

Approved Minutes
Codes & Ordinances Committee Meeting of 10/18/10

Meeting called to order at 6:33 pm. Members present Ehlers, Royston, McGlothlen, Greenberg, and Rice. Greenberg made a motion to approve the minutes from meeting of 8/16/10 seconded by Royston. Minutes approved unanimously. There were no citizen comments

The committee began with a discussion on a letter sent to Chief Ehlers dated June 16, 2010 from Tobacco Free Community Partnership of Dodge, Jefferson and Waukesha County. They are letting communities know that they can adopt the new Smoke-Free Air Law (§102.123) as a municipal ordinance which would then allow municipal fines rather than fines going to the State of Wisconsin.. The committee agreed that our Police Department would help with enforcement as required by the State and we didn't need to enact a local ordinance so would leave it as it is.

The committee moved to agenda item 8 with a review of section 14.03 Cigarettes, of Chapter 14 License and Permits. Effective as of June 22, 2010, Food and Drug Administration (FDA) issued the "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco To Protect Children and Adolescents" act, which among other things, prohibits the sale of tobacco in vending machines. Our Ordinance still allows for vending machines.

Rice will check the validity of all the State Statutes referenced in Village of Eagle Ordinance Section 14.03. Rice will review the State Statute referenced in 14.03.4a for validity. Strike the last sentence from 14.03.4a "A vending machine operator is not liable under this section for the purchase of cigarettes or tobacco products from his vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase." Strike sections 14.03.4c, d, e, and f. which all relate to vending machines. The committee agreed to insert a new section 2 to reference adoption of State Statute 101.123.

The committee moved to agenda item 7- Review enforcement of codes and ordinances. The committee discussed where the breakdown is in enforcement of codes and ordinances. Rice asked what steps are followed or mechanisms are in place to ensure enforcement? Rice says the Village Board adopted parking restrictions in parking lots several months ago and there are still no signs posted. Who is responsible for follow-thru? Many questions and complaints regarding lot line disputes are referred to the Police department when in fact, they should be referred to our building inspector. Is our building inspector available to respond to these disputes? Should a follow-up list of unfinished tasks be presented at each Village Board meeting to ensure timely response? When an issue is resolved, should we have a record of the action taken? Royston is concerned that information is not made available to the Village office so they can answer questions from the public and will look into ISO procedures. Rice will make this an agenda item at our next Village Board meeting.

The next meeting will include a review of the updates to Section 14.03 and Chapter 18 with reference to alcohol in the park.

Greenberg made a motion to adjourn, seconded by McGlothlen, unanimously approved.
Meeting adjourned at 7:31 pm

Minutes submitted by Rice