

CITY OF PRINCETON
COMMITTEE OF THE WHOLE MEETING
COUNCIL CHAMBERS – 431 W. MAIN STREET
TUESDAY, JUNE 10, 2014
6:00 PM

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPEARANCES FROM THE PUBLIC
4. APPROVAL OF MINUTES:
 - a) Approval of minutes from May 27, 2014 Committee of the Whole meeting
5. NEW BUSINESS
 - A) Discussion on Codification Process.
RECOMMENDATION: Review new code sections as follows:
 - 1) Clarification on carry over items from last discussion with Police Chiefs input
BRING THESE SECTIONS WITH YOU FROM PREVIOUS MEETING
 - a) Chapter 275 Peace and Good Order
 - b) Chapter 290 Property Maintenance
 - 2) Chapter 135 - Building Construction
 - 3) Chapter 149 - Cigarettes
 - 4) Chapter 341 - Transient Merchants
6. ESTABLISHMENT OF NEXT MEETING DATE – June 24, 2014 @ 6:00 p.m.
7. ADJOURN

* The meeting room is accessible to all. Requests from persons with disabilities who need assistance to participate in this meeting should be made to the Administrator's office at 920.295.6612 with as much advance notice as possible.

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CITY OF PRINCETON
COMMITTEE OF THE WHOLE MEETING MINUTES
COUNCIL CHAMBERS – 431 W. MAIN STREET
TUESDAY, MAY 27, 2014
6:00 PM

1. **CALL TO ORDER AND ROLL CALL** Council President Kallenbach called the meeting to order at 6:00 PM. In attendance were Alderpersons Kallenbach, Roehl, Koehn, Ernest, Kallas, and Bednarek, Administrator Neubauer, and Mayor Wielgosh.
2. **PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited.
3. **APPEARANCES FROM THE PUBLIC** Nothing at this time.
4. **APPROVAL OF MINUTES:**
 - a) **Approval of minutes from May 13, 2014 Committee of the Whole meeting**
Roehl motioned to approve the 5/13/2014 Committee of the Whole Meeting Minutes.
Seconded by Ernest. Carried 6-0.
5. **NEW BUSINESS**
 - a) **Discussion on Codification Process.**
RECOMMENDATION: Review new code sections as follows:
 - 1) Clarification on carry over items from last discussion
 - 2) Chapter 275 Peace and Good Order
 - 3) Chapter 282 Pollution
 - 4) Chapter 290 Property Maintenance
 - 5) Chapter 395 Floodplain ZoningA discussion was held and the Council made recommendations on the Ordinance Chapters listed.
BRING YOUR PACKET FROM THE LAST MEETING FOR THESE CHAPTERS
6. **ESTABLISHMENT OF NEXT MEETING DATE** The next Committee of the Whole will be June 10, 2014, at 6:00 PM.
7. **ADJOURN** Council President Kallenbach adjourned the meeting at 6:37 PM.

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6) Section 135-4 **Page 224** **Unsafe Buildings**
Add to this section that the total cost associated with the raze and removal shall be borne by the property owner or placed as a special charge against the property on the tax bill.

7) Section 135-9 H. **Page 229** **Common Council Approval**
There is a reference to a subsection and the subsection needs to be so noted as “Subsection F”

8) Section 135-11 F **Page 231** **Manufactured Homes**
Change in reference due to a 2005 law change

9) Throughout **Building Inspector/Zoning Admin.**
Because of the change in duties/titles throughout time the suggestion is to list all reference in this chapter as Building Inspector and/or Zoning Administrator. As these duties are intertwined, reference should be made to both parties.

10) Section 149-3 **Page 245** **Cigarettes**
Word missing. . . cigarette, cigarette papers or cigarette wrappers

11) Section 341-7 D **Page 525** **City Authorized events**
The notation was made for Cattle Fair on 2nd street which could be replaced with “other community based events” which if at a location other than City Park, is authorized by Council. Removal of the specific street name.

Ch. 135, Building Construction

Title 15, Ch. 1, of the City Code

A. Statutory reference updates. We propose to update the following statutory references prior to publication of the Code:

- (1) Section 135-6B(5) refers to § 140.04, Wis. Stats., which section was repealed by L. 1969, c. 366. "Asbestos" is now defined in § 254.11(1), Wis. Stats. We will update this reference accordingly.

B. Administrative Code updates. We propose to update the following Administrative Code references prior to publication of the Code:

- (1) Section 135-1D and E adopt chapters from the Administrative Code, but the chapter numbers are outdated. We propose to amend § 135-1D and E as follows:

D. *The following chapters of the Wisconsin Administrative Codes, as well as all subsequent versions, are adopted by the municipality and shall be enforced by the Building Inspector:*

Ch. ~~COMM 5~~, ~~Credentials~~ SPS 305, Licenses, Certifications and Registrations

Ch. ~~COMM 16~~, ~~Electrical Code~~ SPS 316, Electrical

Chs. ~~COMM 20-25~~, SPS 320 through 325, Uniform Dwelling Code

Chs. ~~COMM 61-65~~, SPS 361 through 366, Commercial Building Code

Ch. ~~COMM 70~~, ~~Historic Building Code~~

Chs. ~~COMM 75-79~~, SPS 375 through 379, Existing Building Code

Chs. ~~COMM 81-87~~, SPS 381 through 387, Uniform Plumbing Code

E. *The City has adopted the Certified Municipality Status as described in ~~COMM 61-60~~ § SPS 361.60 of the Wisconsin Administrative Code.*

- (2) Section 135-2E will be amended to change Ch. COMM 20.09(4) to § SPS 320.09(4).
- (3) Section 135-3C will be amended to change Comm 20.05 to § SPS 320.05; and Comm 20.19 and 20.21 will be changed to §§ SPS 320.19 and 320.21.
- (4) Section 135-3D will be amended to change Comm. 20-25 to Chapters SPS 320 to SPS 325.
- (5) Section 135-6B(5) will be amended to change NR 181.12 to § NR 661.03. However, what should NR 158.03(4) be changed to? Should reference to NR 158.03(4) be deleted?

Decision:

- Change NR 158.03(4) to _____
- Delete NR 158.03(4).
- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

(6) Section 135-13B(1) will be amended to change Comm 20.10(1)(c) to § SPS 320.21(3).

C. We propose to amend § 135-2E to replace “*Wisconsin Department of Commerce (formerly the State Department of Industry, Labor and Human Relations)*” with “*Wisconsin Department of Safety and Professional Services.*”

D. Section 135-9H(1) is missing a subsection reference. It appears that a designation should have been inserted following “*subsection.*” See “*Before a permit shall be issued for a building to be moved and altered, the applicant shall give a cash bond to the Common Council, which shall not be less than \$5,000 to be executed in the manner provided in subsection hereof to the effect that he/she will, within a time to be set by the Common Council, complete the proposed exterior alterations to said building in the manner set forth in his/her plans and specifications.*” Should this reference be to Subsection F of § 135-9?

Decision:

- The correct reference is “*Subsection F.*”
- The correct reference is _____
- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

E. Section 135-11F, regarding smoke detectors in manufactured homes and mobiles homes, contains references to §§ 101.745 and 101.925, Wis. Stats., but § 101.925 was repealed by 2005 Act 45. How should this be corrected?

Decision:

- Delete reference to § 101.925, Wis. Stats.
- Change § 101.925, Wis. Stats., to _____
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

F. Penalties. The following penalties appear in this chapter, and they appear to be suitable:

- (1) Section 135-13A contains a reference to the general penalty in § 1-3, for violations of this chapter.
- (2) Section 135-3H contains a penalty for violation of § 135-3, State Uniform Dwelling Code, in the amount of a forfeiture of not less than \$25 nor more than \$1,000. We note that this penalty is included in a model ordinance for adoption of the Wisconsin Uniform Dwelling Code.

Are any changes to these penalties required?

Decision:

- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

G. This chapter refers to both the Building Inspector and the Zoning Administrator. Should one title be used consistently throughout this chapter? We note that § 82-2B provides for the appointment of both a Building Inspector and a Zoning Administrator, and that § 82-11A(2)(d) states that the Building Inspector shall serve as the Zoning Administrator, if assigned such duties by the Common Council. Please review this chapter and indicate whether any title changes are required.

Decision:

- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

Ch. 144, Cemetery

Title 8, Ch. 5, of the City Code

A. There is a duplication within this chapter. Section 144-4F, G and H matches § 144-5C(1), (2) and (3). Should one set of subsections be deleted?

Decision:

- Delete § 144-4F, G and H.
- Delete § 144-5C(1), (2) and (3).
- No revision desired. OK to maintain duplicate subsections.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

- B. There are duplicate provisions on plants and flowers. Compare § 144-5A, Plants and decorations, to § 144-10, Trees, shrubs and flowers. Consider eliminating duplications and combining similar regulations into one section. Please provide specific instructions if changes are desired.

Decision:

- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

- C. Section 144-6D states that dogs are only allowed in the cemetery if they are confined in a vehicle. Compare this subsection to the Animals Chapter, § 124-6H, which prohibits dogs in cemeteries but allows an exception to Seeing Eye dogs. Should this exemption be added to § 144-6D as well?

Decision:

- Yes. Amend § 144-6D to add "*Every dog specially trained to lead blind persons shall be exempt from this Subsection D.*"
- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

Ch. 149, Cigarettes

Title 7, Ch. 3, of the City Code

For related statutory provisions, see § 134.65, Wis. Stats., Cigarette and tobacco products retailer license.

- A. In § 149-3, should the wording "*sale of cigarette paper or cigarette wrappers*" read "*sale of cigarettes, cigarette paper or cigarette wrappers*"? See similar wording in § 149-1.

Decision:

- Amend § 149-3 as indicated above.
- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

Decision:

- Amend § 322-32 as indicated above.
- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

Art. IV, Parades, Races and Similar Nonvehicular Uses

Title 7, Ch. 9, of the City Code

- A. This article governs the nonvehicular use of streets, such as parades and marathons, as authorized by § 349.185, Wis. Stats. This article appears suitable.

Decision:

- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

Ch. 333, Taxicabs

Title 7, Ch. 11, of the City Code

- A. Statutory authority for licensing taxicabs is found in § 349.24, Wis. Stats. This chapter appears suitable.

Decision:

- No revision desired.
- Revise as follows: _____
- Revise as follows: (attach revisions separately).

Ch. 341, Transient Merchants

Title 7, Ch. 4, of the City Code

- A. Statutory authority for regulating transient merchants is found in § 66.0423, Wis. Stats. This chapter appears suitable.