

**Administrative & Judiciary Committee
of the City of Onalaska**

Wednesday, March 4, 2020

1

1 The meeting of the Administrative & Judiciary Committee of the City of Onalaska was called to
2 order at 6:00 p.m. on Wednesday, March 4, 2020. It was noted that the meeting had been
3 announced and posted at City Hall.

4
5 Roll call was taken with the following members present: Ald. Tom Smith, Ald. Steven Nott,
6 Ald. Diane Wulf

7
8 Also Present: City Administrator Eric Rindfleisch, Mayor Kim Smith, City Clerk Cari
9 Burmaster, City Attorney Amanda Jackson, City Engineer Jarrod Holter, Planning Manager
10 Katie Aspenson, Ald. Dan Stevens

11
12 **Item 2 – Approval of minutes from the previous meeting(s)**

13
14 Motion by Ald. T. Smith, second by Ald. Nott, to approve the minutes from the previous meeting
15 as printed and on file in the City Clerk’s Office.

16
17 On voice vote, motion carried.

18
19 **Item 3 – Public Input (limited to 3 minutes/individual)**

20
21 Ald. Wulf called for anyone wishing to provide public input.

22
23 **Dan Stevens, Second District Alderperson**
24 **1708 Jennifer Court**
25 **Onalaska**

26
27 “I am here today to report we had received a constituent complaint regarding the unwanted
28 placement of fliers on their property. I had checked the ordinances, which were kind of vague on
29 the matter. At this point I had called the publisher of this, and they were actually very receptive,
30 which was different from what we had heard from the constituents. I understand after talking
31 with other alderpersons and the Mayor that they have fielded complaints from separate people.
32 The company that provided this was very understanding and would take that into consideration.
33 This just came up this week, so I really don’t have a whole lot to report, except that our
34 ordinances look like it did not really address that. I’m hoping that the issue will be resolved
35 within the next month, at which point I may provide more public input.”

36
37 Ald. Wulf called three times for anyone else wishing to provide public input and closed that
38 portion of the meeting.

39
40 **Consideration and possible action on the following items:**

41
42 **Administrative**

Reviewed 3/9/2020 by Cari Burmaster

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43

44 **Item 4 – Approval of Operator’s Licenses as listed on report dated March 4, 2020**

45

46 Ald. Wulf noted committee members had received a new report this evening.

47

48 Motion by Ald. T. Smith, second by Ald. Nott, to approve the Operator’s Licenses as listed on
49 report dated March 4, 2020.

50

51 On voice vote, motion carried.

52

53 **Item 5 – Approval of Special Events Permit for:**

54

55 A. Fleis Nightfall Frolic on Friday, April 17, 2020 from approximately 5:30-8 p.m. at Rowe
56 Park

57

58 Cari told committee members the application is on file and all the departments have signed off
59 on the event.

60

61 Motion by Ald. Nott, second by Ald. T. Smith, to approve a Special Events Permit for the Fleis
62 Nightfall Frolic on Friday, April 17, 2020 from approximately 5:30-8 p.m. at Rowe Park.

63

64 On voice vote, motion carried.

65

66 B. Carry the Load’s National Relay on Saturday, May 2, 2020 from approximately 5-7 p.m.
67 along the sidewalks through the City of Onalaska

68

69 Cari said the Certificate of Insurance is on file and all the departments have signed off on the
70 event.

71

72 Motion by Ald. T. Smith, second by Ald. Nott, to approve a Special Events Permit for the Carry
73 the Load’s National Relay on Saturday, May 2, 2020 from approximately 5-7 p.m. along the
74 sidewalks through the City of Onalaska.

75

76 On voice vote, motion carried.

77

78 C. American Legion Riders District 7 Legacy Run, Saturday, June 20, 2020 starting from La
79 Crosse Area Harley Davidson, 1116 Oak Forest Drive, Onalaska

80

81 Cari said all the departments have signed off on the event and noted the COI is on file.

82

83 Ald. T. Smith inquired about the Legacy Run’s route.

84

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85 Cari said she believes the riders go through the city and exit it via Sand Lake Road.

86

87 Motion by Ald. Nott, second by Ald. T. Smith, to approve a Special Events Permit for the
88 American Legion Riders District 7 Legacy Run, Saturday, June 20, 2020 starting from La Crosse
89 Area Harley Davidson, 1116 Oak Forest Drive, Onalaska.

90

91 On voice vote, motion carried.

92

93 D. Onalaska Community Days, June 19-20, 2020 at the American Legion, 731 Sand Lake
94 Road, Onalaska

95

96 Cari said all the departments have signed off on the event and noted the COI is on file.

97

98 Motion by Ald. T. Smith, second by Ald. Nott, to approve a Special Events Permit for Onalaska
99 Community Days, June 19-20, 2020 at the American Legion, 731 Sand Lake Road, Onalaska.

100

101 On voice vote, motion carried.

102

103 **Item 6 – Approval of change of agent for Crooked Pint Ale House, 9348 State Road 16,**
104 **Onalaska to Jarrod Byers**

105

106 Cari told committee members Jarrod Byers did not have the residency requirements when
107 Crooked Point Ale House opened and said Jarrod serves as the establishment's manager and has
108 met the requirements.

109

110 Motion by Ald. T. Smith, second by Ald. Nott, to approve change of agent for Crooked Pint Ale
111 House, 9348 State Road 16, Onalaska to Jarrod Byers.

112

113 On voice vote, motion carried.

114

115 **Item 7 – Approval of amendment to Class B Liquor License for American Legion Post 336,**
116 **731 Sand Lake Road, Onalaska for June 19-20, 2020 for Onalaska Community Days to**
117 **include outside grounds**

118

119 Cari said the city grants an annual variance to Post 336 to amend its Class B Liquor License so
120 that it covers the outdoor beer tent as part of Onalaska Community Days.

121

122 Ald. Wulf said she believes any issues that have occurred have been very minor and were
123 resolved with one telephone call.

124

125 Motion by Ald. Nott, second by Ald. T. Smith, to approve an amendment to Class B Liquor
126 License for American Legion Post 336, 731 Sand Lake Road, Onalaska for June 19-20, 2020 for
Reviewed 3/9/2020 by Cari Burmaster

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127 Onalaska Community Days to include outside grounds.

128

129 Ald. Wulf asked Cari, “Is it typically 11 [p.m.] or 11:30?”

130

131 Cari told Ald. Wulf her question will be addressed under Item 8.

132

133 On voice vote, motion carried.

134

135 **Item 8 – Approval of variance to the noise ordinance for American Legion Post 336, 731**
136 **Sand Lake Road, Onalaska for June 19-20, 2020 for Onalaska Community Days until 11:30**
137 **p.m. each evening**

138

139 Cari told committee members the variance to the noise ordinance has annually gone until 11:30
140 p.m. each evening.

141

142 Motion by Ald. Nott, second by Ald. T. Smith, to approve a variance to the noise ordinance for
143 American Legion Post 336, 731 Sand Lake Road, Onalaska for June 19-20, 2020 for Onalaska
144 Community Days until 11:30 p.m. each evening.

145

146 Ald. Nott asked if there has been a history of noise complaints at this event.

147

148 Cari told Ald. Nott she is not aware of anything and said any issues are resolved immediately.

149 Cari also said she believes event organizers have decreased the volume if there have been any
150 noise complaints, and they also ensure the event concludes at precisely 11:30 p.m.

151

152 Ald. Wulf told committee members some of the individuals who reside in the condominiums
153 located off 10th Avenue North are aware of when the event is occurring and have chosen to leave
154 the city.

155

156 Ald. Nott said his only concern is that event organizers would act prudently if there were any
157 complaints, adding, “It sounds like they are.”

158

159 On voice vote, motion carried.

160

161 **Item 9 – Discussion on possible mailbox parking ordinance**

162

163 Ald. Wulf noted both she and Ald. Stevens had spoken about this item at the February 5
164 Administrative and Judiciary Committee meeting, and she said they both had discussed this topic
165 with Amanda. Ald. Wulf noted a citizen who resides in Second District had first reached out to
166 Ald. Nott because he is not receiving his mail when parents park their vehicles in front of his
167 mailbox when they pick up their children from Irving Pertzsch Elementary School along 8th
168 Avenue South. This is the same time the constituent’s mail is being delivered. Ald. Wulf said

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169 the Post Office asked the gentleman to move his mailbox from the side of the house to the street
170 after he had moved into his residence in 2015. Ald. Wulf also noted the gentleman could not
171 move it within the four feet that would allow motorists to potentially be cited if they were within
172 four feet from the edge of the apron of his driveway. Ald. Wulf pointed out the individual could
173 not move the mailbox any closer due to the presence of utilities, and she said Ald. Stevens had
174 suggested perhaps the gentleman could move the mailbox on the other side of the driveway.
175 However, the constituent has a large concrete apron on that side of the driveway and there is no
176 available space.

177

178 Ald. Wulf said she had jokingly suggested to the constituent that perhaps he could rent a post
179 office box, adding she does not like the idea of someone taking that action just so he/she may
180 receive his/her mail. Ald. Wulf told committee members the gentleman had displayed signs
181 asking motorists not to block his mailbox, only to see individuals park in front of his mailbox,
182 exit their vehicles, discard his sign, and return to their vehicles. Ald. Wulf said the constituent
183 has asked the Post Office for assistance, but he has received very little help.

184

185 Amanda told committee members the United States Postal Service's website specifically states
186 under the "Regulations and Rules" section that a city carrier should exit his/her vehicle to make a
187 delivery if a vehicle is temporarily blocking a mailbox. Further, the Post Office would be within
188 its right to temporarily cease mail delivery only if the mailbox owner is causing the blockage.

189

190 Ald. Wulf noted she had passed on the information Amanda had shared to the constituent and
191 she said he had told her the rest of the paragraph reads, "*However, if the carrier continually
192 experience a problem in serving the curb line or row boxes where the customer is able to control
193 on-street parking, the Postmaster may withdraw delivery service.*"

194

195 Amanda said she believes the key phrase is "*where the customer is able to control on-street
196 parking,*" and she noted the constituent is unable to do so.

197

198 Ald. T. Smith asked if the gentleman has the ability to put the mailbox back on the house, noting
199 he and his family had been asked to move their mailbox when they first moved to the city. Ald.
200 T. Smith said they did not want to move the mailbox and told committee members his family
201 was allowed to leave their mailbox where it was.

202

203 Amanda said, "That's not advice we could necessarily give [the constituent]."

204

205 Ald. T. Smith said perhaps the constituent could ask the Post Office if he may reattach the
206 mailbox to his house.

207

208 Ald. Wulf said she assumes the Post Office had converted the route from a walking route to a
209 delivery route.

210

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211 Ald. Nott said he agrees that the gentleman does not have control of the parking on his street, and
212 the United States Postal Service is not enforcing its own policy. Ald. Nott noted the local office
213 has a higher headquarters and said perhaps an alderperson could contact the local postmaster's
214 supervisor and inform him/her the USPS is not complying with its own policy.

215
216 Ald. Wulf said the constituent told her he is not receiving his mail a few times a quarter, and she
217 told committee members she had suggested that he utilize a mail-tracking app called "USPS
218 Informed Delivery" so that he knows what mail is coming.

219
220 Ald. Nott said he believes USPS' policy requires mail carriers to exit their vehicles and deliver
221 the mail if a mailbox is blocked, and he stated, "I think we should make them do what their own
222 policy says. It's not a policy if it's not enforced."

223
224 Ald. Wulf said that per the advice of the committee, either she and/or Ald. Stevens should follow
225 up with the Post Office.

226
227 Ald. Nott said it might take only one call from an elected official inquiring about the identity of
228 the local postmaster's supervisor to resolve the issue.

229
230 Cari asked Ald. Wulf if she would like this item included on the April 8 Administrative and
231 Judiciary Committee meeting agenda.

232
233 Ald. Wulf asked Cari to include it on the agenda and said she can always remove it if necessary.

234
235 **Item 10 – Miscellaneous licensing reporting**

236
237 Motion by Ald. T. Smith, second by Ald. Nott, to place on file the miscellaneous licensing
238 reporting.

239
240 On voice vote, motion carried.

241
242 **Judiciary**

243
244 **Item 11 – Ordinance 1662-2020 – to amend Chapter 5 of Title 11 of the Code of Ordinances**
245 **of the City of Onalaska relating to offenses by juveniles**

246
247 Motion by Ald. Wulf, second by Ald. Nott, to approve Ordinance 1662-2020 – to amend Chapter
248 5 of Title 11 of the Code of Ordinances of the City of Onalaska relating to offenses by juveniles.

249
250 Ald. Wulf noted this is the sexting ordinance she had discussed with Amanda and Police Chief
251 Charles Ashbeck, and she told committee members the Village of Holmen had passed a sexting
252 ordinance in 2019. Ald. Wulf said she had approached Assistant Police Chief [then Police

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253 Chief] Troy Miller and asked him if the City of Onalaska might entertain such an ordinance, and
254 she told committee members Assistant Police Chief Miller wanted to take a wait-and-see
255 approach and see what occurred in the Village of Holmen. Ald. Wulf said she believes the
256 Village of West Salem, the municipality Police Chief Ashbeck had previously served, had
257 adopted a similar ordinance. Ald. Wulf said she also had spoken with Municipal Court
258 Supervisor Hildie McIntyre, who had stated she believed there was a need for such an ordinance
259 in the City of Onalaska due to the number of violations she had seen.

260

261 Amanda told committee members she had utilized the Village of Holmen's ordinance as a
262 baseline and said only a few minor modifications had been made. Amanda also noted there had
263 been two redundant "Petty Theft and Receipt of Stolen Goods" sections and said this ordinance
264 was added once the redundant sections were combined under Section 11-5-3.

265

266 Ald. Wulf referred to Item "c" ("Enforcement") and noted it refers to the general penalties set
267 forth in Title 1. Ald. Wulf asked if that is an additional handout or if it is something different.

268

269 Amanda said it is something different and noted Title 1 provides a broad penalty amount that the
270 city may charge. Amanda said, "We've stopped referring to it by section because we know in
271 effect the section number will be changing. It will remain in Title 1, so we've referred to it as
272 The Title 1 Penalty Provision. It's the anticipation we're going to set this penalty somewhat high
273 and then be more open to alternatives such as community service, education, et cetera."

274

275 Ald. Nott said he is aware they are all public postings, and he asked if the city would consider
276 potentially providing this information directly to the schools.

277

278 Amanda said she will email Onalaska High School Principal Jared Schaffner.

279

280 Ald. Nott said he would emphasize Subsection b2, which is the preventative that states a minor
281 does not violate this paragraph if the minor did not solicit the photograph, video or substantially
282 similar communication; the minor took reasonable steps to report the photograph, video or
283 substantially similar communication to a school or law enforcement official; and the minor did
284 not transmit or distribute the photograph, video or substantially similar communication to a third
285 party other than a law enforcement official.

286

287 Ald. Wulf asked for a definition regarding setting a high penalty.

288

289 Amanda told Ald. Wulf the penalty probably would be \$500.

290

291 On voice vote, motion carried.

292

293 **Item 12 – Ordinance 1663-2020 – to delete Title 8 of the Code of Ordinances of the City of**
294 **Onalaska relating to Health and Sanitation**

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295
296 Motion by Ald. Wulf, second by Ald. Nott, to approve Ordinance 1663-2020 – to delete Title 8
297 of the Code of Ordinances of the City of Onalaska relating to Health and Sanitation.

298
299 Ald. Wulf asked if this had been removed from the United Development Code.

300
301 Amanda said there have been plans to eliminate Title 8 for approximately one year and told Ald.
302 Wulf the timing was such that it was logical to eliminate it now because both Title 6 and Title 9
303 were being redone. Amanda said the beginning part of Title 8 relative to the Health Code is very
304 short, and she noted the entire statute had been eliminated. Therefore, it is obsolete. Amanda
305 said, “We needed to eliminate that. Without it, we were left with a few really band-aided
306 together sanitation-type ordinances that didn’t necessarily all fit or need to be their own
307 independent title. Most of them fall within Jarrod’s realm, so we moved them to primarily
308 Public Works.”

309
310 Ald. Wulf asked if there is anything new in this, or if it had been extracted from something.

311
312 Amanda said the health part of Title 8 had been eliminated, and everything else in Title 8 was
313 moved either to Title 6 or Title 9.

314
315 On voice vote, motion carried.

316
317 **Item 13 – Ordinance 1664-2020 – to amend Title 15 of the Code of Ordinances of the City**
318 **of Onalaska relating to Building Codes**

319
320 Motion by Ald. Nott, second by Ald. Wulf, to approve Ordinance 1664-2020 – to amend Title 15
321 of the Code of Ordinances of the City of Onalaska relating to Building Codes.

322
323 Ald. Wulf noted she had discussed HVAC, Electrical, and Plumbing with City Administrator
324 Rindfleisch and Amanda.

325
326 Amanda said the city is hindered due to what the State of Wisconsin requires and stated, “We
327 stripped it down to the extent we could, but basically we had to adopt the State Building Code
328 Requirements and the State Electrical Code.” Amanda said individual homeowners are limited
329 to low-voltage work and what is considered a one-for-one swap. For example, a light fixture
330 may be replaced with another light fixture. However, a light fixture may not be replaced with a
331 ceiling fan because it is not considered a one-for-one swap. Amanda said, “It does allow what
332 the state allows.”

333
334 On voice vote, motion carried.

335
336 **Item 14 – Ordinance 1665-2020 – to delete Chapter 6 of Title 11 of the Code of Ordinances**

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337 **of the City of Onalaska relating to Public Nuisances**

338

339 Motion by Ald. Wulf, second by Ald. Nott, to approve Ordinance 1665-2020 – to delete Chapter
340 6 of Title 11 of the Code of Ordinances of the City of Onalaska relating to Public Nuisances.

341

342 Amanda said this was part of a reorganization and told committee members that with the
343 addition of Title 16, it seemed more logical to relocate Public Nuisances as they tend to be
344 property maintenance-type. Amanda noted the only significant change that was included is there
345 are updates to some of the Department of Natural Resources language pertaining to the feeding
346 of wildlife. Also, language pertaining to vicious and dangerous dogs was added as there has
347 been increased public response related to this.

348

349 On voice vote, motion carried.

350

351 **Item 15 – Ordinance 1666-2020 – to amend Title 16 of the Code of Ordinances of the City**
352 **of Onalaska relating to Property Maintenance**

353

354 Motion by Ald. Wulf, second by Ald. Nott, to approve Ordinance 1666-2020 – to amend Title 16
355 of the Code of Ordinances of the City of Onalaska relating to Property Maintenance.

356

357 Ald. Nott referred to Subsection B (“Inspections with consent”) and Subsection C (“Special
358 Inspection Warrant”) under Section 16.01.16 (“Inspection Authority and Access Procedures”),
359 asking if “other responsible person” is potentially overly broad. Ald. Nott asked who gets to
360 determine who a responsible person is and said, “If the city has a concept of who or what a
361 responsible person is, I would think maybe they could quantify that.”

362

363 Ald. Wulf asked if there is anything new in this ordinance.

364

365 Katie said this is where Amanda had talked about feeding wildlife and vicious dogs.

366

367 Amanda said no changes had been made to Vacant Building or Property Maintenance.

368

369 Katie told Ald. Wulf no major changes had been made.

370

371 Amanda addressed “other responsible person” and cited the example of someone having multiple
372 roommates, telling Ald. Nott one roommate could be defined as a responsible person who could
373 give consent to the entire property. Amanda also said staff could look into possibly removing
374 “other responsible person.”

375

376 Ald. Wulf said she assumes a responsible person would be 18 years of age or older.

377

378 Amanda said she does not know if there is a legally defined definition of “responsible person”

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379 and told committee members she would say an adult child would be a responsible person.

380

381 City Administrator Rindfleisch said he believes “responsible person” is meant to be a cover-all.

382

383 Katie said a responsible person is defined as “the property owner of record” according to the La
384 Crosse County Land Records System.

385

386 Ald. Nott said that would be the owner.

387

388 Katie noted the term “responsible person” is utilized in the Building Code and said it is a
389 consistent phrase the city utilizes throughout its ordinances.

390

391 Ald. Nott said he believes the term “other responsible person” is redundant and lends itself
392 toward misinterpretation.

393

394 City Administrator Rindfleisch cited a rental property as an example where the lease
395 arrangement states the lessor is responsible for various things. City Administrator Rindfleisch
396 said, “We don’t want to supersede that.”

397

398 Amanda said, “I think I’m confident in our staff that if we were in a situation where we couldn’t
399 satisfy it with any of the other options and we came to we think this person is a responsible
400 person that we would have that discussion at the time we were doing the inspection.”

401

402 On voice vote, motion carried.

403

404 **Item 16 – Ordinance 1667-2020 – to amend Title 6 of the Code of Ordinances of the City of**
405 **Onalaska relating to Public Works**

406

407 Motion by Ald. Wulf, second by Ald. Nott, to approve Ordinance 1667-2020 – to amend Title 6
408 of the Code of Ordinances of the City of Onalaska relating to Public Works.

409

410 Ald. Wulf asked Amanda if this ordinance had come from the UDC.

411

412 Amanda said it had come from the UDC and Title 8.

413

414 Ald. Wulf asked if any changes had been made.

415

416 Jarrod told Ald. Wulf there had been changes and said, “We tried to update things as we went
417 along to modern standards and the way our policies and procedures are currently.” Jarrod noted
418 he has been a City of Onalaska employee for 24 years and told committee members the city’s
419 previous ordinance stated no one could have a residential driveway that was more than 20 feet in
420 width. Jarrod said, “We tried to update it to what we thought was a current standard. A lot of

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421 the stuff in Public Works came out of the old Zoning Code such as street standards. A lot of the
422 street standards were in the Zoning Code, or subdivision standards. Some of it got put into here
423 in the Public Works for Street Code. Some of it got put into the other areas for Utilities. One of
424 the areas we did spend a lot of time going through and updating was the Cemetery portion. The
425 Cemetery Code is under the Public Works portion. There are a lot of things we did add in the
426 Cemetery Code about placement of materials at graveside and what you can do with the
427 gravesite to better reflect current standards and things we've witnessed over the years. ... It
428 really hadn't been overhauled for a long time. There are areas we did go through and try to
429 update to what we currently have. The cemetery area was the one spot where we did update and
430 change quite a few things. But there aren't a lot of changes to the street standards that you see in
431 here today."

432
433 Ald. Wulf asked Jarrod if anything has been added related to having pets in the cemetery.

434
435 Jarrod said individuals may bring a pet into the cemetery, provided it is on a leash. Jarrod also
436 said individuals are allowed to walk through the cemetery, noting the ordinance previously stated
437 no recreational activities were allowed there.

438
439 Cari said she believes Ald. Wulf was inquiring about the ability to bury pets in the cemetery.

440
441 Jarrod said nothing was included about the burial of pets.

442
443 Ald. Wulf asked Jarrod if there is anything glaring included in the ordinance that he believes he
444 needs to point out.

445
446 Jarrod said no and told Ald. Wulf the cemetery area is the one area he believes would be
447 scrutinized. Jarrod said he believes more restrictions were placed on materials that may be
448 placed in the cemetery, noting the dates for spring and fall clean-up had been changed. Jarrod
449 also pointed out the following had been added to Section 6.08.11 ("General Provisions") under
450 Chapter 8 ("City Cemetery"):

451
452 E. Rules and Regulations: All use of the City Cemetery shall be governed as outlined in
453 Title 6, Chapter 8 of the City Ordinances and the City of Onalaska Rules and Regulations
454 Standards, as periodically updated by the Administrative Committee.

455
456 Katie noted block parties were relocated to a different code section and said changes had been
457 made to the Special Event Vending Permit.

458
459 Ald. Nott referred to Subsection A ("Monuments and Markers") under Section 6.08.17
460 ("Monuments, Markers, Vaults and Mausoleums") and asked if there is anything that prevents
461 profane images on markers.

462

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463 Jarrod said he believes the city may approve all markers.

464

465 Ald. Wulf referred to Subparagraph A2 under Section 6.08.17 and read the following: *“The*
466 *setting and design of monuments, stones and markers and the transportation of all tools,*
467 *materials, etc., within the cemetery ground shall be subject to the supervision and approval of*
468 *the City of Onalaska Department of Public Works.”*

469

470 On voice vote, motion carried.

471

472 **Item 17 – Ordinance 1668-2020 – to amend Title 9 of the Code of Ordinances of the City of**
473 **Onalaska relating to Public Utilities**

474

475 Jarrod said staff had updated several items and noted the following:

476

- 477 • One safe sample will be taken when staff tests a service at a new large building that has a
478 large diameter service. The code previously said two samples.
- 479 • The current code states a building may have a city-provided meter for each unit. The
480 number has been changed to eight units.

481

482 Motion by Ald. Nott, second by Ald. Wulf, to approve Ordinance 1668-2020 – to amend Title 9
483 of the Code of Ordinances of the City of Onalaska relating to Public Utilities.

484

485 On voice vote, motion carried.

486

487 Cari told committee members there had been a change on Item 16 and invited Amanda to address
488 it.

489

490 Amanda said she is proposing to add one chapter (Chapter 9 – “Penalties and Legal Remedies”)
491 to Public Works. This chapter, which was distributed this evening to committee members,
492 would include the following:

493

- 494 A. **General.** Any person who violates any provision of this Title, or orders authorized by
495 this Title, will, unless otherwise indicated in this Title, upon first conviction, forfeit not
496 less than \$200, together with the costs of prosecution for the first violation. For the
497 second violation of the same provision or order, the person shall, upon conviction forfeit
498 not less than \$500 plus the costs of prosecution. A third offense for the same provision or
499 order under this Section shall result, upon conviction, of a forfeit not less than \$1,000.
- 500 B. **Legal Remedies.** Any person who violates any of the provisions of this Section, shall, in
501 addition to the forfeiture stated above, be liable for any damage to the Water Utility,
502 including loss of revenue from the same of water or sewage service resulting from a
503 violation of these rules and regulations. Whether the Water Utility must take corrective
504 action with respect to any parcel of property, such parcel may be specifically assessed for

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505 such work. The payment of damages and correction of violations may be a condition of
506 providing future water or sewage service.

507 C. **Other Remedies.** The issuance of a citation hereunder shall not preclude the City or any
508 authorized officer from proceeding under any other ordinance of law or by any other
509 enforcement method to enforce any ordinance, regulation, or order.

510

511 Motion by Ald. Wulf, second by Ald. Nott, to incorporate Chapter 9 – Penalties and Legal
512 Remedies and have city staff add it to the end of Ordinance 1667-2020.

513

514 On voice vote, motion carried.

515

516 **Adjournment**

517

518 Motion by Ald. Wulf, second by Ald. Nott, to adjourn at 6:56 p.m.

519

520 On voice vote, motion carried.

521

522

523 Recorded by:

524

525 Kirk Bey