

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

August 25, 2016

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, Cathy Bensaid (Absent: Bruce Lechner)

Also present: Administrator Sam Tapson, City Attorney Ward Phillips, Police Captain Jon Anzalone, City Clerk Cairie Virrueta

Discussion Regarding Provisional Approval of "Class B" Alcohol/Class "B" Beer Applications

A new establishment, Hi-Fidelity, applied for a Combination Class B license, however, it will be addressed at the next meeting. The City Clerk said this type of application would be provisionally approved with conditions as the building needs remodeling completed and wouldn't open until 2017. According to City ordinances, an establishment has 180 days to open after approval of the application. This acts as a place holder for the license since there are quotas on the number of licenses a municipality can issue. Hi-Fidelity was approved for a Conditional Use Permit for its location by the Common Council.

Discussion Regarding Ordinance on Disposition of Surplus/Abandoned Property

Administrator Tapson said he read through the state statutes and it allows municipalities to dispose of surplus property however they want. He suggested the City ordinance be amended to eliminate the annual auction and dispose as needed. In reference to abandoned property, the City must hold it for 30 days before removal. The committee felt the City ordinance should match state statutes and instructed the City Attorney to create the change. Administrator Tapson suggested adding to the ordinance the ability to use online auction services.

Discussion Regarding Ordinance on Noise Prohibition

City Attorney Phillips presented his suggested changes to the City ordinance regarding noise prohibition. Administrator Tapson felt it was too limiting and provided his suggestions. He also recommended placing it in Chapter 10 to match it to a reference in the zoning code. He is not a fan of an appeal, but OK with granting an exception. Alderman Bensaid agreed with simplifying the ordinance and suggested indicating types of noise to make the ordinance clearer to the public. Alderman Rehberg was not in favor of exemptions for outdoor public dances and religious events as they can still be disruptive to neighbors. City Attorney Phillips said the appeal can go directly to court and if it is listed as a Public Nuisance an offender can receive a citation or be sued by the City. The Committee discussed events in the City limits that produce high noise levels and how to address them. Alderman Rehberg directed staff to coordinate their suggestions to create changes as discussed in the meeting.

Adjournment

Motion (Bensaid/Rehberg) to adjourn at 5:53 p.m.

Cairie L. Virrueta
City Clerk