

MINUTES OF THE LEGAL AFFAIRS COMMITTEE
5:15 P.M., MONDAY, JULY 19, 2021

Members Present: Committee members (J. Pohlman, III, J. West, M. Platteter) M. Reynolds
Others present: A. Kenyon and Nancy Christianson.

Call to order. Chairman Pohlman called the meeting to order at 5:15 pm.

Discussion of Ordinance 5-2-9(e) regarding burning ordinance. Ordinance will remain unchanged regarding posting requirements if the Police Chief deems a burning ban needs to be in place.

Discussion of Ordinance 7-1-6(c), 7-1-6(d), 7-1-7(e) regarding damage caused by dogs. Verbiage should be changed from “damage caused by dogs” to “damage caused by domestic animals”. Motion by M. Platteter, seconded by J. Pohlman, to replace the word “dogs” to “domestic animals” in 7-1-6(c), (d) and (e). Motion passes 2 yes, 1 – no (West).

Discussion of Ordinance 7-1-20 regarding dog feces. Motion by M. Platteter, seconded by J. Pohlman, to revise the word “dog” to “domestic animal” in Ord. 7-1-20. Motion passes 2 yes- 1 no (West).

Discussion of Ordinance 10-1-11 regarding heavy traffic routes. Discussion was on heavy truck routes and the need to possibly review those routes to be more user friendly for truck drivers and preserve our newly constructed streets. The DPW may be asked to provide input on this topic at a future meeting.

Discussion of Ordinance 10-1-14 regarding Downtown U-turns Prohibited. The downtown intersections have not signed as “u-turn prohibited”. Chief Julien will be consulted as to the legality of u-turns in the State of Wisconsin.

Discussion of Ordinance 10-1-46 regarding railroad trains not blocking the streets. Ordinance 10-1-46 prohibits trains from blocking railway crossings for more than 10 minutes, except it doesn’t apply to trains and cars in motion other than those engaged in switching. The penalties are explained in 10-1-50; committee members discussed possibly adjusting the forfeiture to the maximum allowable level. Raising the penalty to the maximum or minimum will be researched and considered at a future meeting.

Discussion of Ordinance 10-2-7(a) and (b) regarding skateboards and scooters. The definition of a skateboard in Ord. 10-2-7(a) should be revised to read “two small wheels on both ends of the board” instead of “on either end”. Motion by J. Pohlman, III,

seconded by M Platteter, to change the skateboard definition in 10-2-7(a) so that it reads "two small wheels affixed to the bottom on both or either end". Motion passes 3-0. Discussion on current skateboarding hours and whether to allow skateboarding on streets or sidewalks after daylight hours if reflective clothing was worn. The skateboard park is open until 11:00 pm. Motion by J. Pohlman, seconded by J. West, to add language to Ord. 10-2-7(b) "that no person shall operate a skateboard or nonmotorized scooter on any street or sidewalk in the City of Ladysmith outside of daylight hours without reflective wear". Motion passes 3-0. More research will be done on the definition of "reflective wear".

Discussion on Ordinance 10-2-9 regarding electric scooters. Currently, Ord. 10-2-9 prohibits the use of electric scooters on City streets but they can be operated with permission on private property and on private roads and driveways. After discussing whether this ordinance should encompass additional motorized vehicles (segways, hoverboards, etc), it was decided to postpone revising the language from "electric scooter" to "electric vehicles possibly under 500 pounds" until further research could be done.

Discussion on Ordinance 10-4-5(g) on ATV/UTV/Golf Cart use in the park for special events. Motion by J. Pohlman, to have Ord 10-4-5(g) allow the use of ATV/UTV/Golf Carts in Memorial Park by special use permit during special events. Motion was not seconded. Then discussion took place on who would be asked to authorize this type of a "special use permit". Ordinance 10-4-5(c) prohibits operation of an "ATV/UTV upon any street, sidewalk or alley"; this ordinance should be removed since the City has recently opened up all city streets for ATV/UTV travel. Golf carts are not allowed to be operated on any City streets. Motion by J. Pohlman, seconded by J. West, to remove 10-4-5(c) designating that ATV/UTV traffic is prohibited on City Streets since the Council has recently opened up travel by ATV/UTVs on City streets. Motion passes 3-0.

Discussion on Ordinance 10-4-6 on ATV/UTV insurance requirements. Committee members reviewed the City of Rice Lake's ordinance requiring liability insurance or financial responsibility in order to operate an ATV/UTV on Rice Lake streets. Atty Kenyon explained that according to the State of Wisconsin, "financial responsibility" is defined as: if an uninsured person damages someone else's property, then enters into a payment plan to repay the damage caused and if the terms of the payment plan are not in compliance, the WI Department of Transportation can suspend or revoke driving privileges. It was mentioned that WI state law only allows ATV/UTV travel on approved trails. Mr. Pohlman has reviewed what other municipalities have included in their ordinances once ATV/UTV's are allowed to operate on city streets. When communities open up streets for ATV/UTV travel, ordinances have been adopted to require liability insurance or a driver's license or both. More research will be done on this topic by Atty Kenyon and additional discussion will take place at a future meeting.

Discussion of Ordinance 11-6-5 entitled Public Nuisances Affecting Peace and Safety. Discussion on the attachment entitled "Sec. 11-6-5(1) Drug or Criminal Gang Houses" was reviewed and is attached to the minutes. Motion by J. West, seconded by

M. Platteter, to add the language contained in the attachment, with the appropriate verbiage and spelling corrections made. Motion passes 3-0.

Discussion of Ordinance 12-1-1(b)(10) regarding motor vehicles on seeded areas of Memorial Park. The Park Board took action to revise the language in 12-1-1(b)(10) and asked that the Legal Affairs Committee review and possibly recommend adoption by the Common Council. This revision would allow motor vehicles on unpaved parking areas designated in Memorial Park for specific events by the Park Board, Common Council or their designee. Motion by J. Pohlman, seconded by M. Platteter, to recommend that the Common Council revise Ord. 12-1-1(b)(10) to include the following language “Unpaved parking areas for motor vehicles may be designated in Memorial Park for specific events by the Park Board, Common Council or their designee.” Motion passes with a 3-0 voice vote.

Discussion of Code of Ethics for Elected/Appointed Officials. The City of Green Bay’s “Code of Conduct for Elected Officials” was included in the agenda packet. Committee members reviewed Section 3 entitled “Elected Official Conduct with City Staff”. Because of the length and content of the entire Code of Conduct, members were asked to read through the policy and a committee meeting will be scheduled in the future for further discussion.

Discussion of Social Media Policy for Elected Officials. The committee discussed the use of social media and how comments made by a City representative outside of an official meeting still may be perceived as representing the City’s views; hence the saying “perception becomes reality”. As an elected representative of the council, members should be aware that when opinions are shared, they may end up in the news media.

Meeting adjourned at 7:05 pm.