

FEBRUARY 1, 2017, LEGAL AFFAIRS COMMITTEE MEETING MINUTES

5 p.m. Council Chamber. Members present: J. Pearson, M. Platteter, B. Stoneberg. Others present: A. Christianson, A. Kenyon, D. Parker.

Call to Order:

Committee Chair Stoneberg called the meeting to order.

Social Hosting

Atty. Kenyon recalled that, after a case in Fond du Lac County found certain provisions in a social hosting to be unenforceable, The League of Municipalities recommended in the January 2017 issue of The Municipality that locales review their ordinances to see if they contain similar provisions. Atty. Kenyon advised that he has done so with this City's ordinance and doesn't feel it needs revision.

Resolution

Those present reviewed a draft resolution naming the Old Warner Cemetery and providing for its upkeep. Motion was made by Pearson, seconded by Platteter and carried by voice vote to recommend Council approval.

TIF Changes

Adm. Christianson reported that although a number of changes have recently been made to Wisconsin's TIF laws, one that the City will need to deal with soon is a requirement that the Joint Review Board (JRB) be convened annually by July 1, to review the City's audit of its TIF Funds. The JRB consists of the Mayor, the County Board Chair, a WITC rep, the Superintendent of Schools, and a member at large (currently IDC President). Until now the JRB has had to convene and approve creation of districts, contents of Project Plans and revisions to Project Plans. Now, however, the JRB will need to meet annually to conduct a review of annual expenditures made the prior year and, it seems, to review projects planned for the following year. He reviewed a couple examples of what might and might not make a planned investment eligible. Eligible costs are generally to be ones that promote increases in tax base.

Mobilitie

Reference was made to correspondence from The League, wherein it is noted that the authority firms like Mobilitie have been granted by the FCC is for wired systems, not wireless. Atty. Kenyon noted that realted legislation Wisconsin is considering may give host cities more control.

Amphitheater

It was reported that the City's insurance carrier, Spectrum, sees no issue with covering an amphitheater or band shell, so long as the band shell has been properly engineered.

Tax Deed Property

It is uncertain why Rusk County has not taken tax deed to 300 E. 10th St. S., which the City had reason to believe was three or more years tax delinquent. There is also a City-made deferred payment loan on the same property, which is long overdue (since the recipient's death) for repayment. The City is probably able to foreclose on its loan. Atty. Kenyon will revisit this option.

Dilapidated Housing

There was discussion of the status of a dwelling which has had a window out for about 3 years and appears to have been abandoned. It is likely exerting a blighting influence on the adjoining properties, may harbor rodents, and may pose a safety hazard to area children given its proximity to the LES. It is



uncertain if the County health inspector can look at it. The City building inspector can probably view it from the street. Mrs. Stoneberg will talk with a relative of the owner to see if there is anything reasonable the City might do to improve this situation.

Atty. Kenyon reported that there is a house for sale in the vicinity of W. 3rd and Pederson, which might be a candidate for razing. He went on to say the City already owns a vacant lot next to it, which resulted from a previous demolition. The two lots together might provide one nice building site.

DPL Housing Loan Administration

Disappointment was expressed in regard to Northwest Regional Planning Commission's administration of the City's Deferred Payment Housing Loan, or "DPL" program. It seems nobody was keeping track of when loan recipients passed away moved or sold properties resulting in loss of about \$100,000 of loan monies. Rusk County took tax title to properties without the City, as mortgage holder, being notified. Atty. Kenyon is now keeping track as best he can and has called it to the local board's attention. It seems an annual letter to loan recipients of record would have served to verify their status (in residence or not) and the status (taxes and insurance current?) of the subject properties.

In recent years the local DPL loan board's hands have been somewhat tied as loans are required to be made based on anonymous case numbers. It worked much better in previous years when board members' personal knowledge of recipients was brought into decisions. Now, it seems, inordinate sums are spent on items like removing lead paint from siding, and then repainting, when simply replacing the siding with vinyl would have been both less costly and produced a better result.

Motion was made by Stoneberg seconded by Pearson and carried by voice vote to recommend to the Council that it not renew NWRPC's administration agreement and that it instead look into contracting with a local vendor.

Adjourn:

The meeting adjourned at about 6:10 p.m.