

Approved Minutes  
Codes & Ordinances Committee Meeting of 10/19/09

Meeting called to order at 6:34 pm. Members present McGlothlen, Rice, Thomas., Ehlers. Greenberg is excused.

McGlothlen made a motion to approve the minutes from meeting of 9/21/09 seconded by Thomas. Minutes approved unanimously. There were no citizen comments

Chief Ehlers reported on the Bail Bond Schedule fee increase saying the judge had received his letter and that Rich Spurrell attended the annual Municipal Court meeting where it was announced that the new Bail Bond Schedule fees were approved and would take effect the first court date in January 2010.

Rice announced that Municipal Code Chapter 16 Public Nuisance which was sent to the Village Board was returned to committee for changes. Discussion of the changes recommended by Village President Spurrell included 16.02(2)(h) strike “or within one mile there from” from second line, 16.02(3)(d) strike & replace “and” with “or” on last line, and reword 16.02(4)(e). Rice reviewed Village of Mukwonago Code 34.32(5) and found the wording to be exactly as stated in our current 16.02(4)(e) and committee agreed it was correctly written. Additional changes included 16.02(4)(r) to read “All snow and ice not removed **from public sidewalks** ~~or sprinkled with ashes, sawdust or sand by 10 o’clock A.M. of each day or within three (3)~~ **within twenty-four (24)** hours at any time in which snowfall shall cease, **or as directed by a Public Safety Officer**; the same applied by either owner or occupant of the premises.”, The letter “a” was added on line 1 of 16.03(1) to read “Whenever **a** complaint...”, underline “**REMOVAL**” in 16.04(1)(g), and add letter “A” to 6<sup>th</sup> line of 16.04(4)(b) to read “**A** notice...”

President Spurrell also noticed that the penalty provision in 16.04(6) should apply to the whole Chapter and not only that section so the PENALTY PROVISIONS were given a new section number of 16.05 and that section was reformatted to match other sections. Subsequent sections were also re-numbered. New section 16.05(1)(b) line 2, strike words “shall have” and replace with “has been” to read “**has been** previously convicted”, 16.06 line 5 insert “unpaid” to read “such **unpaid** cost”. 16.08(2)(a) strike the first line because the Village should maintain an inventory and record of disposal of any unclaimed property. 16.09 Guideline (f) strike “~~Except as granted by variance, building color and style should be earth tone and in harmony with the character of the Kettle Moraine historic nature of the community and existing similar structures.~~” since this should not be part of a public nuisance code but rather a matter for the Planning Commission to review. McGlothlen made a motion to approve changes to Chapter 16 and resubmit new ordinance to the Village Board at the next meeting. Seconded by Ehlers with unanimous approval by the committee.

Next agenda item Chapter 18 Park and Playground Regulations was discussed. McGlothlen questioned whether we should have additional documents for park rental, etc. referenced in this chapter but after further discussion it was decided that it would require too much maintenance of the Chapter. Rice pointed out that the penalty provision was listed as a subsection of 18.02 and needed to have its own section so committee agreed to change 18.02(12) PENALTIES to 18.03 PENALTIES. Section 18.02(10)(c) second line Thomas suggests we insert “the current” to read “subject to **the current** rate schedule” and all agree. Thomas suggested we have Rich Spurrell review this chapter for changes he may be aware of and committee agreed to send a marked up copy and clean copy of Chapter 18 Parks and Playground Regulations.

The next agenda item was Chapter 1 which includes a Preface, Chapter Index, and Village Board Meetings and Chapter 2 Officials. The Committee agreed that the Village Officer listing should be removed from the Preface because of the annual maintenance of keeping current Village Board officials. Line 3 1.01 capitalize “V” in “village”. 1.02 line 5 add “/she” to read “he/**she**” and remove “he can...be found” to read “and if not,”. Remove footnote from page 3. Change Section 1.04 to current Village Board Agenda format. The Standing Committees should be updated to current committees in Section 1.07 and add “a minimum of” to the second paragraph to read “shall consist of **a minimum of** three members”. We need clarification on number of people on committees because one has two and others have more, some have a citizen member and others don’t. We need clarification on the board and committee requirements as some are mandated by State law. Ehlers recommends we send the section 1.07 to Shirley and have her forward to the Wisconsin League of Municipalities for clarification of requirements and governing bodies in charge of each of these. Thomas suggests we should remove periods from 1.08(c)(5)1.) through 7.). McGlothlen recommends we add a reference to the State Statute in 1.09. Committee agrees to make changes and re-look at this at next meeting.

Committee began on Chapter 2 Officials and Thomas recommended that the titles for each section match with titles on first page. McGlothlen asks why if this chapter is about Officials, that we have information on the makeup of the Board of Review, Plan Commission and Board of Zoning and Building Appeals in this chapter. Shouldn’t they be in chapter 1? Ehlers recommends we ask the Village Attorney. Mike will check other municipalities. Add Police Commissioner to list in Section 2.02. McGlothlen recommends we simply list the Committees & Boards in Chapter 1 without details and provide the details on each Board and Committee in Chapter 2. Committee agrees.

Thomas made a motion to adjourn, seconded by McGlothlen and unanimously approved. Meeting adjourned at 7:27 pm

Next meeting Monday November 19, 2009 at 6:30 pm.

Minutes submitted by Rice