

CITY OF ELKHORN
Legislative and Regulatory Committee Minutes
First Floor Conference Room, 9 S. Broad Street, Elkhorn, Wisconsin

August 28, 2014

Legislative and Regulatory Committee was called to order at 5:00 p.m. by Alderman Rehberg followed by Roll Call.

ROLL CALL

Present: Aldermen Hoss Rehberg, Gregory Huss, Gary Payson, Sr.

Also present: Mayor Brian Olson, Alderman Tom Myrin, City Administrator Sam Tapson, Police Chief Joel Christensen, City Clerk Cairie Virrueta, DPW Manager Marty Nuss, Reporter Kellen Olshefski

SEX OFFENDER RESIDENCY RESTRICTIONS

Police Chief Christensen informed the committee that the City recently joined with the Sheriff's Department for verification of sex offenders in the City. They do verifications twice a year. Alderman Rehberg asked him if he saw any issues with the current system. Chief Christensen replied so far the new system has worked and that the only concern he has seen raised is placement area of offenders in the downtown. Mayor Olson asked if loitering or other issues have been observed; Chief Christensen replied they have not. Mayor Olson said businesses and citizens are concerned with the volume of offenders in the City. Alderman Payson asked Chief Christensen if the volume is a problem for the police department; he replied it isn't. Alderman Myrin said a complaint was sent to the Chamber about loud and lewd acts a citizen and his child experienced from an establishment window while downtown. Information regarding an ordinance to increase the location of offender placement to 2,500 feet was presented. Alderman Payson made a motion to continue with current system. Alderman Huss asked if the 2,500 feet would make a big difference and to see a map of the changes. Alderman Payson withdrew his motion. Alderman Huss made a motion to move forward with new ordinance to limit offenders in the City. After discussion, Huss withdrew his motion. **Motion (Huss/Rehberg) to refer to the Common Council for discussion. Motion carried.** Chief Christensen asked if he needed to gather any additional information; he was told he did not. Alderman Rehberg asked that the 2,500 feet be clarified as he thought it was less. Administrator Tapson told him the ordinance that was sent was the most recent version.

REVISED CHARGES FOR FEES FOR CITY ABATEMENT OF GRASS AND WEED VIOLATIONS

Alderman Payson expressed concerns that the City isn't charging enough to cover costs and equipment depreciation for grass/weed abatement on properties in the City. DPW currently charges \$100 per lot as a flat fee or \$100 per hour for larger properties. Discussion on contracting the work out and the City's actual costs ensued. Administrator Tapson recommended that any changes be made in Chapter 20, "Maintenance of Buildings, Structures, and Grounds" of the municipal code. Alderman Payson would like the fee to be a deterrent to properties becoming overgrown. Police Chief Christensen looked at the Wisconsin Statute and the allowable fee for fine and costs is \$5-500. **Consensus by the Committee to direct staff to clean up the language in Chapter 20.**

ORDINANCE 9.05 LOUD AND UNNECESSARY NOISE PROHIBITION: DISCUSSION OF TIME TO BEGIN CONSTRUCTION ACTIVITIES

Alderman Rehberg has received several complaints regarding contractors working with bright lights at night and being too loud. Police Chief Christensen said the PD has also had complaints. Tapson said ordinance needs to be more specific. DPW Manager Nuss said the pool contract is for 7 a.m. to dusk, and said other communities use 7 a.m. to 10 p.m. **Alderman Payson made a motion to add 7 a.m. to 10 p.m. to the ordinance.** Discussion regarding times and changing the language of the permitting process to address issue followed. **Alderman Payson amended his motion to change ordinance for 7 a.m. to 9 p.m. for Monday through Saturday and for Sunday 7 a.m. to 7 p.m. Alderman Huss seconded.** Administrator

Tapson recommended that language be added to exempt snow blowers and lawn mowers. **Motion carries.**

“CLASS C” WINE LICENSE: LAKELAND PLAYERS LTD, 15 W WALWORTH STREET, AGENT THOMAS JONES, PREMISES INCLUDES THEATER AND LOBBY, 1ST FLOOR

The City received an application for a “Class C” Wine License for Lakeland Players, LTD. City Clerk Virrueta informed committee that a “Class C” Wine License is for restaurants in which less than 50% of sales are from alcohol and doesn’t have a barroom. Lakeland Players serves snack type food and popcorn. They currently hold a Class “B” Beer license. Chief Christensen read the WI Statutes as to definition of a restaurant. The Committee agreed that the food served was suitable to qualify for the “Class C” Wine License. **Motion (Payson/Huss) to recommend approval of the “Class C” Wine License to Lakeland Players, LTD. Motion carried.** The recommendation will go to the Common Council’s September 15th meeting following publication.

ADJOURNMENT

Motion (Payson/Rehberg) to adjourn at 5:55 p.m.

Cairie L. Virrueta
City Clerk