

## **MAY 19, 2016 LEGAL AFFAIRS COMMITTEE MEETING MINUTES**

Members present: B. Stoneberg, J. Pearson, M. Platteter. Others present: A. Christianson, A. Kenyon, K. Gorseger, M. Reynolds.

### **Call to Order:**

Committee Chair Stoneberg called the meeting to order.

### **Chicken Ordinance:**

Those present reviewed changes made to the proposed chicken keeping ordinance since the public hearing on May 9<sup>th</sup>. These were to change from a requirement that abutting owners consent to an application to a requirement that abutting owners be notified that a permit application has been filed and of their right to object, and how. And to reduce the permit fee from \$25 to \$5. The following additional suggestions were among those made in discussion that ensued:

- \*That a standard form for notifying abutting owners be prepared by the City and be used by applicants.
- \*That a leaflet entitled Handling Urban Poultry Litter be provided with each permit application to inform applicants of best practices.

Changes were also proposed to be made to the chicken keeping permit application form. These included the following:

- \*That references to requiring abutting owner "consent" be changed to abutting owner "notification".
- \*That a check off boxes be included where abutting owners can indicate their consent or objection to an application.
- \*That objections should be filed within one week of notice of a pending application is given.
- \*That references to poultry litter on the application be replaced with a statement that simply says: "Poultry litter shall be disposed of properly. See attached handout entitled Handling Urban Poultry Litter".

Attorney Kenyon will draft changes to both the proposed ordinance and proposed permit application form for further Committee review.

### **Committee Substitutes:**

Those present reviewed a draft ordinance amendment providing for adding a fourth or, perhaps, fifth member to each of the standing Council committees to serve as substitutes. In the event one or two members are unavailable for a meeting the fourth or fifth members could be called on to create a quorum to enable action. Each member would, presumably, serve as a sub on one or two committees in addition to being a regular member of three committees.

Motion was made by Stoneberg, seconded by Pearson and carried by voice vote to recommend Council approval of this ordinance amendment.

### **Construction Bids:**

Under WI law any public construction expected to cost \$25,000 or more has to be bid out [unless the construction is being performed by another unit of government, such as Rusk County]. Ladysmith's dated rules say \$10,000. Those present reviewed a draft ordinance amendment that would have the City ordinance match the State rules in place at the time, changing as the State rules change.

It was clarified that, while Ladysmith typically seeks comparative quotes for equipment, public bidding is not required for equipment or for professional services such as audit or legal. That is because equipment

offered by one vendor is typically not exactly equal to that offered by another, particularly if they are different brands.

Motion was made by Stoneberg, seconded by Pearson and carried by voice vote to recommend Council approval of this ordinance amendment.

**Meeting Notice Timing:**

Those present reviewed a draft ordinance providing that items to be put in front of the Council will be to the person preparing the agenda by noon Wednesday the week before rather than noon Friday. Council members have expressed a desire to get meeting packets sooner, but the mail hasn't gotten any faster and email isn't always reliable and not all members use it. Those present seemed to concur that, except in emergencies, notices for Council meetings should be given 3-4 business days in advance of meetings, while those for committees, boards and commissions can probably be less stringent. It is recognized there will be differences of opinion on what are emergencies. Atty. Kenyon will devise new language for consideration for other than Council meetings.

There was discussion of possibly providing members tablets and sending out meeting notices and supplemental information electronically as Rusk County does.

**Other:**

Park Board Makeup

It was noted that, although the Municipal Code provides for it, the Park Board hasn't had student members for years. Those present reviewed an ordinance providing for six citizen members which could be adults and students, but would not have to be. A question was raised whether "citizen" implies a resident of Ladysmith. Mr. Reynolds advocated having one member from Rusk County, but outside Ladysmith, as folks from elsewhere in the County do make considerable use of Ladysmith parks. It was noted that, for years, the Park Board was made up of largely of middle age or older residents who presumably had time to serve, but probably had similar viewpoints. Some recent appointees are younger with children still in school, which provides another viewpoint including, indirectly, those of the children.

Procurement

Atty. Kenyon called attention to procurement policies of which the aforementioned public construction bid requirements are a part. He noted that this policy doesn't reflect the City's practices very well. He suggested City Hall staff, in particular, be asked their thoughts on modifying the policy to better reflect actual practices.

Ordinance Review

It was noted that many sections of the Municipal Code of Ordinances are likely dated and that Legal Affairs should probably attempt to review and update these as time permits.

Server

Those present were advised that the City Hall server has gone down a couple of times in the past few days and could fail permanently at any time. It is essential equipment to keep record keeping systems working and most other functions as well. As such the Mayor has authorized timely acquisition of a replacement. The Council will be asked to validate this action at its upcoming meeting.

**Adjourn:**

The meeting was adjourned at 6:55 p.m.