

OCTOBER 3, 2018, LEGAL AFFAIRS COMM. MEETING MINUTES

4:30 p.m. Council Chamber. Members present: A. Hraban, J. Pearson, B. Stoneberg. Others present: A. Christianson 1 and 2, K. Gorsegrner, A. Kenyon.

Call to Order:

Chair Stoneberg called the meeting to order and presided.

Use Agreement:

Those present were provided a copy of a proposed revision of an exclusive use of Memorial Park agreement between the City and Jaycees, which is a long-standing agreement that covers the period of the Northland Mardi Gras. Proposed changes are as follows:

- The Park Board becomes a party to the agreement, which automatically renews unless a party to it seeks changes.
- Requires that Jaycees be sent Park Board meeting notices for purpose of alerting Jaycees to possible changes to Park, which could impact Mardi Gras event.

Motion was made by Stoneberg, seconded by Hraban and carried by voice vote to recommend Council approval of the revised agreement.

Downtown Residential:

Mayor Christianson addressed the Committee about advantages and disadvantages of residential units downtown, pointing out examples where that can bring vitality to downtown or, as we have seen here recently, adversity when family life spills out onto a sidewalk blocking use by others. There was mention of how alternate family space might be provided to the rear of the subject units. He also showed a photo of elderly housing units used to fill-in vacant space in downtown Darlington, WI, providing positive outcomes.

Ordinance Amendment:

Those present reviewed a draft ordinance amendment, prepared by the Comptroller, which would revise the basic monthly fee for solid waste collection. Motion was made by Pearson, seconded by A. Hraban and carried by voice vote to recommend Council approval.

Fire Dept. Charges:

Those present reviewed a draft ordinance, which would enable the LFD to charge for non-fire response services it might provide. Motion was made by A. Hraban, seconded by Pearson and carried by voice vote to recommend Council approval of this ordinance to include similar language allowing the PW Dept. to charge fees for similar services it may provide to private or other public entities.

Fire Dept. Accounts:

Those present reviewed a draft ordinance establishing the right for the LFD to have so-called "department-controlled accounts". LFD has had these accounts, but without benefit of a required enabling ordinance. Chief Gibbs has had input into this ordinance and P&FC Chair C. Schultz has also attended some meetings where it was discussed. It is Atty. Kenyon's opinion that cash proceeds from sale of LFD equipment, like equipment owned by other departments, however acquired, must go into the City's general fund. Whether those proceeds could be designated within the fund balance is, as yet, uncertain. Motion was made by A. Hraban, seconded by Stoneberg and carried by voice vote to recommend Council approval of this ordinance.

Video Surveillance Policy:

Those present reviewed a draft Video Surveillance Policy. It is felt that, as issues of invasion of privacy mesh with use of increasingly sophisticated surveillance equipment, controls and policies are more likely to come into play to educate both policy makers and the public. The policy reviewed may be just a starting point that will need to be updated as new challenges arise. Motion was made by Pearson, seconded by A. Hraban and carried by voice vote to recommend Council approval.

Electronic Smoking Devices:

Mrs. Stoneberg, who has been researching vaping, updated those present on the following among other considerations:

- Flavored products are popular with teens.
- Schools often treat vaping the same as tobacco use, whether or not the products contain nicotine.
- The FDA confiscated thousands of documents from JUUL, a major vaping products manufacturer, which turned over thousands of additional documents.
- FDA gave manufacturers 60 days to get vaping materials out of juveniles hands or FDA will ban the flavored product.
- CDS report sales have increased 641% between 2016 and 2017.

There seemed to be consensus that the City should have rules prohibiting vaping in City-owned buildings, just as it currently prohibits smoking.

Other:

Mrs. Stoneberg asked if those present have other matters they feel need Committee adding that if and when they do to please contact her.

Adjourn:

Mrs. Stoneberg adjourned the meeting shortly before 6 p.m.