

**CITY OF PRINCETON  
COMMITTEE OF THE WHOLE MEETING  
COUNCIL CHAMBERS – 431 W. MAIN STREET  
TUESDAY, JUNE 24, 2014  
6:00 PM**

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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 June 10, 2014 Committee of the Whole meeting
5. NEW BUSINESS
  - A) Discussion on Codification Process.  
RECOMMENDATION: Review new code sections as follows:
    - 1) Chapter 20 – Community Development Authority
    - 2) Chapter 37 – Emergency Government
    - 3) Chapter 93 – Property, Surplus, Lost and Abandoned
    - 4) Chapter 144 – Cemetery
    - 5) Chapter 156 – Driveways
    - 6) Chapter 162 – Electric Service
    - 7) Chapter 170 – Erosion and Stormwater Runoff Control
    - 8) Chapter 177 – Fair Housing
    - 9) Chapter 348 – Trees and Shrubs
6. ESTABLISHMENT OF NEXT MEETING DATE – August.
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, JUNE 10, 2014  
6:00 PM

1. **CALL TO ORDER AND ROLL CALL** Council President Kallenbach called the meeting to order at 6:01 PM. In attendance were Alderpersons Ernest, Bednarek, Kallenbach, Kallas, and Roehl, Administrator Neubauer, and Mayor Wielgosh. Absent was Alderperson Koehn.
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 27, 2014 Committee of the Whole meeting** Bednarek motioned to approve the 5/27/14 Committee of the Whole minutes, seconded by Kallas. Carried 5-0
5. **NEW BUSINESS**
  - A) **Discussion on Codification Process.**  
**RECOMMENDATION:** Review new code sections as follows:
    - 1) **Clarification on carry over items from last discussion 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**

Police Chief Bargenquast was not present. A discussion was held on the Ordinance Chapters listed and the Council made recommendations.
6. **ESTABLISHMENT OF NEXT MEETING DATE – June 24, 2014 @ 6:00 p.m.**

The month of July there will be no Committee of the Whole Meetings.
7. **ADJOURN** Roehl motioned to adjourn the meeting seconded by Ernest. Carried 5-0. Council President Kallenbach adjourned the meeting at 6:51 PM.

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# CITY OF PRINCETON

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*An equal opportunity/affirmative action employer*

*Mayor*  
Charlie Wielgosh

*City Administrator*  
Mary Lou Neubauer

*City Alderpersons*

Dave Bednarek  
Mary Ernest  
Eric Koehn  
Dan Kallas  
Jasper Kallenbach  
Lara Roehl

## COUNCIL REPORT

**To:** City Mayor, Common Council  
**From:** Mary Lou Neubauer, City Administrator/Clerk/Treasurer  
**Date:** June 24, 2014  
**RE:** Codification

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### Chapter 20 Community Development Authority

**1) Section 20-5 Commissioners Page 34 Membership**

Membership clarification: The seven Commissioners of the CDA shall be City of Princeton residents. The City Clerk-Treasurer will serve as the Coordinator of the CDA and is not a voting member.

**2) Section 20-6 Officers and their Duties Page 35 Treasurer/Secretary**

The Deputy Clerk-Treasurer of the City is authorized to serve as in this capacity in the absence of the City Clerk-Treasurer.

### Chapter 37 Emergency Government

**This Chapter was reviewed by Mike Jole and has indicated the section meets his needs**

**3) Required statutory change**

### Chapter 93 Property Surplus Lost and Abandoned

**4) Only change is reference to a federal agency**

## **Chapter 44 Cemetery**

**5) Chapter 144-2 B. Funds                      Page 236                      Assessments**

Assessments: Discussion should take place on this section

**6) Chapter 144-24F                              Page 238                      Duplication**

Remove the duplication in maintenance sections with other areas.

**7) Chapter 144-5 A. (2) Privileges   Page 238                      Decorations**

Decoration time limitations set by Council?

**8) Chapter 144-6D                              Page 239                      Dogs**

Reference to Dogs being allowed when confined to a vehicle – make changes to previous section discussed (Animals) that allows dogs in a cemetery if confined to vehicle

**9) Chapter 144-10 B.                              Page 242                      Trees**

Lot owners may remove under the direction of the Sexton large trees on the grave site. This should be a municipal activity

**10) Chapter 144-5 and 144-10**

There is a lot of duplication in these sections which can be condensed

**11) Chapter 144-11 Miscellaneous   Page 243                      Fees**

Add Fees to the fee schedule.

## **Chapter 156 Driveways**

**12) Chapter 156-2 (5)                              Page 249                      Driveway thickness**

Driveway approaches are required to be 6” concrete however driveways can be 4”.

Add the 4” depth to code

**13) There may be discussion on other specific items at the meeting**

## **Chapter 162 Electric**

No Changes

**Chapter 170 Erosion Control**

A model ordinance has been requested as the regulations for Erosion has changed.

**Chapter 177 Fair Housing**

No Changes other than Statutory reference

**Chapter 348 Trees and Shrubs**

Discussion on this chapter will take place at the meeting

**Decision:**

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

**Ch. 20, Community Development Authority**

Ord. No. 2007-10

This chapter creates the seven-member Community Development Authority, as authorized by § 66.1335, Wis. Stats.

A. There appears to be a couple wording problems – either incorrect wording or dropped phrases. Please review the following and indicate any necessary corrections:

(1) Section 20-6B, regarding the Treasurer/Secretary. Suspect wording is underlined:

*These duties include handling all correspondence and clerical work of the CDA; to keep accurate notes of all matters coming before the CDA; to receive and file all communications, applications, request any and all documents directed to the CDA, directed by the CDA; to set the meeting times and prepare and mail to each member of the CDA a statement of the agenda items for each meeting; and a copy of the minutes of the last meeting.*

**Decision:**

- No revision desired.
- Revise as follows: directed to the CDA OR By the CDA
- Revise as follows: (attach revisions separately).

(2) Section 20-11A(7), order of business. Suspect wording is underlined:

*Statements and subsections by any persons not previously heard but only on matters not previously discussed.*

**Decision:**

- Delete “and subsections.”
- No revision desired.
- Revise as follows: \_\_\_\_\_
- Revise as follows: (attach revisions separately).

B. Section 32-1C authorizes the Council to designate a different central polling place at least 10 days before the election. Section 5.25(3), Wis. Stats., provides as follows: "Polling places shall be established for each election at least 30 days before the election." Does this present a conflict?

**Decision:**

- Amend § 32-1C to read "... unless otherwise designated by the Common Council in accordance with § 5.25, Wis. Stats."
- No revision desired.
- Revise as follows: \_\_\_\_\_
- Revise as follows: (attach revisions separately).

C. Section 32-2, regarding primary elections, contains a reference to § 8.05(4), Wis. Stats., yet this statute appears to apply to towns and villages, not cities. Is a correction required?

**Decision:**

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

**Ch. 37, Emergency Government**

*Title 5, Ch. 5, of the City Code*

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

(1) In § 37-1, Ch. 166 will be changed to Ch. 323. Chapter 166, Emergency Management, of the statutes was renumbered as Chapter 323 by 2009 Act 42.

B. This chapter establishes a City Emergency Government Committee and the office of Emergency Government Director. If this chapter accurately reflects current practice, it appears suitable.

**Decision:**

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

**Ch. 88, Police Department**

*Title 5, Ch. 1, of the City Code*

- A. This chapter pertains to the Police Department. If this accurately reflects current procedure, it appears suitable.

**Decision:**

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

**Ch. 93, Property, Surplus, Lost and Abandoned**

*Title 3, Ch. 4, of the City Code*

- A. In § 93-7A(3), it appears that reference to the “Alcohol, Tobacco and Firearms Bureau of the U.S. Department of the Treasury” should be updated to “Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice.”

**Decision:**

- Update the title of the Bureau as shown above.
- No revision desired.
- Revise as follows: \_\_\_\_\_
- Revise as follows: (attach revisions separately).

**Ch. 99, Records, Public**

*Title 3, Ch. 3, of the City Code*

- A. Administrative Code updates. We propose to update the following Administrative Code reference prior to publication of the Code:
  - (1) In § 99-8R, NR 109.12 will be updated to NR 809.82.
- B. The definition of “record” in § 99-1 was copied from § 19.32, Wis. Stats. The definition in the statute has been amended to include “and optical disks” following “computer printouts.” Shall we make the same change to the City’s definition of “record”?

City of Princeton, WI

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).

6/10

**Ch. 156, Driveways**

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*Title 6, Ch. 3, of the City Code*

- A. This chapter requires a driveway permit from the Director of Public Works prior to construction of a driveway. Specifications are also included in this chapter. If this chapter reflects current procedures, it appears suitable.

**Decision:**

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

**Ch. 162, Electric Service**

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*Title 9, Ch. 3, of the City Code*

- A. This chapter simply adopts by reference the Public Service Commission’s current electric service rate orders and regulations. This appears suitable.

**Decision:**

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

**Ch. 170, Erosion and Stormwater Runoff Control**

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*Title 15, Ch. 2, of the City Code*

- A. The City might want to have this chapter reviewed by the City Engineer or other appropriate officials as to whether it reflects current standards. The State Department of Natural Resources has promulgated model ordinances for construction site erosion control and post-construction stormwater management which are included in the Wisconsin Administrative Code as Appendices A and B of Chapter NR 152 and can be downloaded from the following website: <http://docs.legis.wisconsin.gov/code/toc/nr>.
- B. Statutory references.
  - (1) Section 170-1 states that this chapter is adopted pursuant to § 62.2345, Wis. Stats. This reference is incorrect and should read § 62.234, Wis. Stats. We will make this correction.

(2) Section 170-10C contains a reference to §§ 66.0119 and 66.123, Wis. Stats. Said § 66.123 was repealed in 1999 and renumbered as § 66.0119(3). Therefore, we will delete reference to § 66.123.

C. In § 170-8B the last sentence refers to informal guidelines “*hereto attached and incorporated herein as a part of this chapter as an addendum.*” We did not receive a copy of this material and have added a footnote that it is on file in the City offices. Is this note acceptable?

**Decision:**

- The note is acceptable. No revision desired.
- Revise as follows: \_\_\_\_\_
- Revise as follows: (attach revisions separately).

D. Section 170-12A(3) sets the time frame for filing appeals with the Board of Appeals at 45 days. The time frame for filing appeals under the Zoning Ordinance is 30 days. See § 430-97A. Should these time frames be the same? We note that § 170-12B(2) states that the procedures to be utilized by the Board of Appeals shall be as set forth in Chapter 430, Zoning.

**Decision:**

- Amend § 170-12A(3) to change 45 days to 30 days.
- No revision desired.
- Revise as follows: \_\_\_\_\_
- Revise as follows: (attach revisions separately).

**Ch. 177, Fair Housing**

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*Title 15, Ch. 3, of the City Code*

This chapter adopts by reference the Wisconsin Open Housing Law, § 106.50, Wis. Stats.

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

- (1) In § 177-1, § 101.22, Wis. Stats., will be changed to § 106.50, Open Housing.

City of Princeton, WI

**Decision:**

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

**Ch. 348, Trees and Shrubs**

*Title 6, Ch. 4, of the City Code*

This chapter establishes regulations for the care of trees and shrubs and generally appears suitable.

- A. Section 348-6F lists the permitted tree species in terrace strips. Note that "Callery Pear," at a mature height of 20 feet, appears in the first grouping of trees (that is, permitted tree species planted in a terrace strip with a width of four feet or more). Ordinance No. 2005-08 amended § 348-6F to include four additional tree species under the category of terrace strip of four feet or more, and it included Callery Pear at a mature height of 40 feet. There are now two different heights for Callery Pear: 20 feet and 40 feet. Is this incorrect? Was it the City's intent to replace 20 feet with 40 feet?

**Decision:**

- Delete Callery Pear, 20 feet.
- No revision desired. Retain two different heights for Callery Pear.
- Revise as follows: \_\_\_\_\_
- Revise as follows: (attach revisions separately).

**Ch. 354, Vehicles, Abandoned**

*Title 10, Ch. 5, Secs. 10-5-1 through 10-5-7, of the City Code*

- A. This chapter regulates abandoned vehicles. Provided that this accurately reflects current practice, it appears suitable.

**Decision:**

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

Mayor  
Charlie Wielgosh

City Administrator  
Mary Lou Neubauer



City Alderpersons  
Lara Roehl  
Eric Koehn  
Dave Bednarek  
Jasper Kallenbach  
Mary Ernest  
Dan Kallas

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Copies of the new code text are available at City Hall if you wish to see the document