

CITY OF ELKHORN
Legislative and Regulatory Committee
Lower Conference Room, 9 S. Broad Street, Elkhorn, Wisconsin
March 22, 2007

Chairman Julie Taylor called the Legislative and Regulatory Committee meeting at 5:00 p.m. followed by Roll Call.

ROLL CALL

Present: Aldermen Julie Taylor, Gary Payson, Ron Dunwiddie, City Clerk Nancy Jacobson, Police Chief Joel Christensen, Don Holst, Delavan Lake Improvement Association

EX-OFFICIO MEMBERS OF COMMITTEES, BOARDS AND COMMISSIONS: VOTING PRIVILEGES

Committee asked that the agenda item concerning ex-officio members be brought back in April.

ORDINANCE TO BAN THE SALE AND USE OF LAWN FERTILIZER CONTAINING PHOSPHOROUS

Don Holtz, member of the Delavan Lake Improvement Association, told Committee that other municipalities in the area have adopted ordinances concerning a ban on the use of phosphorous lawn fertilizer and asked that the City of Elkhorn pass an ordinance, too. Alderman Payson asked about the Walworth County lands that drain through a system into Jackson Creek and if it was included in the study. Holtz was not certain, but thought it was included in the study. Payson asked if the City passed an ordinance would it do anything. Holtz said however small the impact it still will help the condition of Delavan Lake. Alderman Taylor said she checked fertilizer bags in Elkhorn stores and there were none that were phosphorous free. Holtz said that they are available in the municipalities that have the ordinance in place. Holtz presented a sample of an ordinance establishing regulations for lawn fertilizer application and sales. Committee members postponed action until the sample ordinance was reviewed. The agenda item will be brought back to the April Committee meeting.

BARTENDER OPERATOR'S LICENSE/TIMOTHY FINK

Motion (Payson/Dunwiddie) to deny the Bartender Operator's License application for Timothy Fink because the applicant stated that he had never been convicted of a felony or violating any law. However, Police Chief Christensen said that after the criminal history check, Fink was convicted of a felony for theft in 1984, battery in 1989 and battery again in 1996.

Motion carried by the majority present.

LIQUOR LICENSE/CONTINUATION OF OPERATIONS

Committee reviewed the memorandum of City Administrator Tapson. The City Administrator asked Committee to consider an ordinance addressing "non-use" of license privilege as grounds for revocation. A sample ordinance was provided from the City of Portage. Committee members expressed concern about establishments, Moys for example, that due to a fire are unable to open in the timeframe stated in the Portage ordinance. Committee will further discuss the continuation of operations ordinance at the April meeting.

AMEND ORDINANCE 620 TO INCREASE PENALTY OF SECTION 3.11(3)(D) ENTITLED DELINQUENT UTILITY ACCOUNTS OF THE MUNICIPAL CODE

City Clerk Jacobson said that Ordinance 620 no longer pertains to the delinquent utility accounts. The Finance Director follows state statutes concerning delinquent utility accounts. No action is needed.

ADJOURNMENT

Motion (Payson/Dunwiddie) to adjourn at 5:30 p.m. Motion carried by the majority present.

Nancy B. Jacobson, City Clerk