

CITY OF ELKHORN
Legislative and Regulatory Committee
November 29, 2012
Minutes

Members Present: Aldermen Payson and Anderson

Members Absent: Alderman D'Allesandro

Others Present: City Administrator Tapson, Police Chief Christensen, and Alderman Olson

Meeting was called to order at 4:02 p.m. by Chairman Payson

Municipal Code Amendments: Proposed

A. Section 5.17 re Open Burning

Chief Smith offered written comment as to two suggested modifications to the existing Code sections as follows: 1) the setback required by Sec. 5.17.2(a)(1) and 5.17.5(b)(1) be increased from 15 feet to 25 feet; and 2.) the wind velocity restriction imposed by Sec. 5.175(b)(3) be amended to read "in excess of 10 miles per hour". Chief Smith also suggested that language referencing NFPA standards be incorporated. Motion by Ald. Anderson to recommend to Council that the Municipal Code be amended pursuant to Chief Smith's recommendations, second by Ald. Payson; motion carried 2-0.

B. Section 12.04 Dog and Cat Licenses: Fee

Presently the Code establishes a license fee that combines the County and City fees, which requires revision whenever the County adjusts its license fees. So as to eliminate the need for such amendatory action, it is recommended that the Code be amended to indicate the City shall collect the established County fee plus a \$3.00 "administrative" charge. Motion by Ald. Anderson to recommend to Council that the Municipal Code be amended as suggested, Second by Ald. Payson; motion carried 2-0.

C Ordinance re Regulating Commercial Dumpsters

Committee briefly discussed the purpose and impact of the proposed Ordinance, as revised, that regulates the use and placement of large commercial dumpsters within the City . Motion by Ald. Anderson to recommend the adoption of the proposed ordinance, second by Ald. Payson; motion carried 2-0.

D. Regulation of Sex Offender Placement

Ald. Olson offered his concerns regarding the proliferation of placements within the city limits noting that there are currently more than 70 sex offenders currently residing in the City, which presents a potential public safety hazard to the community. Extended discussion ensued regarding such matters as enforcement of a local ordinance, current registration and monitoring protocols, and the legal status of such ordinances .Committee agreed that it may be appropriate to draft an ordinance that creates “safe zones” for children by imposing restrictions on the placement of sex offenders in the community but, that additional study and discussion is needed.

Class C Wine License: NSB Associates (dba The Essential Café & Bistro)

Committee questioned whether or not all required inspections had been performed Administrator Tapson commented that the City Clerk had indicated that all such inspections had been performed and the facility was in compliance with applicable codes. Motion to recommend approval by Ald. Anderson; second Ald. Payson; motion carried 2-0.

Meeting adjourned at 4:52 P.M.

Respectively submitted Sam Tapson, City Administrator