Variance:** _____

  For *VARIANCE* requests, also answer "C" on back page.
- ☐ **Other:** _____

AFFIDAVIT

I certify that the information and plans submitted are true and accurate to the best of my knowledge. I also give permission to City zoning officials to enter my property for inspection purposes.

6/26/18

Applicant Signature / Date AGENT

_____ /

Owner Signature / Date

Extraterritorial Committee Date: _____
Plan Commission Date: _____
Board of Zoning Appeals Date: _____
City Council Action & Date: _____

Account #10-461500-00

The applicant or representative MUST ATTEND the meeting.

G:\wpnet\Zoning - Planning\Land Use Appl.doc

Conditional Use $153	
Cond. Use-Agriculture $400	
Variance $112	
Zone Change $200	
C.S.M. $171	171
Subdivision Plat $610	
- w/ Stormwater Plan $100	
Flood Plain Zone $189	
Mapping Fee $61/parcel in plat	
Comp Plan Amend $200	
Date Paid	
Receipt #	

PD 6-26-18

SAUK COUNTY CERTIFIED SURVEY MAP # _____

BEING REMNANT LOT 1 AND LOT 2,
CERTIFIED SURVEY MAP NUMBER 2101,
LOCATED IN THE NE¼ - SE ¼,
SECTION 10, TOWN 12 NORTH, RANGE 4 EAST,
CITY OF REEDSBURG, SAUK COUNTY, WISCONSIN

ORIGINAL

SURVEYOR'S CERTIFICATE:

I, MATTHEW M FILUS, WISCONSIN PROFESSIONAL LAND SURVEYOR NUMBER 2185, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A CERTIFIED SURVEY MAP BEING REMNANT LOT 1 AND LOT 2 OF SAUK COUNTY CERTIFIED SURVEY MAP (CSM) NUMBER 2101, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (NE¼-SE¼) OF SECTION 10, TOWN 12 NORTH, RANGE 4 EAST, CITY OF REEDSBURG, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SECTION 10; THENCE S 00°03'44" E, A DISTANCE OF 713.14 FEET ALONG THE EAST LINE OF THE SE¼ OF SECTION 10; THENCE N 89°20'25" W, A DISTANCE OF 32.26 FEET TO THE SOUTHEAST CORNER OF CSM 2101 AND THE POINT OF BEGINNING;

THENCE CONTINUING N 89°20'25" W, A DISTANCE OF 90.89 FEET ALONG THE SOUTH LINE OF LOT 1 OF CSM 2101 ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF "PLUM STREET"; THENCE N 01°16'05" E, A DISTANCE OF 120.04 FEET ALONG THE EAST LINE OF LOT 3 OF CSM 2101; THENCE N 89°20'25" W, A DISTANCE OF 80.27 FEET ALONG THE NORTH LINE OF LOT 3 OF CSM 2101; THENCE S 01°16'05" W, A DISTANCE OF 120.04 FEET ALONG THE WEST LINE OF LOT 3 OF CSM 2101 TO THE NORTH RIGHT-OF-WAY LINE OF "PLUM STREET"; THENCE N 89°20'25" W, A DISTANCE OF 80.02 FEET ALONG THE SOUTH LINE OF LOT 2 OF CSM 2101 ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF "PLUM STREET"; THENCE N 01°19'07" E, A DISTANCE OF 71.87 FEET ALONG THE WEST LINE OF LOT 2 OF CSM 2101; THENCE THE FOLLOWING COURSES ALONG THE EXTERIOR BOUNDARY OF LOT 1 OF CSM 2101: N 88°56'36" W, A DISTANCE OF 37.99 FEET; S 00°59'12" W, A DISTANCE OF 6.03 FEET; N 89°14'59" W, A DISTANCE OF 27.10 FEET; N 01°10'52" E, A DISTANCE OF 81.86 FEET; THENCE N 01°08'59" E, A DISTANCE OF 49.98 FEET ALONG THE EAST LINE OF LANDS DESCRIBED UPON DOCUMENT NUMBER 623288; THENCE THE FOLLOWING COURSES ALONG THE EXTERIOR BOUNDARY OF LOT 1 OF CSM 2101: N 01°13'47" E, A DISTANCE OF 66.18 FEET; N 00°55'57" E, A DISTANCE OF 82.23 FEET; N 01°44'11" E, A DISTANCE OF 18.71 FEET TO THE SOUTH LINE OF LOT 1 OF CSM 2225; S 89°11'09" E, A DISTANCE OF 192.65 FEET; S 89°26'41" E, A DISTANCE OF 115.29 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF "SOUTH DEWEY AVENUE"; THENCE S 00°07'14" E, A DISTANCE OF 364.80 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF "SOUTH DEWEY AVENUE" TO THE POINT OF BEGINNING;

THAT THE DESCRIBED CERTIFIED SURVEY MAP CONTAINS A GROSS AREA OF 99,643 SQUARE FEET OR 2.29 ACRES OF LAND, MORE OR LESS.

THAT THE DESCRIBED CERTIFIED SURVEY MAP IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND OTHER ENCUMBRANCES OF RECORD AND THE UTILITY EASEMENTS AS DEDICATED UPON THIS CERTIFIED SURVEY MAP.

THAT I HAVE COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF WISCONSIN STATE STATUTES, THE SUBDIVISION REGULATIONS OF THE CITY OF REEDSBURG, WISCONSIN AND ALSO CHAPTER A-E7 OF THE ADMINISTRATIVE CODE OF THE STATE OF WISCONSIN TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME;

THAT SUCH CERTIFIED SURVEY MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION MADE THEREOF;

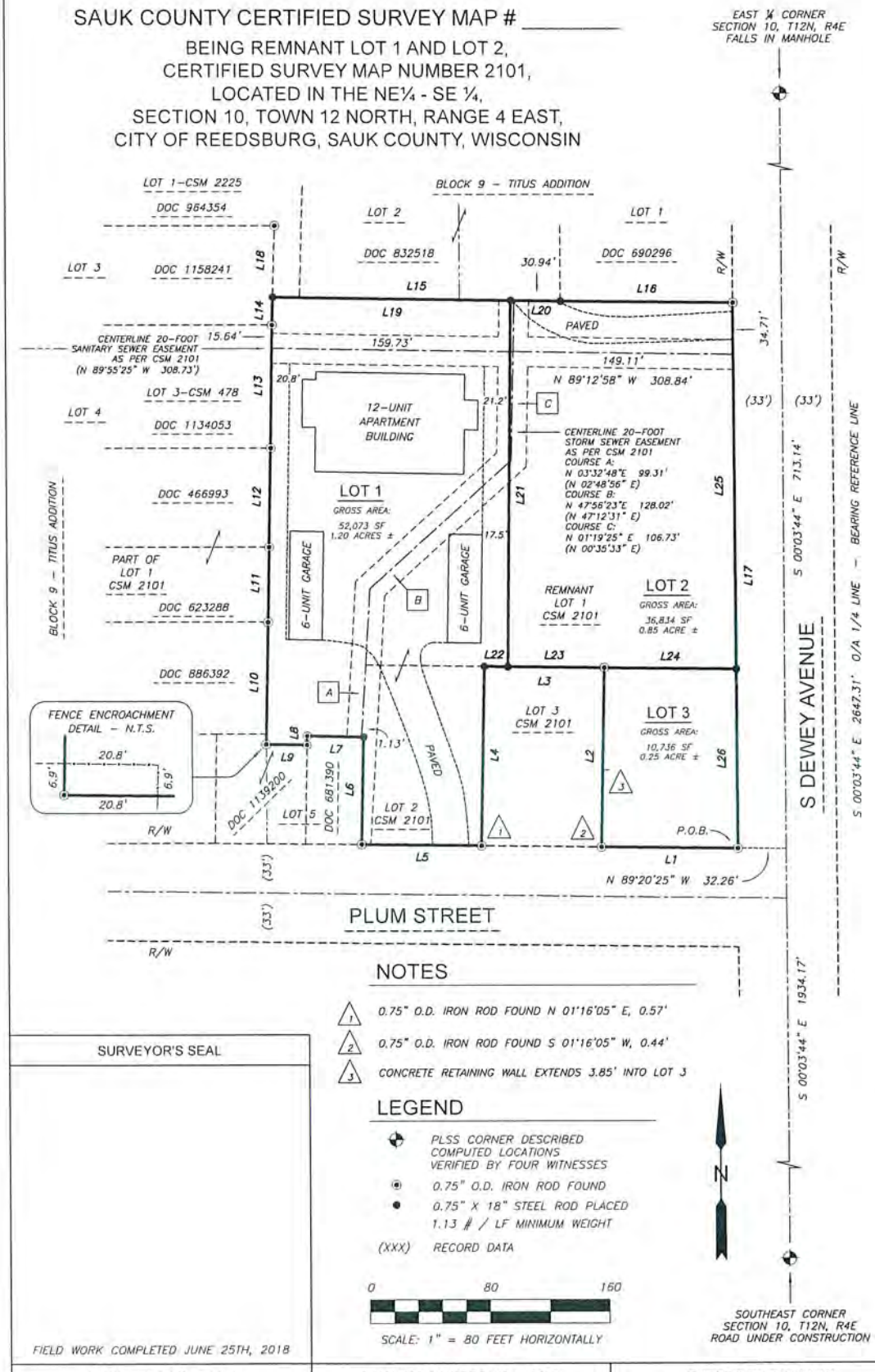
THAT I HAVE MADE SUCH CERTIFIED SURVEY MAP UNDER THE DIRECTION OF MARSHALL D MENNENGA, REGISTERED AGENT FOR "REEDSBURG ON THE MOVE, LLC", A WISCONSIN LIMITED LIABILITY COMPANY, OWNER OF THE DESCRIBED LANDS.

THAT THIS CERTIFICATION APPLIES TO ALL THREE (3) SHEETS OF THIS CERTIFIED SURVEY MAP.

SURVEYOR'S SEAL	CLIENT:	OWNER:
WISCONSIN ☆ MATTHEW M. FILUS S-2185 REEDSBURG, WI ☆ LAND SURVEYOR 6/25/2018	REEDSBURG ON THE MOVE, LLC 814 ATLAS AVENUE MADISON, WISCONSIN 53714-3114	REEDSBURG ON THE MOVE, LLC 814 ATLAS AVENUE MADISON, WISCONSIN 53714-3114
	PREPARED BY:	
	MATTHEW M FILUS, PLS WISCONSIN PROFESSIONAL LAND SURVEYOR # 2185 THE EXCELSIOR GROUP, LLC SURVEYING & LAND PLANNING 1320 AMBER COURT REEDSBURG, WISCONSIN 53959 PHONE: (608) 356-4131 FAX: (866) 848-3055 E-MAIL: MFILUS@EG-WI.COM WEB: WWW.EG-WI.COM	
DATE: JUNE 25TH, 2018	PROJECT NUMBER: 2018-0026	SHEET 1 OF 3 SHEETS

SAUK COUNTY CERTIFIED SURVEY MAP # _____

BEING REMNANT LOT 1 AND LOT 2,
CERTIFIED SURVEY MAP NUMBER 2101,
LOCATED IN THE NE¼ - SE ¼,
SECTION 10, TOWN 12 NORTH, RANGE 4 EAST,
CITY OF REEDSBURG, SAUK COUNTY, WISCONSIN



NOTES

1. 0.75" O.D. IRON ROD FOUND N 01°16'05" E, 0.57'
2. 0.75" O.D. IRON ROD FOUND S 01°16'05" W, 0.44'
3. CONCRETE RETAINING WALL EXTENDS 3.85' INTO LOT 3

LEGEND

- PLSS CORNER DESCRIBED COMPUTED LOCATIONS VERIFIED BY FOUR WITNESSES
- 0.75" O.D. IRON ROD FOUND
- 0.75" X 18" STEEL ROD PLACED 1.13 # / LF MINIMUM WEIGHT
- (XXX) RECORD DATA

0 80 160

SCALE: 1" = 80 FEET HORIZONTALLY

N

SOUTHEAST CORNER
SECTION 10, T12N, R4E
ROAD UNDER CONSTRUCTION

SURVEYOR'S SEAL

FIELD WORK COMPLETED JUNE 25TH, 2018

DATE: JUNE 25TH, 2018 | PROJECT NUMBER: 2018-0026 | SHEET 2 OF 3 SHEETS

SAUK COUNTY CERTIFIED SURVEY MAP # _____

BEING REMNANT LOT 1 AND LOT 2,
CERTIFIED SURVEY MAP NUMBER 2101,
LOCATED IN THE NE¼ - SE ¼,
SECTION 10, TOWN 12 NORTH, RANGE 4 EAST,
CITY OF REEDSBURG, SAUK COUNTY, WISCONSIN

CITY OF REEDSBURG, WISCONSIN COMMON COUNCIL RESOLUTION:

RESOLVED, THAT THIS CERTIFIED SURVEY MAP LOCATED IN THE CITY OF REEDSBURG, WISCONSIN, BE AND HEREBY IS APPROVED BY THE CITY OF REEDSBURG, WISCONSIN AND MADE EFFECTIVE THIS _____ DAY OF _____, 2018.

_____

DAVID ESTES, MAYOR
CITY OF REEDSBURG, WISCONSIN

DATE

_____

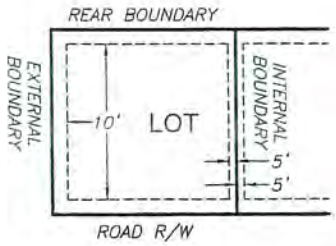
JACOB CROSETTO, CLERK / TREASURER
CITY OF REEDSBURG, WISCONSIN

DATE

UTILITY EASEMENT DETAIL

~ NOT TO SCALE ~

THIS CERTIFIED SURVEY MAP HEREBY DEDICATES UTILITY EASEMENTS 10 FEET IN WIDTH ALONG THE EXTERIOR BOUNDARIES & ROAD RIGHT-OF-WAYS, AS WELL AS 5 FEET IN WIDTH ADJACENT TO EACH SIDE OF COMMON LOT LINES AS INDICATED UPON THE SKETCH BELOW.



LINE TABLE

LINE	BEARING	DISTANCE	RECORDED COURSE	
L1	N 89°20'25" W	90.89'	S 89°56'11" W	90.96'
L2	N 01°16'05" E	120.04'	N 00°35'53" E	120.00'
L3	N 89°20'25" W	80.27'	S 89°56'11" W	80.10'
L4	S 01°16'05" W	120.04'	S 00°35'53" W	120.00'
L5	N 89°20'25" W	80.02'	S 89°56'11" W	80.10'
L6	N 01°19'07" E	71.87'	N 00°35'53" E	71.87'
L7	N 88°56'36" W	37.99'	N 89°40'46" W	37.99'
L8	S 00°59'12" W	6.03'	S 00°18'57" W	6.00'
L9	N 89°14'59" W	27.10'	S 89°58'36" W	27.19'
L10	N 01°10'52" E	81.86'	N 00°29'29" E	81.95'
L11	N 01°08'59" E	49.98'	S 00°22'30" W	50.07'
L12	N 01°13'47" E	66.18'	N 00°32'49" E	66.00'
L13	N 00°55'57" E	82.23'	N 00°19'58" E	82.26'
L14	N 01°44'11" E	18.71'	N 00°11'12" E	18.71'
L15	S 89°11'09" E	192.65'	S 89°53'38" E	192.74'
L16	S 89°26'41" E	115.29'	N 89°50'50" E	115.34'
L17	S 00°07'14" E	364.80'	S 00°49'47" E	364.76'
L18	N 01°44'11" E	47.53'	N 00°42'26" E	47.26'
L19	S 89°11'09" E	159.41'		
L20	S 89°11'09" E	33.24'		
L21	S 00°50'20" W	244.61'		
L22	S 89°20'25" E	15.63'		
L23	S 89°20'25" E	64.64'		
L24	S 89°20'25" E	87.98'		
L25	S 00°07'14" E	244.76'		
L26	S 00°07'14" E	120.04'		

LOT 1 COVERAGE / SETBACK DATA

DESCRIPTION	AREA (SQ FT)	COVERAGE (%)
PRINCIPAL BUILDING	7,118	14
ACCESSORY BUILDINGS	3,230	6
OTHER IMPERVIOUS	17,354	33
GRASS / GREENSPACE	24,371	47
TOTAL	52,073	100

** PRINCIPAL BUILDING IS 66.7' WIDE & 30.7' TALL **

SURVEYOR'S SEAL

WISCONSIN
MATTHEW M. FILUS
S-2185
REEDSBURG, WI
LAND SURVEYOR

6/25/2018

DATE: JUNE 25TH, 2018	PROJECT NUMBER: 2018-0026	SHEET 3 OF 3 SHEETS

Resolution 4347-18

REEDSBURG UTILITY COMMISSION

STAFF REPORT AGENDA ITEM: IV-C

To: Utility Commission
Prepared By: Brett Schuppner
Date of Meeting: July 16, 2018
Subject: Telecommuter Forward! Certification

Background:
2017 Wisconsin Act 342, which was introduced by Representative Brooks and cosponsored by Senator Marklein, created a certification for a political subdivision to become a Telecommuter Forward! Community. Katy Prange, Chief of Staff for Senator Howard Marklein has reached out to Mr. Compton and me regarding Reedsburg becoming a Telecommuter Forward! Community. Katy indicated that while creating the legislation, they were thinking Reedsburg would be a prime example of a Telecommuter Forward! Community. Reedsburg could be the first to obtain this certification.

Sauk County is also committed in expanding broadband service throughout the County. Sauk County could also apply for certification as a Telecommuter Forward! County.

The attached pages explain the requirements to become certified as a Telecommuter Forward! Community.

Recommendation:
1. Recommend that the Reedsburg Common Council adopt a resolution that satisfies the minimum statutory requirements to become a Telecommuter Forward! Community and apply for such certification.
2. Recommend that the Sauk County Board adopt a resolution that satisfies the minimum statutory requirements to become a Telecommuter Forward! County and apply for such certification.

telecommuter forward! Community

Wisconsin State Broadband Office
Telecommuter Forward! Communities Program

Any political subdivision in Wisconsin that supports and commits to promote the availability of telecommuting options is eligible for the Telecommuter Forward! Community Certification and may apply through the Public Service Commission's Wisconsin Broadband Office. The Wisconsin Broadband Office will certify a unit as a Telecommuter Forward! Community if it meets the following requirements:

- Fill out this online application form.
- Upload any supporting documentation necessary to demonstrate compliance with the statutory requirements under Wis. Stat. § 196.5045. The PSC has created a model resolution that satisfies the minimum statutory requirements to assist communities in this effort.

I. POLITICAL SUBDIVISION

Choose One: ○ City ○ Town ○ Village ○ County

Name of Political Subdivision:

Address:

(Optional)

City: Zip:

II. SINGLE POINT OF CONTACT FOR COORDINATING TELECOMMUTING OPPORTUNITIES

Name:

Title:

Email:

Phone: *ex. 608-123-4567*

III. THE POLITICAL SUBDIVISION must demonstrate compliance with Wis. Stat. § 196.5045 to be certified as a Telecommuter Forward! Community. Please upload supporting documentation (e.g. resolution) below that shows statutory requirements have been met.

Upload Supporting Documentation File: *(PDF file only; Maximum file size 4MB)*

Choose File No file chosen

8NXAYW

Type the code from the red box

Submit

State of Wisconsin

2017 Assembly Bill 917

Date of enactment: **April 16, 2018**
Date of publication*: **April 17, 2018**

2017 WISCONSIN ACT 342

AN ACT *to create* 196.5045 of the statutes; **relating to:** Telecommuter Forward! community certification.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 3. 196.5045 of the statutes is created to read:

196.5045 Telecommuter Forward! certification. **(1)** In this section, "political subdivision" means a city, village, town, or county.

(2) A political subdivision may apply to the commission for certification as a Telecommuter Forward! community. The commission shall prescribe the form and manner for making an application and a process for public notice and comment on an application. The commission shall approve an application and certify a political subdivision as a Telecommuter Forward! community if the commission determines that the political subdivision has adopted a resolution that complies with sub. (3). Before approving an application, the commission shall consider any public comments made regarding the application.

(3) A political subdivision may not be certified as a Telecommuter Forward! community under sub. (2) unless the political subdivision adopts a resolution that does all of the following:

(a) States the political subdivision's support and commitment to promote the availability of telecommuting options.

(b) Provides for a single point of contact for coordinating telecommuting opportunities that has all of the following responsibilities:

1. Coordination and partnership with broadband providers, realtors, economic development professionals, employers, employees, and other telecommuting stakeholders.

2. Collaboration with broadband providers and employers to identify, develop, and market telecommuter–capable broadband packages.

3. Communication and partnership with broadband providers and economic development professionals to develop common goals.

4. Promotion of telecommuter–friendly workspaces, such as business incubators with telecommuting spaces, if such a workspace has been established in the political subdivision at the time the political subdivision adopts the resolution.

5. Familiarity with broadband mapping tools and other state–level resources.

6. Maintaining regular communication with the state broadband office.

7. Making regular reports to the governing body of the political subdivision.

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* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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RESOLUTION

IN SUPPORT OF TELECOMMUTING OPPORTUNITES AND TELECOMMUTER FORWARD CERTIFICATION.

FILE NO. 4347-18

At the meeting of the City of Reedsburg City Council held July 23, 2018 a Resolution in support of Telecommuting Opportunities and Telecommuter Forward Certification was presented.

WHEREAS, City of Reedsburg, and Reedsburg Utility Commission hereby supports and commits to promote the availability of telecommuting options; and

WHEREAS, City of Reedsburg, and Reedsburg Utility Commission ("RUC") hereby appoints the General Manager of Reedsburg Utility Commission as the single point of contact for coordinating telecommuting opportunities within the City of Reedsburg and the RUC outlaying service areas including the following responsibilities:

1. Coordination and partnership with broadband providers, realtors, economic development professionals, employers, employees, and other telecommuting stakeholders.
2. Collaboration with broadband providers and employers to identify, develop, and market telecommuter-capable broadband packages.
3. Communication and partnership with broadband providers and economic development professionals to develop common goals.
4. Promotion of telecommuter-friendly workspaces, such as business incubators with telecommuting spaces, if such a workspace has been established in the political subdivision at the time the political subdivision adopts the resolution.
5. Familiarity with broadband mapping tools and other state-level resources.
6. Maintaining regular communication with the state broadband office.
7. Making regular reports to the [governing body of the political subdivision].

NOW THEREFORE, Resolved, by the Common Council of the City of Reedsburg, Sauk County, Wisconsin authorizes adoption of Resolution 4347-18.

PASSED AND ADOPTED this 23rd day of July, 2018.

ATTEST:

Jacob Crosetto
City Clerk-Treasurer

APPROVED:

Dave G. Estes
Mayor

(SEAL)

I, the undersigned qualified and Clerk-Treasurer of the City of Reedsburg, Wisconsin, does hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Council of the City of Reedsburg, at a regular meeting held June 25, 2018, and that such Resolution is on file in the City Clerk's office.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the City of Reedsburg this this 23rd day of July, 2018.

Jacob Crosetto, City Clerk -Treasurer

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STAFF REPORT

AGENDA ITEM: IV-D

To: City Council
By: Brian Duvalle, Planning/Building
Through: Stephen P. Compton, City Administrator
Date of Meeting: July 23, 2018

Subject: Proposed ordinance to regulate Chickens – ORD 1875-18

BACKGROUND AND REQUEST

The Plan Commission denied a request in 2010 to allow chickens within city limits. Since then there have been other requests including a recent internet survey. Therefore Mayor Estes has decided to reconsider the request.

ANALYSIS

The Plan Commission heard public comment on chickens at their May meeting. Based on those comments, they are proposing an ordinance to allow and regulate chickens in the city. A property owner or tenant could have them at a single-family or duplex residences but not apartments. The proposed ordinance would restrict them to hens only and address the coop and fenced in area, size, setback, cleanliness, etc. There would also be an annual permit.

Chapter 29 is proposed to be amended to incorporate chickens and any future animal requests regarding their enforcement by the Police Dept.

There was discussion to require 50% or more of neighbors to approve any application. The Plan Commission decided against that requirement. However the Police Dept and Ordinance Committee favor that request so it was added (section 13) to the proposal, which is based on Baraboo's ordinance. But to reiterate, this section was not recommended from the Plan Commission.

STAFF RECOMMENDATION

The Plan Commission & Ordinance Committee recommends approval.

ACTION:

"Hold Public Hearing"

If the Mayor and City Council are ready, the following action can be taken:

"Motion to approve/deny – 2nd Reading of Ordinance 1875-18."

Attachments: Ordinance 1875-18, draft application

Calendar of Actions:

1st Reading at Council:	June 25, 2018
Public Hearing Noticed:	July 5 & July 12, 2018
2nd Reading at Council/Public Hearing:	July 23, 2018
Published, Enactment Date:	August 2, 2018

FOR TREASURER's USE ONLY

Receipt # _____
Account # _____

APPLICATION FOR KEEPING CHICKENS

License Applied For:
☐ **New** $35.00
☐ **Renewal** $10.00
(Fees are non-refundable and due upon filing)

The undersigned requests permission to keep chickens in the City of Reedsburg.

Name: _____ Phone: _____ Email: _____

Address: _____ Tax parcel #: _____

Property Owner Tenant

Zoning District: _____ (R-1, R-2, or B-3)

Number of Chickens: (Hens; maximum of 4) _____

Accurate description of coop (must be covered, predator proof, provide adequate shade from summer and warmth in winter. Floor to be covered with wood or cedar chips. Coop may be part of yard shed or garage but may not be on top of a building.) Attach photo or drawing, if preferred.

Coop size: Length _____ Width _____
(Must provide two to five square feet per chicken.)

Size of Run attached or surrounding the coop: _____

Distance of Coop/Run to Lot lines: _____feet to closest side lot line, _____feet to rear lot line.
(May not be closer than 10 feet to any lot line. Coop may not be placed in the front yard.)

Name, address, and tax parcel number of the owners of <u>each</u> parcel immediately touching your property line and those directly across a street or alley. No application can be approved if 50% or more of the neighboring properties object.

Name	Address	Parcel #

Affidavit: The undersigned applicant hereby states that the foregoing information and all attachments to this application are true and correct.

Applicant/Property Owner _____
Date: _____

ORDINANCE NO. 1875-18
(Amendment to allow chickens)

The City of Reedsburg, Sauk County, Wisconsin, does hereby ordain as follows:

SECTION 1: PURPOSE.

The purpose of this ordinance is to allow a limited number of chickens (hens) on residential use and school use properties within the city limits.

SECTION II: PROVISIONS AMENDED.

City of Reedsburg Code Sections 29.09 & 29.10 are hereby amended by this Ordinance.

29.09 ~~DOGS AND CATS~~ ANIMALS AT LARGE

(1) ~~Dogs and cats~~ Animals are not permitted to be at large in the City of Reedsburg at any time. ~~Dogs and cats~~ Animals are at large when the animal is in any public street, alley, park, or other public grounds or when off of the premises of the owner or person who has custody of said ~~dog or cat~~ animal and not restrained by a leash, animal transport cage, or similar device, the only exception being if within one (1) hour after an ~~dog or cat~~ animal escapes from either the owner or the person having custody of the animal, the owner or custodian of the animal reports the escape of the said animal to the Police Department.

29.10 PENALTIES FOR ~~DOGS AND CATS~~ ANIMALS AT LARGE

(1) Any person who permits any ~~dog or cat~~ animal to run at large in the City of Reedsburg in violation of this section shall, upon conviction thereof, forfeit not less than fifteen dollars ($15), nor more than twenty-five dollars ($25), together with costs, for the first offense. For each subsequent offense, the owner shall be assessed the amount of the preceding fine plus an additional ten dollars ($10), the maximum fine being one hundred dollars ($100), together with the costs of prosecution.

(2) Any person who shall permit any ~~dog and/or cat~~ animal to run at large in the City of Reedsburg in violation of this section shall, upon conviction thereof, forfeit not less than thirty dollars ($30), nor more than fifty dollars ($50), together with costs, for the first offense. For each subsequent offense, the owner shall be assessed the amount of the preceding fine plus an additional twenty dollars ($20), the maximum fine being two hundred dollars ($200), together with the costs of prosecution.

SECTION III: PROVISIONS ADDED.

City of Reedsburg Code Section 17.22(7) is hereby added to this Ordinance.

17.22(7) Chickens. Chickens may be raised in the R-1, R-2 and B-3 zoning districts as well as public or private school properties provided the following conditions are met:

(1) The chickens are raised by the property owner, or by a tenant with permission from the owner.
(2) Roosters are prohibited.
(3) A maximum of four (4) chickens are permitted.
(4) The chickens shall be provided with a covered coop to include a run, fence enclosure of predator-proof material (no electric or barbed wire) and adequate shade from the sun and warmth from the cold weather. Feed and clean water shall be provided at all times but unavailable to predators or rodents.
(5) Coops must be clean, dry, and odor-free, kept in a kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor, or other adverse impact.
(6) Provision must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a lid. All other manure not used for composting or fertilizing shall be removed from the premises. The coop and surrounding area must be kept free of accumulated droppings, and uneaten feed shall be removed as soon as possible.
(7) The property owner or tenant shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.

(8) The coop shall be a minimum two square feet per chicken to a maximum five square feet per chicken.
(9) Chickens shall be kept inside a fence enclosure or run at all time and inside the coop during non-daylight hours.
(10) Slaughtering of chickens on a residential-use or school lot is prohibited.
(11) Coops and runs shall be located in the rear yard and a minimum 10' from any lot line.
(12) The keeping of chickens shall require a permit issued by the Zoning Administrator. A permit shall not be issued until the Police Dept. has verified no pattern of previous animal-related violations by the applicant. The fee shall be $35 for the initial permit and $10 for annual renewals.
(13) As a part of the initial and renewal application, the property owner seeking a permit must obtain affirmative consent from 50% of their contiguous neighbors and neighbors with lots directly across the street and/or alley.
(14) Reedsburg Police Department personnel are authorized to catch and impound animals at-large with such authorization to include the pursuit of animals upon non-animal owner private property. It shall be a violation of this Ordinance to interfere with the Animal Control Officer or the Police Department employee in the performance of their duties.
(15) The standards of 17.36 shall apply to the keeping of chickens.
(16) In the event a permit holder accumulates three (3) violations, the permit may be revoked following a hearing with the Plan Commission. The Plan Commission shall also review all appeals under this subsection.

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: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code, Chapter 17 and Chapter 29.

Dated this 23rd day of July, 2018.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

1st Reading at Council:	June 25, 2018
Public Hearing Noticed:	July 5 & July 12, 2018
2nd Reading at Council/Public Hearing:	July 23, 2018
Published, Enactment Date:	August 2, 2018

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STAFF REPORT **AGENDA ITEM:** IV-E

To: City Council
By: Brian Duvalle, Planning/Building
Through: Stephen P. Compton, City Administrator
Date of Meeting: July 23, 2018

Subject: Home Businesses in Rentals – ORD 1876-18

BACKGROUND AND REQUEST

A requirement for a home business (HB) is that it can only be approved if located in the primary residence of the owner/occupant. Recently the ZBA failed to approve a variance to allow an HB in a rental duplex.

ANALYSIS

The ordinance requirement stems from not wanting to allow HBs in rentals or apartments. If the owner/occupant has the HB conditional use permit, there is usually more control over the business, especially since CUPs run permanently with the land.

However state law now allows the Plan Commission to place expiration dates on CUPs. This ability, plus requiring owner's consent and notification of neighbors, helps alleviate concerns over rental unit businesses. Multi-family apartments would still be prohibited.

STAFF RECOMMENDATION

The Plan Commission recommends approval.

ACTION:

"Hold Public Hearing"

If the Mayor and City Council are ready, the following action can be taken:

"Motion to approve/deny – 2nd Reading of Ordinance 1876-18."

Attachments: Ordinance 1876-18

Calendar of Actions:

1st Reading at Council:	June 25, 2018
Public Hearing Noticed:	July 5 & July 12, 2018
2nd Reading at Council/Public Hearing:	July 23, 2018
Published, Enactment Date:	August 2, 2018

ORDINANCE NO. 1876-18
(Amendment to allow Home Businesses in Rentals)

The City of Reedsburg, Sauk County, Wisconsin, does hereby ordain as follows:

SECTION 1: PURPOSE.

The purpose of this ordinance is to allow a home business to be approved for a residential rental dwelling unit (single-family or duplex) with owner's approval.

SECTION II: PROVISION AMENDED.

City of Reedsburg Code Section 17.13(9)(C)(1) is hereby amended by this Ordinance.

(C) Standards. All home business requests shall meet the following standards for approval in addition to the Conditional Use Permit standards of this Ordinance:
1. Uses permitted herein shall only be approved for parcel occupied by the parcel owner and which shall contain the owner's primary residence or in an R-1, R-2, or B-3 zoned rental dwelling unit with the owner's consent.

SECTION III: 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 IV: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION V: EFFECTIVE DATE.

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VI: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code, Chapter 17.

Dated this 23rd day of July, 2018.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

1st Reading at Council:	June 25, 2018
Public Hearing Noticed:	July 5 & July 12, 2018
2nd Reading at Council/Public Hearing:	July 23, 2018
Published, Enactment Date:	August 2, 2018

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STAFF REPORT

AGENDA ITEM: IV - F

To: Committee, Mayor and Common Council
Prepared By: Timothy M. Becker, Chief of Police
Through: Stephen Compton, City Administrator
Date of Meeting: July 23, 2018 [Intro, 1st July 9, 2018]

Subject: **2nd Reading, hold Public Hearing Ordinance 1877-18**
An Ordinance Amending Chapter 12 – License and Permits

BACKGROUND AND REQUEST

City staff is requesting a change to Chapter 12 – License and Permits, specifically section 12.01 as it relates to the application and approval of Operator's Licenses. Staff is requesting that the issuing of an Operator's License be made at the staff level with any appeal of staff decision going to the Ordinance Committee.

ANALYSIS

Currently applicants for an Operator's License (permitting the service of alcoholic beverages at a Class B establishment) apply through the City a minimum of 15 days prior to an Ordinance Committee meeting. From there a background check by the Police Department is made to determine if the applicant has violated the City Guidelines that would prohibit a license to be issued. If no violation exists, the application bypasses Ordinance and moves to the Common Council consent agenda. If a violation exists, an appeal is scheduled before the Ordinance Committee and then brought before Council, still on the consent agenda, depending on Ordinance Committee decision. Staff is requesting that the decision to issue a permit be made by the Clerk, based on the Police background check, and should the applicant wish to appeal, they would appear before the Ordinance Committee in an effort to streamline the process, the Ordinance Committee decision would then be relayed to Staff for action. At this time, approximately 1% of Operator's Licenses are denied. With the recommended procedure, applicants could be approved in as little as a day. Currently the minimum turnaround time is over two-weeks.

STAFF RECOMMENDATION

After review by City staff and the City Attorney's Office, staff would recommend approval of the amended ordinance.

ACTION:

"Hold Public Hearing"

If the Mayor and City Council are ready, the following action can be taken:

"Motion to approve/deny – 2nd Reading of Ordinance 1877-18." An Ordinance amending Chapter 12.01 Section (3) and (4).

ATTACHED:

Current and proposed language for section 12.01(3) and (4).
New Ordinance 1877-18 (Full-Text).
Revised Operator's License application.

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Current and Proposed Language Chapter 12.01

12.01 Intoxicating Liquor and Fermented Malt Beverages

(3) Operator's Licenses. ~~(Rev. 1-12-04)~~

(A) Operator's License Required and Fees: Except as provided by law, any person who is serving alcohol beverages in an establishment with a Class "A," Class "B", or Class "C" license shall have an Operator's License, new and/or renewal, issued by the City Clerk. The fee for an Operator's License shall be $50.00 for two years or fraction thereof, except that any Operator's License issued for less than one year shall have a fee of $25.00. In addition, the applicant shall also pay the current cost incurred by the City to obtain a records check regarding the applicant. All fees are non-refundable. ~~(Rev.7-26-04)~~

(B) Provisional Operator's License: Applicants for Operator's Licenses who have proof of a completed ~~are enrolled in the~~ "Responsible Beverage Server" training course and who are ~~otherwise~~ also qualified, may be issued a Provisional Operator's License for a period not to exceed 60 days. A Provisional License will ~~be revoked if the applicant fails to successfully complete the course, may~~ be revoked if the applicant's application contains false statements or purposely omitted information and will be revoked if the regular Operator's License is denied. The Provisional License may, by the applicant's request, stay active during the appeal process for no longer than 30 days after the original denial. The fee for a provisional license shall be $15.00.

(C) Temporary Operator's Licenses: Temporary Operator's Licenses may be issued to persons employed or donating their services to a non-profit corporation provided that a person is limited to one such license per year, and the license is valid for only up to 14 days. The fee for a Temporary Operator's License shall be $10.00.

(D) Staff Review: All applications for Operator's License shall be reviewed by City Staff, based on the approved City Policy Guidelines for Alcohol Beverage Licenses, and a decision made as to its approval or denial within 30 days of submission.

(E) Appeal Process: Should the City Clerk deny an Operator's License, the applicant can petition for an appeal by making a written request to the City Clerk for a hearing before the Ordinance Committee within 10 days of the date of the denial.

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(4) License Application.

(A) With the exception of Operator's Licenses, any person or persons applying for the licenses set forth above shall complete an application form for that license from the City Clerk. The applicable fee shall be due and payable for operators' licenses when the application is filed. The fee shall be due for all other licenses when the license is delivered. The City Clerk shall refuse to accept any incomplete application. The fees shall be non-refundable.

~~(B) All applications for operators' licenses shall be submitted to the City Clerk not less than fifteen days before the application will be considered by the City Council. The application shall also be submitted at least five days prior to the next Ordinance Committee meeting. In the event that the application is not filed within this period, the application shall be taken up by the Ordinance Committee at its regularly scheduled meeting the following month or, at the discretion of the Committee Chairperson, at any special meeting.~~

(B)(~~C~~) Applications for all other forms of licenses and renewals shall be submitted and/or published as provided by law.

(C) With the exception of Operator's Licenses, applicants for any non-renewal of a license must appear in front of the Ordinance Committee before the application may be considered by the City Council. The applicant will be informed whether or not the Committee will be making a positive recommendation and will not be required to appear before the City Council in the event of a positive recommendation. Otherwise, applicants must also appear before the City Council at the meeting in which their license will be considered.

(E) It is the obligation of all applicants to determine the date of any meetings at which they are required to appear pursuant to this ordinance. Failure to attend shall serve as a basis for the denial of the application and the applicant shall forfeit the application fee.

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New Ordinance – Full Text

ORDINANCE NO. 1877-18
(Amendment to "Bartenders Licenses")

The City of Reedsburg, Sauk County, Wisconsin, does hereby ordain as follows:

The City of Reedsburg, Sauk County, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE
This ordinance streamlines the process which regulates application and issuance of operator's licenses; more commonly known as bartender's licenses. The City Clerk will approve or deny licenses after reviews by City staff, including the police department. Appeals of denials will be heard by the Common Council.

SECTION II: PROVISIONS REPEALED AND CREATED.
City of Reedsburg Code Section 12.01(3) and (4) are repealed and recreated.

SECTION III: PROVISION AS CREATED.

12.01(3) Operator's Licenses.

(A) Operator's License Required and Fees: Except as provided by law, any person who serves alcohol beverages in an establishment with a Class A, B or C license shall have an Operator's License (bartender's license), new and or renewal, issued by the City Clerk. The fee for an Operator's License shall be $50.00 for two years or fraction thereof, except that any Operator's License issued for less than one year shall have a fee of $25.00. The applicant shall also pay the current cost incurred by the City to obtain a record check regarding the applicant. All fees are due at application and are non-refundable.

(B) Provisional operator's license. The Clerk may issue a provisional operator's license to a person qualified under Wis. Stat. ch. 125 for an operator's license, provided that such person has applied for a regular operator's license and is enrolled in a training course under Wis. Stat. sec. 125.17(6). The fee for a provisional operator's license shall be $15.00, and such license shall expire 60 days after its issuance. A provisional license may not be issued to any person who has been denied an operator's license by the Common Council, and the Clerk may revoke the provisional operator's license if the holder of the license made a false statement on the application.

(C) Temporary Operator's Licenses. Temporary Operator's Licenses may be issued to persons employed or donating their services to a non-profit corporation provided that a person is limited to one such license per year, and the license is valid for only to 14 days. The fee for a Temporary Operator's License shall be $10.00.

(D) Application Procedures. Applications for Operator's Licenses shall be approved or denied by the City Clerk after review by and consultation with City staff, including the police department. Decisions shall be based upon the City's "Policy Guidelines for Alcohol Beverage Licenses". Denials shall be in writing and shall state the basis for the decision and the appeal process.

(E) Appeals. An applicant denied an operator's license by the City Clerk shall have the right to appeal the denial to the City Council. The appeal shall be in writing and given to the City Clerk within ten (10) days of the denial. The City Clerk shall promptly place the matter on the earliest available council agenda. The City council shall independently review the applicant's request for an operator's license under this chapter.

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(F) License Card. The Clerk shall issue a wallet-sized card upon approval of the application. When working on licensed premises as an operator, the licensee must be able to show the card upon request of a law enforcement officer.

(G) Revocation of operator's license. Violation of any of the terms or provisions of the state law or of this article relating to operator's licenses by any person holding such operator's license shall be cause for revocation of the license.

12.01(4) License Applications.

(A) Any person or persons applying for the licenses set forth above shall complete an application form provided by the City Clerk. The fee shall be due when the license is delivered. The City Clerk may refuse to accept any incomplete application. The fees shall be non-refundable.

(B) Applications for all forms of licenses and renewals shall be submitted and/or published as provided by law.

(C) Applicants must appear before the Ordinance Committee before the application may be considered. The applicant will be informed whether or not the Committee will make a positive recommendation and will not be required to appear before the City Council in the event of a positive recommendation. Otherwise, applicants must also appear before the City Council at the meeting in which their license will be considered.

(D) It is the obligation of all applicants to determine the date of any meetings at which they are required to appear pursuant to this ordinance. Failure to attend may serve as a basis for the denial of the application.

(E) This subsection does not apply to Operator's Licenses.

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 provision of this Ordinance are hereby repealed.

This Ordinance shall be in force from and after its introduction and publication as provided by statute.
SECTION VII.

This Ordinance becomes part of the City of Reedsburg Code, Chapter 12.

Dated this 23rd day of July, 2018.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

1st Reading at Council:	June 25, 2018
Public Hearing Noticed:	July 5 & July 12, 2018
2nd Reading at Council/Public Hearing:	July 23, 2018
Published, Enactment Date:	August 2, 2018

Operator License Application

Pursuant to Reedsburg Ordinance, Section 12.01 – **Fees are Non-Refundable**

☐ **New** ☐ **Renewal** ☐ **Provisional - $15.00** ☐ **Operator Fee - $50.00** ☐ **Operator Fee - $25.00**

☐ **Temporary (one temp. license per calendar year - valid for 14 days) - $10.00** *[eff. July of even-numbered years]*

Office Use Only	**License #**	**Provisional #**	**Fee Is Non-Refundable**

Filling out your application

- An Operator License is a privilege, not a right. **Any false answers or omissions may result in the denial of your application.**
- This application must be filled out accurately and completely.
- If you have any doubt as to whether to include the facts of a specific incident it is recommended that you disclose the information.
- If you are unsure about how to respond to any questions on this form, check with the City Clerk for clarification.
- Your application will not be processed until you deal with outstanding warrants.
- You can obtain information regarding your arrest and conviction record from the police department, the court with which you interacted, or the Wisconsin Circuit Court Access website at www.wcca.wicourts.gov/index.xsl (CCAP *may not provide a comprehensive list of ALL arrests and convictions*).

Review of your application

- The Reedsburg Police Department will perform a background check to verify that the information you have provided is complete and accurate.
- If your arrest and/or conviction record as it relates to your application, violates the City Guidelines, or if it appears that you falsified or omitted information from your application, your application will be denied by Staff.
- You may appeal the Staff decision by submitting a written request for an Ordinance Committee appeal to the City Clerk within 10 days of the date of your denial. If you fail to request an appeal within 10 days or you fail to appear at the appeal hearing, your denial will stand.
- *Meetings of the Common Council are open to the public.*

Last Name	First Name	M.I.	E-Mail Address

Residence: Street Address	City	State	Zip

Phone	Date of Birth	Birth Place (City, State)	Race	Sex	Height	Weight	Hair	Eyes

Driver's License Number (State & Number)	Place of Employment	Contact Person & phone number

Other names, aliases or birth dates ever used

Cities and States lived in since age 18, including where you now reside:	From:	To:
Indicate whether you are a U.S. Citizen, U.S. Alien, or Temporary Resident ☐ U.S. Citizen ☐ Alien ☐ Temporary Resident (employment number)		

Arrest and Conviction Record		
Since your 17th birthday, have you ever been convicted of a felony or misdemeanor? (Including criminal traffic offenses)	☐ Yes	☐No
As a juvenile, were you ever waived into adult court and convicted of a felony or misdemeanor?	☐ Yes	☐ No
Have you ever been convicted by a military court-martial?	☐ Yes	☐ No
Have you ever been convicted of disorderly conduct that involved violence against another person?	☐ Yes	☐ No

****CONTINUE ON NEXT PAGE****

List Any Pending Criminal Charges, Citations or Tickets				
Year	**Location**	**Charge**	At the time of incident were you under the influence of alcohol and/or other drugs?	Did the incident occur in or around an establishment that serves alcohol?

List All Criminal Convictions, Municipal/Ordinance Violations, Citations and Tickets (Excluding Parking Tickets)				
Year	**Location**	**Charge**	At the time of incident were you under the influence of alcohol and/or other drugs?	Did the incident occur in or around an establishment that serves alcohol?

Application must be notarized.

The undersigned affirms that he/she made complete and true answers to each question and understands that his/her past record will become part of this application and that the applicant applying for an Operator License is a Wisconsin resident.

Subscribed and sworn before me
This _____ day of _____, 20_____

_____ Notary Public

_____ Applicants Signature

My Commission expires _____

☐Approved ☐ Denied by the City Clerk on _____ Initials _____
(Check One)

To be completed by the Reedsburg Police Department

- ☐ Subject has no Criminal Arrest Record with either the Wisconsin State Crime Bureau or with the Reedsburg Police Department
- ☐ Files indicate that subject has the attached Criminal Arrest Record

_____ Reedsburg Police Department Authorized Signature

_____ Date

CITY OF REEDSBURG

CITY POLICY GUIDELINES

ALCOHOL BEVERAGE LICENSES

This policy will go into effect on November 25, 2002.
Revised on March 12, 2007.
Revised on October 13, 2008,
Revised on June , 2018

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Intent. As it is the responsibility of the City of Reedsburg Clerk's Office ~~the Ordinance Committee of the Reedsburg Common Council~~ to screen applications for alcohol beverage licenses within the City of Reedsburg under the licensing authority granted by Chapter 125 of the Wisconsin Statutes and Chapter 12 of the Reedsburg Ordinances, the Ordinance Committee adopts the following guidelines in order to specify the reasons for denying or non-renewing an alcohol beverage license. The City Clerk, on behalf of the Ordinance Committee, retains broad discretionary authority in this area. However, if a decision is made to deny a license, the City Clerk ~~committee~~ is required to provide that applicant with a written reason for the denial and an avenue for appeal. These guidelines are adopted to meet that requirement.

Since alcohol beverage license holders must act in cooperation with law enforcement to enforce the alcohol beverage laws, drunk driving laws, and assist with minimizing disturbances of the peace and maintaining the safety of the community, individuals with a past history of negative or uncooperative contacts with police agencies should be scrutinized; provided, however, that the Ordinance Committee shall not discriminate against such applicants based on a prior arrest or conviction record, pursuant to Wis. *Stat.§§* 111.321, 111.322, 111.335 and 125.12(I)(b), unless said arrest or conviction record substantially relates to the circumstances of the particular licensed activity. This also applies to corporations, limited liability companies, agents, and partnerships. However, a corporation or limited liability company with a conviction record may be issued a license if the corporation has terminated its relationship with the individual whose actions directly contributed to the conviction [Sec. 125.04(5)(C)]. It is with these goals in mind, as well, that these guidelines are adopted.

Deviation from these guidelines may be allowed **if** mitigating circumstances are demonstrated by the applicant at the time of application. These may include, but are not necessarily limited to, the particular circumstances surrounding or the length of time that has expired since the applicant's last conviction of any other state law

Reasons for Denial of Operator's License. The following guidelines for denial are adopted by the Ordinance Committee for consideration of applicants for alcohol beverage licenses. A copy of these guidelines shall be provided to each applicant for a license who files said application.

Guideline 1. An applicant who has been convicted of any felony, which substantially relates to the circumstances of the particular licensed activity, unless duly pardoned, will not be eligible for an alcohol beverage license.

Guideline 2. An applicant who has been convicted of, any federal or state law or local ordinance, released from incarceration in a State or Federal Prison System, or a county jail for, or released from parole or probation status for any offense within the last five (5) years in the following subcategories will not be eligible for an alcohol beverage license (**if** the offense constitutes a felony, Guideline 1 shall apply):

(a) Offenses against the person of another, including but not limited to homicide, aggravated battery, sexual assault, injury by negligent use of a weapon, injury by negligent use of a vehicle, or injury by intoxicated use of a vehicle.

(b) Offenses involving non-cooperation with law enforcement officials including, but not necessarily limited to, battery to or obstructing a police officer, resisting arrest, bribery of public officers or any law employees, misconduct in public office, assault by prisoner, escape from custody, bail jumping, or bomb threats.

(c) Drug-related offenses including, but not necessarily limited to, any offense involving the sale or possession of narcotics or other controlled substances, including:

1. Manufacturing, distributing or delivering a controlled substance or controlled substance analog under *Wis. State.* § 961.41(1) or applicable municipal ordinance.

2. Possessing with intent to manufacture, distribute or deliver, a controlled substance or controlled substance analog under Wis. *Stat.*§ 961.41(1) or applicable municipal ordinance.

3. Possessing, with intent to manufacture, distribute, or deliver, or manufacturing, distributing or delivering a controlled substance or controlled substance analog under a federal law that is substantially similar to Wis. *Stat.* § 961.41(1) or (1m) or applicable municipal ordinance.

4. Possessing with intent to manufacture, distribute or deliver, or manufacturing, distributing or delivering a controlled substance or controlled substance analog under the law of another state that is substantially similar to Wis. *Stat.* § 961.41(1) or (1m) or applicable municipal ordinance.

Guideline 3. Any applicant who has been convicted of, any federal or state law or local ordinance, released from incarceration in a State or Federal Prison System, or county jail, or released from parole or probation status, for any offense within the last three (3) years in the following subcategories will not be eligible for an alcohol beverage license (**if** the offense constitutes a felony, Guideline 1 shall apply):

(a) Alcohol Beverage Offenses, including but not limited to, sale of alcohol beverages without a license or permit, furnishing alcoholic beverages to underage persons; furnishing alcohol beverages to intoxicated persons, or any other violation of Chapter 125 of the Wisconsin Statutes or a local ordinance enacted in conformity therewith. This does not include offenses for possession or consumption of alcohol by a minor, which is covered in Guideline 4.

(b) Perjury, false swearing, disorderly conduct or criminal damage to property.

Guideline 4. Any applicant who has had two (2) or more convictions within the last two (2) years any offense in any combination of the following subcategories will not be **eligible for an alcohol beverage** license (**if** the offense constitutes a felony, Guideline 1 shall apply):

(a) Operating a motor vehicle while under the influence of intoxicants or drugs.
(b) Operating a motor vehicle with a PAC in excess of .08% by weight.
(c) Violations of Chapter 125 of the Wisconsin Statutes which are restricted to unlawful possessions or consumption of alcoholic beverages by a minor.
(d) Open intoxicants in public places or in a motor vehicle.

Guideline 5. Any applicant who is an habitual law offender will not be eligible for an alcohol beverage license. An habitual law offender shall include, but is not necessarily limited to, an applicant, other than an applicant for a retail license, who has been convicted of, or charged with, 4 or more violations of any rule, ordinance, statute or law, within the 5 years before the most recent application, the circumstances of which violations substantially relate to the licensed activity.

Guideline 6. Any applicant who materially falsifies an application for an alcohol beverage license will not be eligible to re-apply for an alcohol beverage license for a period of six (6) months from the date of denial of such application. The Ordinance Committee may waive the provisions of this paragraph, allow the applicant to submit a corrected application, with the appropriate fee, and grant an alcohol beverage license to the applicant, **if** it appears to the Ordinance Committee that any falsifications on the application were the result of inadvertence, excusable neglect, or a mistake.

Appeals: An applicant denied an operator's license by the City Clerk shall have the right to appeal the denial to the Ordinance Committee. The appeal shall be in writing and given to the City Clerk within ten (10) days of the denial. The City Clerk shall promptly place the matter on the earliest available Ordinance Committee agenda. The Ordinance Committee shall independently review the applicant's request for an operator's license under this chapter.

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STAFF REPORT **AGENDA ITEM:** IV-G

To: Ordinance Committee, Mayor and Common Council
Prepared By: Timothy M. Becker, Chief of Police
Through: Stephen Compton, City Administrator
Date of Meeting: July 23, 2018

Subject: **Introduction, 1st Reading and setting Public Hearing Ordinance 1878-18**
An Ordinance Amending Chapter 11 – Health and Sanitation

BACKGROUND AND REQUEST

I have examined Chapter 11 of the City of Reedsburg Municipal Code and have found the potential for several revisions that more accurately reflect current practice and organize the ordinances in a more user-friendly manner. I have made recommendations to add a jurisdictional portion to Chapter 11 while removing other portions and redistributing them to other Chapters that appear to be more appropriate locations.

ANALYSIS

To accurately reflect the current protocol of having the Sauk County Health Department act as the Health Officer and Health Board for the City, I have added section 11.01. This provides the jurisdiction required by ordinance for Sauk County to accept that responsibility. In reviewing Chapter 11, I have found areas of that Chapter that would more appropriately be placed in Chapter 10. For instance, keeping the topic Abandoned Vehicles together in one Chapter would make enforcement a much easier transitions compared to having it located in both chapters. I propose adding portions of 11.14 into 10.03(12) as it relates to Abandoned, Wrecked or Inoperative Motor Vehicles. Also, section 11.08 – Littering is already codified in 9.04(3) so that can be removed altogether.

STAFF RECOMMENDATION

After review by the Police Department, Building and Zoning, Public Works and the City Attorney's Office, staff would recommend approval of these revisions.

ACTION:

If the Mayor and City Council are ready, the following action may be made:

Motion to approve/deny – Introduction, 1st reading and setting a public hearing on August 13, 2018 for Ordinance 1878-18.

ATTACHED:

Current and proposed language for Chapter 11.

1st Reading and Set Public Hearing	July 23, 2018
Public Hearing Noticed:	August 2, 2018 and August 9, 2018
2nd Reading at Council/Public Hearing:	August 13, 2018
Published, Enactment Date:	August 24, 2018

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ORDINANCE NO. 1878-18

CHAPTER 11

HEALTH AND SANITATION

SECTION 1: PURPOSE.

The purpose of this ordinance is to make adjustments to the Health and Sanitation – Chapter 11.

SECTION II: PROVISION AMENDED.

CHAPTER 11

11.01 City Under Jurisdiction of Sauk County for Public Health Matters
11.02 Health Officer: Duties and Powers
11.03 Rules and Regulations
11.04 Health Nuisances: Abatement of
11.05 Communicable Diseases
11.06 Regulation of Nuisance-Type Businesses
11.07 Introduction of ~~Fluorine~~ Fluoride Into the City's Water System
~~11.08 Littering Prohibited~~ Reserved for Future Use – 9.04(3)
11.09 Garbage, Recycling and Refuse: Collection of
11.10 Reserved for Future Use
11.11 Reserved for Future Use
11.12 Reserved for Future Use
~~11.13 Debris, Junk: Order to Remove and Penalties~~ Reserved for Future Use – 10.03(13)
~~11.14 Abandonment of Vehicles~~ Reserved for Future Use - 10.03(12)
11.15 Sewer and Water: Compulsory Connection to
11.16 Private Well Abandonment
11.17 Use of Tobacco Products Prohibited
11.18 Reserved for Future Use
11.19 Reserved for Future Use
11.20 Penalty

11.01 CITY UNDER JURISDICTION OF SAUK COUNTY FOR PUBLIC HEALTH MATTERS

The Sauk County Health Committee and/or the Sauk County Health Officer shall have the same powers and authority that a City Health Officer and/or City Board of Health would have within the City. (In this Code, references to Health Officer shall mean the Sauk County Health Officer.)

11.02 HEALTH OFFICER: DUTIES AND POWERS

(1) General Duties. The health officer under the supervision of the district states the health officer shall:

(A) Maintain continuous sanitary supervision over his/her territory.

(B) Promote the spread of information as to the causes, nature and prevention of prevalent diseases and the preservation and improvement of health.

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(C) Enforce the health laws, rules and regulations of the ~~State Department, Health and Social Services~~ Wisconsin Department of Health Services, the state and City, including the laws relating to contagious diseases contained in Ch. 250 and 251, Wis. Stats.

(D) Take steps necessary to secure prompt and full reports by physicians of communicable diseases and prompt and full registration of births and deaths.

(E) Keep and deliver to his/her successor a record of all his official acts.

(F) Make an annual report to the ~~State Department, Health and Social Services~~ Wisconsin Department of Health Services and to the Common Council and such other report as they may requested.

(2) Materials and Supplies. The Health Officer shall have authority to procure (Upon approved City budget), at the expense of the City, all record books, quarantine cards and other materials needed by the Board of Health, except such as are furnished by the ~~State Department, Health and Social Services~~ Wisconsin Department of Health Services.

11.03 RULES AND REGULATIONS

The Board of Health may make reasonable and general rules for the enforcement of the provisions of this chapter and for the prevention of the creation of health nuisances and the protection of the public health and welfare, and may, where appropriate, require the issuance of licenses and permits. All such regulations, when approved by the Common Council, shall have the same effect as ordinances and any person violating any of such regulations and any lawful order of the board shall be subject to a penalty as provided in Sec. 25.04 of this code.

11.04 HEALTH NUISANCES: ABATEMENT OF

The Health Officer together with the Board of Health may abate health nuisances in accordance with Sec. 250 and 251, Wis. Stats., which is adopted by reference and made a part of this chapter as if fully set forth herein.

11.05 COMMUNICABLE DISEASES

Ch. 252, Wis. Stats., and DHS 145, Wis. Admin. Code, are adopted by reference and made a part of this chapter and the Health Officer ~~and the Board of Health~~ shall enforce the provisions thereof.

11.06 REGULATION OF NUISANCE-TYPE BUSINESSES

(1) Permit Required. No person shall conduct, with the City, any business which has a tendency to create a public nuisance, except upon permit issued by the Board of Health and subject to such conditions as the board may impose.

(2) Definition. A business which has a tendency to create a public nuisance is one which unless property regulated may create the condition creating a public nuisance as defined in Sec. 10.02 of this code.

(3) This section is enacted pursuant to Sec. 66.052.

11.07 INTRODUCTION OF ~~FLUORINE~~ FLORIDE INTO THE CITY'S WATER SYSTEM

(1) Upon receiving the consent and approval of the ~~State Department, Health and Social Services~~ Wisconsin Department of Health Services and until further direction of the Common Council, the Board of Health shall proceed with the introduction of approximately .7 to .75 ~~1 to 1.5 parts~~ of ~~fluorine~~ fluoride to every million parts of water being distributed in the water supply system of the City, and the Board may from time to time, upon

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approval by the ~~State Department, Health and Social Services~~ Wisconsin Department of Health Services, change the proportions thereof.

(2) Insofar as the facilities, equipment, place and employees subject to the jurisdiction of the public service commission may be needed and used in connection with this public health program. They shall be so used in the project as facilities and agents of and for the City, and the cost thereof shall be paid out of the general fund of the City.

(3) The Health Officer ~~Board of Health~~ shall make periodic reports to the Common Council as to the status of such service and conduct surveys and research as to the beneficial effect of this program and project on the citizens of this community.

~~**11.08 LITTERING PROHIBITED**~~ **also in 9.04(3) same language**

~~No person shall throw or deposit any litter upon any public street or place or private lot within the City, or dump or place any garbage, refuse, or debris on the bank of or within any river, creek, stream, or drainage ditch within the City.~~

11.09 GARBAGE, RECYCLING AND REFUSE: COLLECTION OF

(1) Purpose. The purpose of this ordinance is to promote recycling, composting and resource recovery through the administration of an effective recycling program, as provided in Wis. Stat. Chap. 287 and Wis. Admin. Code Chap. NR 544. *(Rev.3-25-02)*

(2) Statutory Authority. This ordinance is adopted pursuant to Wis. Stat. sec. 287.09. *(Rev.3-25-02)*

(3) Administration. The provisions of this ordinance shall be administered by the Public Works Director. *(Rev.3-25-02)*

(4) Definitions: *(Rev.3-25-02)*

(A) "Bi-metal container" means a container for carbonated or malt beverages that are made primarily of a combination of steel and aluminum.

(B) "Commercial Waste" means any refuse that is accumulated in or upon property used for wholesale or retail commercial purposes.

(C) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.

(D) "Foam polystyrene packaging" means packaging made primarily from form polystyrene that satisfies one of the following criteria:

1. Is designed for serving food or beverages.

2. Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.

3. Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

(E) "Garbage" means all kinds of organic kitchen waste resulting from the preparation of food, and all decayed food products from any source whatsoever.

(F) "HDPE" means high density polyethylene, labeled by the SPI code #2.

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(G) "Industrial Waste" means any refuse that is accumulated in or upon property used for manufacturing or industrial purposes.

(H) "LDPE" means low density polyethylene, labeled by the SPI code #4.

(I) "Magazines" means magazines and other materials printed on similar paper.

(J) "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnaces, boilers, heat exchanger, dishwashers and water heaters.

(K) "Multiple-family dwelling" means a property having three (3) or more residential units, including those which are occupied seasonally.

(L) "Newspaper" means a newspaper and other materials printed on newsprint.

(M) "Non-residential facilities and properties" means commercial, retail, industrial, institutional and governmental facilities and properties.

(N) "Office paper" means high grade printing and writing papers from offices in non-residential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade.

(O) "Other resins or multiple resins" mean plastic resins labeled by the SPI code #7.

(P) "Person" includes any individual, corporation, partnership, association, local governmental unit, as defined in Wis. Stat. sec. 66.0131, state agency or authority or federal agency.

(Q) "PETE" means polyethylene terephthalate, labeled by the SPI code #1.

(R) "Plastic container" means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.

(S) "Post-consumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in Wis. Stat. sec. 291.01 (7), waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in Wis. Stat. sec. 289.01(35).

(T) "PP" means polypropylene, labeled by the SPI code #5.

(U) "PS" means polystyrene, labeled by the SPI code #6.

(V) "PVC" means polyvinyl chloride, labeled by the SPI code #3.

(W) "Recyclable materials" includes lead acid batteries, major appliances; waste oil; hard waste; aluminum containers; corrugated paper or other container board, foam polystyrene packaging; glass containers; magazines, newspaper; office paper, rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins; steel containers; waste tires; and bi-metal containers.

(X) "Refuse" means all waste matter such as ashes, tin cans, glass, paper, rags, garden refuse, and other items of a similar nature, but shall not include leaves, trees, tree limbs, earth, stone, sewage, demolition material or manure.

(Y) "Residential Dwelling Unit" means a property having a single family dwelling or a duplex.

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(Z) "Residential Waste Collector" means the exclusive provider of residential solid waste services selected by the City to provide such services.

(AA) "Solid waste" has the meaning specified in Wis. Stat. sec. 144.01(15).

(BB) "Solid waste facility" has the meaning specified in Wis. Stat. sec. 144.43(5).

(CC) "Solid waste treatment: means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.

(DD) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

(EE) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

(5) License Required. *(Rev.3-25-02)*

(A) Nonresidential waste collector. Collector of nonresidential waste may not operate in the City of Reedsburg without a non-exclusive nonresidential waste collector license issued by the City Clerk.

(B) Residential waste collector. Residential waste in the City shall be collected only by the exclusive residential waste collector selected and licensed by the City.

(6) Selection of Residential Waste Collector. *(Rev.3-25-02)*

(A) On or before May 1, 2002, the City shall solicit bids for the exclusive residential solid waste collection license. Applications shall be submitted not later than June 1, 2002 on forms to be prepared by the City Administrator.

(B) The applications shall be forwarded to the Public Works Committee which shall make a recommendation to the Common Council.

(C) The Common Council shall select a licensee for a three-year period commencing September 1, 2002.

(D) The Mayor and City Clerk are authorized to enter into a three-year contract with the licensee.

(E) The license application and issuance process shall be repeated every three years.

(7) Mandatory Residential Service. *(Rev.3-25-02)*

(A) The residents of residential dwelling units shall have their solid waste and recycling collected by the Residential Waste Collector licensed by the City.

(B) The residential Waste Collector shall provide its residential customers a container for solid waste and a container for recyclables.

(8) Fees; Solid Waste Fund. *(Rev.3-25-02)*

(A) The fees to be paid for the residential waste collection service shall be established from time to time by the Common Council by resolution.

(B) Fees shall be billed by the City on an annual basis as a special charge on the tax roll.

(C) Unpaid fees may be collected as a special charge against real property pursuant to Wis. Stat. sec. 66.0627.

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(D) Fees collected for residential waste collection services shall be to a separate, segregated Solid Waste Fund to be managed and administered by the City Administrator. The City Administrator may create sub-accounts within the fund and may establish rules for the administration of the residential solid waste collection service.

(9) Frequency of Pick-ups. *(Rev.3-25-02)*

(A) The Residential Waste Collector shall collect solid waste and recyclables from its customers at least weekly at the same time.

(B) Collections shall not take place on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas. Collections scheduled for those days shall take place within 48 hours of the scheduled collection day.

(C) Nonresidential collections shall take place pursuant to schedules negotiated between the providers and their customers.

(10) Collection Facilities and Equipment; Condition. *(Rev.3-25-02)*

(A) All facilities and equipment used in the collection of solid waste and recyclables in the City shall be kept and maintained in a safe, clean and sanitary condition.

(B) All vehicles used in the collection of solid waste and recyclables in the City shall be completely enclosed.

(C) All solid waste and recyclables collected in the City shall be deposited directly from the collection container to the collection vehicle.

(11) Condition of Containers and Refuse. *(Rev.3-25-02)*

(A) All solid waste shall be placed in the pickup area in a covered metal or plastic container with a close-fitting lid.

(B) The containers for solid waste and recyclables shall be well drained and shall be kept and maintained in a clean and sanitary condition.

(C) Containers with residential solid waste and recyclables shall be placed curbside for pickup unless the customer and the collector agree upon an alternate pickup site.

(D) The City may, from time to time, establish by resolution rules and guidelines regarding the preparation and collection of solid wastes and recyclables.

(E) A collector of solid waste or recyclables may refuse to collect refuse which is not in accord with this ordinance. If refuse is refused, the collector shall advise the customer in writing of the reason by attaching a tag to the refused refuse or container.

(12) Transport to Approved Facilities. Solid waste and recyclables generated in the City shall be disposed of at sites approved by the Wisconsin Department of Natural Resources or other approval agency. *(Rev.3-25-02)*

(13) Separation of Recyclable Materials. The following recyclable materials shall be separated from post-consumer waste: *(Rev.3-25-02)*

(A) Lead acid batteries
(B) Major appliances
(C) Waste oil
(D) Yard waste

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(E) Aluminum containers
(F) Bi-metal containers
(G) Corrugated paper or other container board
(H) Foam polystyrene packaging
(I) Glass containers
(J) Magazines
(K) Newspaper
(L) Office paper
(M) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins
(N) Steel containers
(O) Waste tires

(14) Separation Requirements Exempted. The separation requirements of Code sec.13 do not apply to the following: *(Rev.3-25-02)*

(A) Solid waste and recyclables processed at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials from solid waste in as pure a form as is technically feasible.

(B) Solid waste which is burned as a supplemental fuel at a facility if less than 30 percent of the heat input to the facility is derived from the solid waste burned as supplemental fuel.

(C) A recyclable material specified in Code Sec. 13 for which a variance has been granted by the Department of Natural Resources under Wis. Stat. sec. 287.11(2m) or Wis. Admin. Code sec. NR 544.14.

(15) Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with Code sec. 13 shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain and other inclement weather conditions. *(Rev.3-25-02)*

(16) Disposal of Lead Acid Batteries, Major Appliances, Waste Oil and Yard Waste. *(Rev.3-25-02)*

(A) Lead acid batteries shall be disposed of as provided in Wis. Stat. sec. 287.18.

(B) Major appliances shall be picked up at curb side on an as-needed basis by a licensed hauler or during annual or semi-annual pick-up events sponsored by the City. The property owner shall be responsible for the pick-up charges.

(C) Waste oil may be delivered to service stations within the City with facilities to receive the oil or may be disposed of as provided by Wis. Stat. sec. 287.15.

(D) Yard waste shall be disposed of through the use of personal compost piles with larger materials being broken down, packaged and picked up on a semi-annual/annual basis by the City.

(17) General Prohibitions. *(Rev.3-25-02)*

(A) No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the recyclable materials specified in Code Sec. 13 which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(B) No person shall deposit, throw, or place any solid waste or recyclables on or within any public street, alley, park, sidewalk or other public place, or within or upon any private property or premises whether owned, kept or

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controlled by such person or not, unless the same shall be placed in containers as herein provided, or disposed of through a mechanical disposal unit connected to a sanitary sewer.

(C) No person shall bury or burn any solid waste or recyclables on private or public property but cause to be collected and or disposed of in the manner herein provided.

(D) Except as otherwise provided in this Chapter 11, no person other than a City authorized refuse collector shall collect or interfere with any garbage, refuse, or recycling materials after they shall have been put into a recycling receptacle and deposited at the curb for the collector, nor shall any person molest, hinder, or delay or in any manner interfere with the City authorized refuse collector in the discharge of its duties. No person shall hoard garbage for periods longer than a normal collection period. After any recyclable are placed at the curb for collection, they shall become and are the property of the City of Reedsburg. No one other than the authorized refuse collector for the City of Reedsburg is allowed to collect, pickup or receive recyclable materials placed at the curb for collection. *(Created 5-14-07)*

(18) Enforcement. *(Rev.3-25-02)*

(A) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City of Reedsburg may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the City of Reedsburg who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper or interfere with such an inspection.

(B) Any person who violates a provision of this ordinance may be issued a citation by the Public Works Director or his/her designee to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.11.09 Garbage and Refuse: Collection Of 8

(C) The occupant of a one or two family dwelling may have the opportunity to correct a violation of the ordinance and retain the material not prepared properly for collection for the next regular pickup.

(D) Penalties for violating this ordinance may be assessed as follows:

1. Any person who violates S. (18) may be required to forfeit $50 for a first violation, $200 for a second violation and not more than $2,000 for a third or subsequent violation together with taxable court costs.

2. Any person who violates a provision of this ordinance, except (18), may be required to forfeit not less than $10 nor more than $1,000 for each violation together with taxable court costs.

(19) Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Wis. Admin. Code Chap. NR 544, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Wis. Admin Code Chap. NR

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544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance. *(Rev.3-25-02)*

(20) Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected. *(Rev.3-25-02)*

(21) Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply. *(Rev.3-25-02)*

11.10 RESERVED FOR FUTURE USE *(Rev.3-25-02)*
11.11 RESERVED FOR FUTURE USE *(Rev.3-25-02)*
11.12 RESERVED FOR FUTURE USE *(Rev.3-25-02)*

~~**11.13 DEBRIS, JUNK: ORDER TO REMOVE AND PENALTIES**~~ Move to 10.03(13)

~~(1) Whenever the Council shall find that conditions on any premises within the City create a fire or health hazard or shall find that, by virtue of any accumulation of unsightly materials, junk or debris of any nature on any premises or for any other reason, any premises are detrimental to the appearance, neatness of cleanliness of a neighborhood so as to tend to depreciate property values therein or create a nuisance or offend the aesthetic character of the immediate neighborhood or produce blight or deterioration by reason of such conditions, the Common Council may order the owner of said premises to correct any such condition or to remove therefrom any such unsafe, hazardous or unsightly articles, material or debris.~~

~~Examples of junk, refuse, litter, garbage, and scrap or waste matter shall include, but are not limited to, appliances, furniture, tires, wood, machinery parts, boats recreational vehicles, or other unsightly debris that is wrecked, dismantled, partially dismantled, discarded, or inoperative.~~

~~(A) The order shall specify a time not to exceed 30 days within which the owner and/or occupant shall comply therewith.~~

~~(B) The order shall be served on the owner and/or occupant of the premises in the manner provided for service of a summons in the Circuit Court, and if the said owner and/or occupant is not found, by certified mail with return receipt requested and posting of notice on a conspicuous part of the premises.~~

~~**11.14 ABANDONMENT OF VEHICLES** *(7.08(5)*~~ Move to 10.03(12)

~~(1) Definitions.~~

~~(A) Vehicle. When using this section, vehicle means any vehicle which is self-propelled, including a motor vehicle as defined in the Wisconsin Statutes, and also means every device in, upon, or by which any person or property is or may be transported, and every type of equipment on wheels, including farm machinery.~~

~~(B) Junked Vehicles. Junked vehicles as used in this section shall mean any vehicle as described above which is inoperative in its then existing condition.~~

~~(C) Abandonment. Whenever any or all of the following conditions exist, a vehicle shall be deemed to have been abandoned within the meaning of this ordinance:~~

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1. Whenever any vehicle has been allowed to remain standing on any public place or on-street parking area for more than 72 hours. This ordinance shall not prohibit the enforcement of Alternate Side Parking, section 7.085(2). (Ordinance 7.10 shall take precedence over this section in all snow emergency cases.)

2. When any vehicle has been allowed to remain standing upon any private property, except when stored in a private garage, in a public garage or a premises attached thereto, or upon any premises which shall have been licensed or approved by the Common Council as a junk yard auto wrecking year, for more than 14 consecutive days or where such vehicle shall have had its wheels removed or have been raised off the ground for more than four consecutive days.

3. Whenever any vehicle, whether operative or inoperative, shall have been allowed to stand or remain on any municipal parking lot or metered area within the City in violation of the parking regulations thereof, for more than a period of 24 72 hours.

(D) Standing. Any vehicle which is not moved at least 30 feet away from its original space in the areas and time periods described in this ordinance shall be considered to have been "standing."

(2) Abandonment Prohibited. No person, firm or corporation shall abandon any wrecked, inoperable, junked, dismantled or partially dismantled motor vehicle within the City of Reedsburg or leave any such motor vehicle within the City for such time and under such circumstances as to cause such motor vehicle reasonably to appear to have been abandoned.

(3) Emergency Removal. The Chief of Police or any member of the City Police Department is hereby authorized to remove or to have removed any vehicle whose location or existence jeopardizes public safety by either creating an unsafe condition or by significantly hindering the efficient movement of traffic. Except for pre-seizure notification as set forth below, the owner of said vehicle shall be entitled to all of the rights otherwise set forth in this ordinance.

(4) Impounding of Abandoned or Discarded Motor Vehicles. The Chief of Police, or any member of the City Police Department, is hereby authorized to remove or to have removed any wrecked, inoperative, junked, dismantled or partially dismantled motor vehicle left at any place within the City of Reedsburg which reasonably appears to be in violation of this section or to be lost, stolen or unclaimed. Such motor vehicle shall be impounded until lawfully claimed or disposed of in accordance with subsection (d) of this section.11.14 Abandonment of Vehicles

(5) Notice and Right to Preliminary Hearing. In all non-emergency cases whereby, reasonable diligence, the Chief of Police or any member of the City Police Department is able to determine the owner of any abandoned vehicle, a written notice shall be provided to that owner either personally or by registered mail. The notice shall provide that the vehicle will be towed pursuant to the terms of this ordinance if a written request for a hearing is not received within 72 hours of receipt of the notice. The request shall be directed to the Chief of Police and shall be served on him or any member of the Police Department either personally or by registered mail within 72 hours. All hearings shall be scheduled within a reasonable time after receipt of the written request and shall be administered by the City Attorney or one of his or her assistants at such time and place as is designated by that individual. Failure to appear at the hearing shall be grounds for an immediate towing under the terms of this ordinance. If, at the conclusion of the hearing, the hearing officer finds that there is probable cause to believe that the vehicle has been abandoned pursuant to the definitions contained in this ordinance, a citation under subsection (e) shall be issued and the vehicle shall be impounded pending final hearing on the above citation. In the event that the vehicle is impounded, the owner shall remain liable for all towing charges as set forth below and these charges shall be assessed over and above the penalties set forth in subsection (e) if the person is found to be guilty of a violation of this ordinance.

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~~The above-written request for a hearing shall be either personally served on the Chief of Police or any representative of the Police Department or made by certified mail.~~

~~(A) Reserved for Future Use~~

~~(B) If, after employing reasonable diligence, the Chief of Police cannot determine the owner of the vehicle and the vehicle does not create a hazard as set forth in paragraph 3, the vehicle shall be impounding as set forth below and the Chief of Police shall cause publication of a notice of such impounding as a Class II notice in the official City newspaper. The notice shall briefly describe the motor vehicle, the location from which it was removed and set forth the owner's rights to a hearing as set forth above.~~

~~(C) Reclamation. At any time prior to the sale of an impounded motor vehicle, any person establishing his ownership or right of possession of the same by paying the Police Department for the storage and towing thereof along with such other expenses incidental to the care and maintenance of the same and any other expenses incurred in relation thereto.~~

~~(D) Sale of Impounded Motor Vehicles. After any motor vehicle shall have been stored for more than 30 days and the required notices have been given or published and, where applicable, a hearing has been held in a court of law with respect to the alleged violation of this section, the Chief of Police shall sell the same at public auction. Notice of such sale shall be published in the official City newspaper as a Class II notice. The sales notice may include one or more vehicles. At such sale, the highest bid in cash for any motor vehicle shall be accepted, unless the same is, in the judgement of the Chief of Police, inadequate. In that event, all bids are rejected or no bid at all is received, the Chief of Police may, in his discretion either re-advertise the sale or adjourn the same from time to time to a definite date each time, or sell such motor vehicle at a private sale, or junk the same.~~

~~After deducting the reasonable and necessary expenses incident to the care and sale of any motor vehicle, the balance of the proceeds shall be paid to the City Clerk-Treasurer and credited to the general City fund. The sale of the motor vehicle under the provisions of this section shall forever bar all prior claims thereto and any interest therein except as hereafter provided.~~

~~At any time within two years after the sale of a motor vehicle as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein, may present a claim to the Common Council of the City of Reedsburg setting forth such facts as are necessary to establish such ownership or interest. If the Common Council is satisfied as to the merit of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid to the City Treasurer as a result of the sale of such vehicle nor the amount of the interest of the claimant therein.~~

~~(E) Penalties. Any person who shall violate any provision of this or any order, rule or regulation made hereunder shall be subject to a penalty as provided in Section 25.04 of this municipal code.~~

11.15 SEWER AND WATER: COMPULSORY CONNECTION TO

(1) Notice to Connect. Whenever sewer and water becomes available to any building used for human habitation, the Building Inspector shall notify in writing the owner, thereof to connect all facilities. If such person to whom the notice has been given shall fail to comply for more than 10 days after the notice, the Building Inspector shall cause the necessary connections to be made and the expense thereof shall be assessed as a special tax against the property pursuant to Sec. 66.0701, Wis. Stats.

(2) Abatement of Privies and Cesspools. After connection to a water main and public sewer, no privy, privy vault or cesspool shall be constructed or maintained upon such lot or parcel, and shall be abated upon 10 days written

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notice for such abatement by the Building Inspector. If not so abated, the Building Inspector shall cause the same to be done and the cost thereof assessed as a special tax against the property.

(3) The City or Reedsburg Utility Commission may extend the time for connection hereunder or may grant other temporary relief where strict enforcement would work and unnecessary hardship without corresponding public or private benefit.

11.16 PRIVATE WELL ABANDONMENT

(1) All private wells located on any premises served by the public water system of the City of Reedsburg shall be properly filled and capped by July 27, 1986. Only those wells for which a well operation permit has been granted by the Superintendent of the Utility may be exempted from this requirement as long as the operation conditions set forth below.

(A) No new private well shall be permitted to be constructed or put in operation on any lot or parcel to which the Reedsburg Utility Commission has certified that a suitable public water supply exists except as provided in 3 and 4 below.

(B) No existing private well shall be permitted to provide water for human consumption to any lot or premises for which the Reedsburg Utility Commission has certified that suitable public water supply exists except as provided in 3 and 4 below.

(2) When a suitable public water supply has been certified as being available to a lot or premises:

(A) A new well may be drilled and placed in operation only for the purpose of facilitating the operation of a ground water heat pump system and provided that a valid permit has been issued by the City.

(B) An existing well may be retained in operation only for the purpose of facilitating the use of a heat pump or for outdoor, non-potable use (e.g. car washing, watering lawns and gardens, filling swimming pools, etc.) and provided that a valid permit has been issued. At any time that an existing well shall require substantial repair or reconstruction, the well shall be abandoned.

(3) The City may issue a permit for the construction and operation of a new private well or retention and operation of an existing well provided that the use of the private well is in compliance with Section 2 and:11.16 Private Well Abandonment

(A) The Owner has made application to the City for the permit providing all the information required.

(B) The well and pump installation meet the requirements of Chapter NR 812, Wisconsin Administrative Code, as evidenced by an inspection report signed by a licensed well driller or pump installer. A copy of such certification shall be provided to the City.

(C) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three samplings two weeks apart. Copies of the laboratory analysis shall be provided to the City.

(D) The Reedsburg Utility Commission has certified that no cross-connection exists between the public water supply system and the private well system.

(E) No known health or environmental hazards will be created or occur due to the construction or operation of the private well.

(F) A well permit fee has been paid.

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(4) When issued, a private well permit shall be valid for a period of five (5) years. A permit may be reissued provided that the conditions in paragraph 3 are met.

(5) When a private well is abandoned, the abandonment shall be in compliance with the requirements of the applicable sections of the Wisconsin Administrative Code. The City shall be notified that the well has been abandoned.

11.17 USE OF TOBACCO PRODUCTS PROHIBITED

(A) It shall be unlawful to use any tobacco products on, and/or within 20 feet of, premises owned by the Reedsburg School District within the City of Reedsburg.

(B) **Smoking Prohibited.** This section adopts Wis. Stats. §101.123 prohibiting smoking in places of employment and public places. *(Created 6-28-10)*

11.18 RESERVED FOR FUTURE USE
11.19 RESERVED FOR FUTURE USE
11.20 PENALTY *(Rev. 9-24-07)*
For a violation of a section of this Chapter 11, the forfeiture shall be not less than $5.00 nor more than $500.00 upon conviction for each offense together with the costs of prosecution.

SECTION III: 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 IV: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION V: EFFECTIVE DATE.

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VI: PART OF CODE:

All ordinances in conflict with any provision of this Ordinance are hereby repealed.
This Ordinance shall be in force from and after its introduction and publication as provided by statute.
This Ordinance becomes part of the City of Reedsburg Code, Chapter 11.

Dated this day of July, 2018.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

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STAFF REPORT **AGENDA ITEM:** IV-H

To: Ordinance Committee, Mayor and Common Council
Prepared By: Timothy M. Becker, Chief of Police
Through: Stephen Compton, City Administrator
Date of Meeting: July 23, 2018

Subject: Introduction, 1st Reading and setting Public Hearing Ordinance 1879-18
An Ordinance Amending Chapter 10.03 Public Nuisances Affecting Health - Revisions

BACKGROUND AND REQUEST

I have examined Chapter 10 of the City of Reedsburg Municipal Code and have found the potential for several revisions that more accurately reflect current practice and organize the ordinances in a more user-friendly manner. I have made recommendations to combine portions of Chapter 11 with Chapter 10, as detailed below.

ANALYSIS

In reviewing Chapter 11, I have found areas of that Chapter that would more appropriately be placed in Chapter 10. For instance, keeping the topic Abandoned Vehicles together in one Chapter would make enforcement a much easier transitions compared to having it located in both chapters. I propose adding portions of 11.14 into 10.03(12) as it relates to Abandoned, Wrecked or Inoperative Motor Vehicles, this way all the information regarding abandoned vehicles is located in one section. A portion of the section deals with property owners who knowingly maintain abandoned vehicles and a portion that provides relief for abandoned vehicles simply appearing on someone's property. There was a small addition to 10.03(12) under (C)(3) as it relates to Alternate Side Parking.

A revision is requested to section 10.03(10). I am requesting that we remove section 10.03(3) and replace it with 10.03(13) which is a combination of 10.03(10) and 11.13. In addition, there is a small change that permits staff to initiate the order to remove and provide a hearing process. Section 11.13 would then be removed.

STAFF RECOMMENDATION

After review by the Police Department, Building and Zoning, Public Works and the City Attorney's Office, staff would recommend approval of these revisions.

ACTION:
If the Mayor and City Council are ready, the following action may be made:

Motion to approve/deny – Introduction, 1st reading and setting a public hearing on August 13, 2018 for Ordinance 1878-18.

ATTACHED:
Current and proposed language for Chapter 10, specifically 10.03(12), (13) and removing (10).

1st Reading and Set Public Hearing	July 23, 2018
Public Hearing Noticed:	August 2, 2018 and August 9, 2018
2nd Reading at Council/Public Hearing:	August 13, 2018
Published, Enactment Date:	August 24, 2018

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ORDINANCE NO. 1879-18

Public Nuisances Affecting Health - Chapter 10

SECTION 1: PURPOSE.

The purpose of this ordinance is to make adjustments to the Public Nuisances Affecting Health - Chapter 10

SECTION II: PROVISION AMENDED.

A. 10.03 PUBLIC NUISANCES AFFECTING HEALTH

~~**B. (10) STORAGE OF JUNK, ETC.** The open storage of junk, refuse, litter, garbage, and scrap or~~

~~**C.** waste matter. Such items include, but are not limited to, appliances, furniture, tires, wood,~~

~~**D.** machinery parts, boats recreational vehicles, or other unsightly debris that is wrecked,~~

E. ~~dismantled, partially dismantled, discarded, or inoperative. (Rev. 3-24-08)~~ Replaced by 10.03(13)

(11) BOX ELDER TREES. Any box elder tree infected with the box elder bug.

(12) ABANDONED, WRECKED OR INOPERATIVE MOTOR VEHICLES. (replacing 11.14)

(1) Definitions.

(A) Vehicle. When using this section, vehicle means any vehicle which is self-propelled, including a motor vehicle as defined in the Wisconsin Statutes, and also means every device in, upon, or by which any person or property is or may be transported, and every type of equipment on wheels, including farm machinery.

(B) Junked Vehicles. Junked vehicles as used in this section shall mean any vehicle as described above which is inoperative in its then existing condition.

(C) Abandonment. Whenever any or all of the following conditions exist, a vehicle shall be deemed to have been abandoned within the meaning of this ordinance:

1. Whenever any vehicle has been allowed to remain standing on any public place or on-street parking area for more than 72 hours. This ordinance shall not prohibit the enforcement of Alternate Side Parking, section 7.085(2). (Ordinance 7.10 shall take precedence over this section in all snow emergency cases.)

{7.08(5) ~~TWENTY-FOUR HOUR LIMIT~~ SEVENTY-TWO HOUR LIMITS. The operator of a vehicle shall not park such vehicle for longer than ~~24~~ 72 hours at any one time upon the streets of the City. Any such vehicle may be removed by order of the Chief of Police, Street Superintendent or their designee, after expiration of tow notice. This ordinance shall not prohibit the enforcement of Alternate Side Parking, section 7.085(2). (Ordinance 7.10 shall take precedence over this section in all snow emergency cases.)}

2. When any vehicle has been allowed to remain standing upon any private property, except when stored in a private garage, in a public garage or a premises attached thereto, or upon any premises which shall have been licensed or approved by the Common Council as a junk yard auto wrecking year, for more than

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14 consecutive days or where such vehicle shall have had its wheels removed or have been raised off the ground for more than four consecutive days.

3. Whenever any vehicle, whether operative or inoperative, shall have been allowed to stand or remain on any municipal parking lot or metered area within the City in violation of the parking regulations thereof, for more than a period of ~~24~~ 72 hours.

(D) Standing. Any vehicle which is not moved at least 30 feet away from its original space in the areas and time periods described in this ordinance shall be considered to have been "standing."

(E) Abandonment Prohibited: No person shall park, store, leave, or permit the parking storing, or leaving of any motor vehicle of any kind that is in an abandoned, wrecked, inoperative, unlicensed, or dismantled condition upon any private property within the City. This section shall not apply to any vehicle enclosed within a building on private property, to any vehicle held in connection with a lawful business within the City or its extraterritorial area, such as a junkyard, salvage yard, or auto repair business, or to temporary repair work that is performed within 24 hours of a vehicle becoming unexpectedly un-roadworthy.

(1) Notice shall be sent to the property owner or vehicle owner with an order that the owner shall, within 30 days, make the vehicle operable and roadworthy and license any vehicle that may not be licensed, or in the alternative, place such vehicle in an enclosed structure or remove the vehicle from the property.

(2) The Notice shall further advise the owner that if the nuisance is not corrected, the vehicle is subject to be towed, stored, and if not redeemed, disposed of at owner's expense following a hearing before the Ordinance Committee.

(3) A written notice shall be provided to that owner either personally or by registered mail. All hearings shall be scheduled within a reasonable time after receipt of the written request.

(4) Failure to appear at the hearing may be grounds for an immediate towing under the terms of this ordinance. If, at the conclusion of the hearing, the Committee finds that there is probable cause to believe that the vehicle is in violation pursuant to the definitions contained in this ordinance, a citation provided in Section 25.04 of this municipal code shall be issued and the vehicle shall be impounded. In the event that the vehicle is impounded, the owner shall remain liable for all towing charges and these charges shall be assessed over and above the penalties set forth in Section 25.04 if the person is found to be guilty of a violation of this ordinance.

(F) Emergency Removal. The Chief of Police or any member of the City Police Department is hereby authorized to remove or to have removed any vehicle whose location or existence jeopardizes public safety by either creating an unsafe condition or by significantly hindering the efficient movement of traffic. Except for pre-seizure notification as set forth below, the owner of said vehicle shall be entitled to all of the rights otherwise set forth in this ordinance.

(G) Impounding of Abandoned or Discarded Motor Vehicles. The Chief of Police, or any member of the City Police Department, is hereby authorized to remove or to have removed any wrecked, inoperative, junked, dismantled or partially dismantled motor vehicle left at any place within the City of Reedsburg which reasonably appears to be in violation of this section or to be lost, stolen or unclaimed. Such motor vehicle shall be impounded until lawfully claimed or disposed of in accordance with subsection (K) of this section.

(H) Notice and Right to Preliminary Hearing. In all non-emergency cases whereby, reasonable diligence, the Chief of Police or any member of the City Police Department is able to determine the owner of any abandoned vehicle, a written notice shall be provided to that owner either personally or by registered mail. The notice

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shall provide that the vehicle will be towed pursuant to the terms of this ordinance if a written request for a hearing is not received within 72 hours of receipt of the notice. The request shall be directed to the Chief of Police and shall be served on him or any member of the Police Department either personally or by registered mail within 72 hours. All hearings shall be scheduled within a reasonable time after receipt of the written request and shall be administered by the City Attorney or one of his or her assistants at such time and place as is designated by that individual. Failure to appear at the hearing shall be grounds for an immediate towing under the terms of this ordinance. If, at the conclusion of the hearing, the hearing officer finds that there is probable cause to believe that the vehicle has been abandoned pursuant to the definitions contained in this ordinance, a citation under subsection (e) shall be issued and the vehicle shall be impounded pending final hearing on the above citation. In the event that the vehicle is impounded, the owner shall remain liable for all towing charges as set forth below and these charges shall be assessed over and above the penalties set forth in subsection (L) if the person is found to be guilty of a violation of this ordinance.

The above-written request for a hearing shall be either personally served on the Chief of Police or any representative of the Police Department or made by certified mail.

(I) If, after employing reasonable diligence, the Chief of Police cannot determine the owner of the vehicle and the vehicle does not create a hazard the vehicle shall be impounding as set forth below and the Chief of Police shall cause publication of a notice of such impounding as a Class II notice in the official City newspaper. The notice shall briefly describe the motor vehicle, the location from which it was removed and set forth the owner's rights to a hearing as set forth above.

(J) Reclamation. At any time prior to the sale of an impounded motor vehicle, any person establishing his ownership or right of possession of the same by paying the Police Department for the storage and towing thereof along with such other expenses incidental to the care and maintenance of the same and any other expenses incurred in relation thereto.

(K) Sale of Impounded Motor Vehicles. After any motor vehicle shall have been stored for more than 30 days and the required notices have been given or published and, where applicable, a hearing has been held in a court of law with respect to the alleged violation of this section, the Chief of Police shall sell the same at public auction. Notice of such sale shall be published in the official City newspaper as a Class II notice. The sales notice may include one or more vehicles. At such sale, the highest bid in cash for any motor vehicle shall be accepted, unless the same is, in the judgement of the Chief of Police, inadequate. In that event, all bids are rejected or no bid at all is received, the Chief of Police may, in his discretion either re-advertise the sale or adjourn the same from time to time to a definite date each time, or sell such motor vehicle at a private sale, or junk the same.

After deducting the reasonable and necessary expenses incident to the care and sale of any motor vehicle, the balance of the proceeds shall be paid to the City Clerk-Treasurer and credited to the general City fund. The sale of the motor vehicle under the provisions of this section shall forever bar all prior claims thereto and any interest therein except as hereafter provided.

At any time within two years after the sale of a motor vehicle as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein, may present a claim to the Common Council of the City of Reedsburg setting forth such facts as are necessary to establish such ownership or interest. If the Common Council is satisfied as to the merit of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid to the City Treasurer as a result of the sale of such vehicle nor the amount of the interest of the claimant therein.

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(L) Penalties. Any person who shall violate any provision of this or any order, rule or regulation made hereunder shall be subject to a penalty as provided in Section 25.04 of this municipal code.

(13) DEBRIS, JUNK: ORDER TO REMOVE AND PENALTIES

(1) Whenever City Staff ~~the Council~~ ~~shall~~ finds that conditions on any premises within the City create a fire or health hazard or shall find that, by virtue of any accumulation of unsightly materials, junk or debris of any nature on any premises or for any other reason, any premises are detrimental to the appearance, neatness of cleanliness of a neighborhood so as to tend to depreciate property values therein or create a nuisance or offend the aesthetic character of the immediate neighborhood or produce blight or deterioration by reason of such conditions, City Staff ~~the Council~~ may order the owner of said premises to correct any such condition or to remove therefrom any such unsafe, hazardous or unsightly articles, material or debris.

Examples of junk, refuse, litter, garbage, and scrap or waste matter shall include, but are not limited to, appliances, furniture, tires, wood, machinery parts, boats recreational vehicles, or other unsightly debris that is wrecked, dismantled, partially dismantled, discarded, or inoperative.

(A) The order shall specify a time not to exceed 30 days within which the owner and/or occupant shall comply therewith.

~~(2) The order shall be served on the owner and/or occupant of the premises in the manner provided for service of a summons in the Circuit Court, and if the said owner and/or occupant is not found, by certified mail with return receipt requested and posting of notice on a conspicuous part of the premises.~~ (B) The order shall further advise the owner that if the nuisance is not corrected, the debris/junk is subject to be removed, and if not redeemed, disposed of at owner's expense following a hearing before the Ordinance Committee.

(C) A written notice shall be provided to that owner either personally or by registered mail. All hearings shall be scheduled within a reasonable time after receipt of the written request.

(D) Failure to appear at the hearing may be grounds for an immediate towing under the terms of this ordinance. If, at the conclusion of the hearing, the Committee finds that there is probable cause to believe that the junk/debris is in violation pursuant to the definitions contained in this ordinance, a citation provided in Section 25.04 of this municipal code shall be issued and the junk/debris shall be removed. In the event that the junk/debris is removed, the owner shall remain liable for all removal charges and these charges shall be assessed over and above the penalties set forth in Section 25.04 if the person is found to be guilty of a violation of this ordinance.

SECTION III: 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 IV: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION V: EFFECTIVE DATE.

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VI: PART OF CODE:

City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

All ordinances in conflict with any provision of this Ordinance are hereby repealed.

This Ordinance shall be in force from and after its introduction and publication as provided by statute.

This Ordinance becomes part of the City of Reedsburg Code, Chapter 11.

Dated this day of July, 2018.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

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STAFF REPORT **AGENDA ITEM:** IV-I

To: Ordinance Committee, Mayor and Common Council
Prepared By: Timothy M. Becker, Chief of Police
Through: Stephen Compton, City Administrator
Date of Meeting: July 23, 2018

Subject: Introduction, 1st Reading and setting Public Hearing Ordinance 1880-18
An Ordinance Amending Chapter 7 – Traffic Code Revisions

BACKGROUND AND REQUEST

I am requesting revisions to Chapter 7 of the Traffic Code. Chapter 7, Subsection 7.01 is the State Traffic Forfeiture Law section allowing for the city to enforce traffic laws. New language has been added to allow for certain sections in the Ordinance to be as adjusted by City Resolution. Also in subsection 7.08(5) pertain to parking on City streets. I am requesting a change from prohibiting parking on a City street in excess of 24 hours, to prohibiting parking on a City street for longer than 72 hours.

ANALYSIS

During a review of the Municipal Code, I can across a section of Chapter 7 as it deals with parking that was in conflict with Chapter 11. Section 7 prohibits parking in excess of 24 hours on a City street while Chapter 11 prohibits parking on a City street, public place or municipal parking lot in excess of 72 hours. Actually, Chapter 11, more or less, was in conflict with itself as 11.14(c)(1) has a 72 hour limit and 11.14(c)(3) identifies 24 hours. Private property is 14 days, which is appropriate. We are requesting a revision to provide some consistency by changing all the limits for Public Street, public lot, and public place parking not to exceed 72 hours. The Public Works Director / City Engineer has also requested changes to allow for easier adjustments to the Municipal Code to make it more operable for areas dealing with stop signs, direction flows and parking.

STAFF RECOMMENDATION

After review by the Police Department and the City Attorney's Office, staff would recommend approval of this revision.

ACTION:
If the Mayor and City Council are ready, the following action may be made:

Motion to approve/deny – Introduction, 1st reading and setting a public hearing on August 13, 2018 for Ordinance 1880-18.

ATTACHED:
Current and Proposed Language for Chapter 7.08(5)

1st Reading and Set Public Hearing	July 23, 2018
Public Hearing Noticed:	August 2, 2018 and August 9, 2018
2nd Reading at Council/Public Hearing:	August 13, 2018
Published, Enactment Date:	August 24, 2018

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ORDINANCE NO. 1880-18

CHAPTER 7

Traffic Code - Chapter 7

SECTION 1: PURPOSE.

Municipal Code Chapter 7 establishes Traffic Codes in Reedsburg, Wisconsin.

CHAPTER 7

TRAFFIC CODE

7.01 State Traffic Forfeiture Laws Adopted
7.02 Speed Limits
7.03 Through Highways Designated
7.04 Preferential Streets
7.05 Stop Signs, Streets Controlled By
7.06 Through Streets Intersecting
7.065 One-Way Traffic
7.07 Right Turn No Stop
7.08 Parking Limits
7.08(5) Restricted Parking
7.09 All Night Parking Prohibited
7.10 Parking In Snow Emergencies
7.11 Continued Violation of Parking Limit Ordinance
7.12 Leaving Keys in Vehicles Prohibited
7.13 Vehicular Weight Limitations
7.14 U-Turns Prohibited
7.15 Signs and/or Advertising Prohibited
7.16 Angle Parking
7.17 Parking of Vehicles Over 20 Feet in Length
7.17A Interference with Parking Enforcement
7.18 School Crossings Designated
7.19 Vacant
7.20 Bicycle Registration and Control of Operation
7.21 Official Traffic Signs and Signals
7.22 Penalty
7.23 Enforcement
7.24 References to Statutes
7.25 Snowmobiling
7.26 Operation of Dirt Bikes
7.27 Handicapped Parking
7.28 Traffic Violation and Registration Program
7.29 Loading/Unloading Zones
7.30 Vehicles Carrying Hazardous Materials
7.31 Alleys
7.32 Dynamic Braking Devices Prohibited
7.33 Low-Speed Vehicles
7.34 All-Terrain Vehicles

Connect With Reedsburg

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SECTION II: PROVISION AMENDED.

7.01 STATE TRAFFIC FORFEITURE LAWS ADOPTED (Rev. 05-11-09)
Except as otherwise specifically provided in this ordinance, all provisions of Chapters 340 to 350 of the Wisconsin Statutes and Wisconsin Administrative Code, Chapter 5, Sections 5.05 to 5.67, and the Department of Transportation Sections describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by a statute incorporated herein by reference is required or prohibited by this ordinance. **Sections 7.02, 7.03, 7.04, 7.05, 7.06, 7.065, 7.07, 7.08, 7.08(5), 7.09, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15, 7.16, 7.17, 7.17A, 7.18, 7.19, 7.20, 7.21, 7.22, 7.23, 7.24, 7.25, 7.26, 7.27, 7.28, 7.29, 7.30, 7.31, 7.32, 7.33 and 7.34 may be changed, modified and updated through a city resolution. This City Council Resolution shall be by action from the Public Works Committee upon recommendation from the Public Works Director / City Engineer.** This section shall pertain to the statutes set forth below along with any amendments, additions or deletions that may occur.

7.08(5) TWENTY-FOUR HOUR LIMIT SEVENTY-TWO HOUR LIMIT. The operator of a vehicle shall not park such vehicle for longer than 24 72 hours at any one time upon the streets of the City. Any such vehicle may be removed by order of the Chief of Police, Street Superintendent Public Works Director or their designee, after expiration of tow notice. This ordinance shall not prohibit the enforcement of Alternate Side Parking, section 7.085(2). (Ordinance 7.10 shall take precedence over this section in all snow emergency cases.)

SECTION III: 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 IV: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION V: EFFECTIVE DATE.

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VI: PART OF CODE:

All ordinances in conflict with any provision of this Ordinance are hereby repealed.

This Ordinance shall be in force from and after its introduction and publication as provided by statute.

This Ordinance becomes part of the City of Reedsburg Code, Chapter 7.

Dated this day of July, 2018.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer