

FEBRUARY 8, 2021 REGULAR CITY COUNCIL MEETING MINUTES

Pursuant to due call and notice thereof, a regular meeting of the Prescott City Council was held on Monday, February 8, 2021 in the Prescott Municipal Building, 800 Borner St., Prescott, WI 54021.

Call to order/Roll Call: Mayor David Hovel called the meeting to order 6:00 p.m. Members present were Thomas Oss, Maureen Otwell, Dar Hintz, Bailey Ruona, Joshua Gergen and Robert Daugherty online. City Administrator Jayne Brand represented staff.

Public Comments: Dave Palme commented on recreational fires.

Oss/Hintz motion to approve the consent agenda which included regular city council meeting minutes for January 25 2021, ordinance committee meeting minutes for January 25, 2021, plan commission meeting minutes for February 1, 2021, cash balances, budget year to date, accounts payable, payroll and review of receivables passed without a negative voice vote.

Patrick Beilfuss and Seth Hudson of Cedar Corporation reviewed with Council the community development block grant which would be used to purchase the food shelf. Patrick Beilfuss review the citizen participation plan for the community development block grant.

Otwell/Ruona motion to approve Resolution 01-21 "Resolution to adopt a citizen participation plan" passed without a negative voice vote.

Daugherty/Otwell motion to approve Resolution 02-21 "Resolution authorizing submission of a community development block grant application" passed without a negative voice vote.

Otwell/Hintz motion to approve Resolution 03-21 "Wisconsin Residential Antidisplacement and relocation assistance plan for CDBG Programs" passed without a negative voice vote.

Otwell/Daugherty motion to approve Resolution 04-21 "Resolution to adopt the policy to prohibit the use of excessive force and to enforce applicable state and local laws prohibiting physically barring entrances/exits from non-violent civil rights demonstrations" passed without a negative voice vote.

The council was brought up to date on the delinquent utility bills which were rolled to the real estate taxes. There were \$132,912.04 rolled and the current outstanding as of February 4th was \$9,600.89.

Mayor Hovel reviewed the concept plan for storage units proposed to be built at Dexter Street and US Highway 35. There are still issues which need to be worked out regarding turn lanes on Highway 35.

City Administrator Jayne Brand presented the proposed revision to section 635-84 "Accessory uses or structures". The proposed change is to go back to a 15 foot height restriction for detached accessory structures. If someone would like to go higher than 15 feet they would then need to apply for a conditional use. **Otwell/Daugherty motion to approve the 1st reading of ordinance 01-21 "Section 635-84" Accessory uses or structures" passed without a negative voice vote.**

The committee discussed the propose ordinance for open burning. Several proposals were added to the ordinance including fires permitted for 3 hour maximum, must be extinguished by 11:00 pm, clean dry wood can only be burned, someone 16 or older must supervise the fire at all times, charcoal lighter is the only fluid which can be used to start the fire, there must be a means to extinguish the fire readily available and no fire in winds over 15 miles per hour. Alderperson Daugherty asked how the 3 hours are going too monitored. Alderperson Hintz stated enforcement would be complaint based. Alderperson Otwell asked if this ordinance would be applied to smokers. It will not be applied to smokers. Mayor Hovel asked why we are changing ordinances based off of one complaint. The ordinance for nuisance can also be used in the area of open burning. Alderperson Oss stated last spring and summer when the establishments were ordered closed residents basically brought the bars to their homes and would sit outside with fires going on. He said at times there were 8 to 10 fires going on within his neighborhood. Alderperson Ruona stated she would find it hard to defend some of the changes in court. She agreed

she could go along with the safety issues. Alderpersons Daugherty and Gergen stated the ordinance should be left as it is currently written. The consensus of the council is for it to go back to ordinance committee.

The Council reviewed the proposed changes to the swimming pool ordinance. All pools over 15 inches will be required to have a fence around it or a fence which encloses the entire yard. Mayor Hovel questioned the height of the fence which is proposed in the ordinance as 4 feet. Mayor Hovel questioned if the pool was hard sided and over 4 feet won't that be the same as a fence. An additional proposal is that any pool over 15 inches would require an annual permit. It was questioned if the permit needed to be an annual permit. There was also discussion on if a resident could put up a temporary fence or does it need to be a permanent fence. City Administrator Jayne Brand stated there will be additional costs for anyone who has a pool over 15 inches as the cost for a fence permit is \$30 per 50 feet. Mayor Hovel also stated he feels there should be a cost attached to the annual permit as it is going to take staff time. **Otwell/Hintz motion to approve the 1st reading of ordinance 03-21 "Swimming Pools" passed by a majority vote with Gergen and Daugherty voting nay.**

Other Business:

Jamie Knox stated the reason for the annual permit is so that the fence and gates can be checked. David Palme stated the changes in the ordinance is not to take away residents rights to have recreational fires. David encouraged the Mayor and Council to review the information he sent to them.

Ruona/Otwell motion to adjourn passed without a negative voice vote.

Respectfully Submitted,

Jayne M. Brand
City Administrator