

MAY 16, 2019, LEGAL AFFAIRS COMMITTEE MEETING MINUTES

4 p.m. Members present: A. Hraban, M. Platteter, B. Stoneberg. Others present: A. Christianson 1 and 2, K. Gorsegner, K. Julien, A. Kenyon.

Call to Order:

Committee Chair Stoneberg called the meeting to order and presided.

Building Code:

Building Inspector Gorsegner explained that the City needs to update its building code to match the State Code. Many of the changes are due simply to the overseeing State agency being changed from the Dept. of Safety and Buildings to the Dept. of Safety and Professional Services. He noted that proposed deletions are indicated in red and proposed additions are indicated in bold type.

Electronic Smoking Devices:

It was noted that use of electronic smoking devices seems to be increasing rapidly, while dangers of using them seem to be increasing as well. Police Chief Julien stated that he has a copy of an ordinance adopted by the City of Neenah, which seems to be a good one.

A question was raised whether rules can be imposed requiring that these devices and the smoking materials they use can be required to kept out of reach of customers. It is believed that some are currently displayed within reach.

Fee Schedule:

It was reported that Judge Carter would like to see the forfeiture for first time possession of marijuana reduced from \$387 to something much less; maybe \$10.

New Fees:

There was discussion of potential ways to generate revenue through creation of new fees, some of which have been considered previously. It is uncertain at this time whether creating any or all of these would trigger a State requirement to reduce property taxes by a comparable amount. These included, but were not limited to the following: *Fees for ATVs and UTVs used on City streets. *Increase municipal court fees. *Establish a wheel tax. *Establish a storm water utility (loss of tax revenue will not apply).

Golf Carts:

Chair Stoneberg advocated allowing use of golf carts on selected streets.

Extraterritorial Zoning:

Adm. Christianson stated that he recalled recent mention of extraterritorial zoning as a way to control property upkeep in areas closely adjoining the City, but not within its official corporate limits. He went on to say he doesn't believe that is the purpose of extraterritorial zoning, which he also noted is a tool that has to be pursued in concert with the Involved town government.

Atty. Kenyon advised that Chapter 823 of the Wisconsin Statutes, Nuisances, gives towns the power to enforce property upkeep within their jurisdictions. It appears some towns simply don't want to do so.

Adjourn:

Chairwoman Stoneberg adjourned the meeting at 4:55 p.m.