

LEGISLATIVE COMMITTEE

A meeting of the Legislative Committee was called to order by Chairman Antoine on Monday, February 6, 2023 at 6:59 P.M.

Members present: Antoine, Coenen, Moore, and Thiele.

Also present: Mayor Penterman, Attorney Davidson, Alder DeCoster, Alder Eggleston, Alder Kilgas, Alder Schell, DPW/Eng. Neumeier, Street Sup. Van Gompel, HR Dir. Swaney, Street Foreman Nelson, Fin. Dir. Van Rossum, Planner Stephenson and interested citizens.

1. Correspondence - none.

2. Discussion Topics.

a. Update to 11.11 Waste - Ordinance Review.

City Staff have been working on updates to Municipal Code 11.11 Waste Material for several months. We are bringing back a final draft for Legislative Committee discussion and approval. Discussion was held and questions answered.

Motion by Thiele, seconded by Coenen to approve, and recommend approval to the Common Council, proposed ordinance 1875-2022 Ordinance repealing and recreating Section 11.11 Waste Material, and direct staff to present the proposed ordinance update in an informational campaign and/or hold a public informational meeting.

Motion by Moore to table this discussion. Moore rescinds his motion to table.

A vote was not taken on motion by Thiele to approve and recommend approval to the Common Council, proposed ordinance 1875-2022 Ordinance repealing and recreating Section 11.11 Waste Material, and direct staff to present the proposed ordinance update in an informational campaign and/or hold a public informational meeting.

Motion by Thiele, seconded by Coenen to direct staff to make recommended changes to Municipal Code Section 11.11 and bring back to the Legislative Committee for review and approval.

All members voted aye.

Motion carried.

b. Payment plan for Special Charges code violation abatements.

Finance Director Van Rossum stated the City has some recent special charges that have been issued to property owners that have spurred conversation on how the City can make it easier for property owners to pay these charges as well as increase the probability of getting back the expended funds that come along with these code violation abatements. Special charges include things like snow removal and lawn cutting, razing, and debris/junk removal expenses. Per the statutes, snow removal from sidewalks, lawn and tree cutting are expressly included in the statutes as allowable for a "special charge," allowing these to be put on the tax bill. However, things like razing, debris/junk, or any other abatement of code violation do not qualify to be transferred to the tax roll. For these other abatement charges, the city can place a lien on the property until it is paid. This is a mechanism to try and collect the cost of these various abatement expenditures before a property switches owners. The lien does not force a payment until the property is turned over. It typically is not a proactive approach to getting the cost back from the abatement. To be proactive on this collection effort, we would like to explore a payment plan for any special charge/abatement code violation over a certain amount. Based on the amount it could be enrolled in a payment plan with an interest rate close to what the local Credit unions and banks are charging. The term can be based on amount. The higher the amount the longer the term. An example of how this can look is in the table below.

Tiered Amount	Term	Rate
Less than \$1,000	1-year term	Unison 3-year arm rate +.5%
Between \$1,000 and \$5,000	3-year term	Unison 3-year arm rate +.5%
Between \$5,000 and \$7,000	5-year term	Unison 5-year arm rate +.5%
Greater than \$7,000	10-year term	Unison 7-year arm rate +.5%

This payment plan gives the property owner the option to pay the abatement violation in full, on a payment plan or go to a financial institution to finance the expense. Rather than waiting for the lien to come up in a title search as the property is being sold, with a payment plan we believe our collection rate will be higher as well as expedited. Community Development Block Grant (CDBG) is another option depending on the abatement situation. CDBG is a regional program that offers Zero percent deferred loan payment housing rehabilitation loans to low- and moderate- income (LMI) owner-occupied households. Projects could include such actions as replacement of private water or wastewater systems, new electrical or plumbing systems, lead paint or asbestos abatement, roof replacement, or any other rehabilitation deemed necessary to meet housing quality standard (HQS) inspection. Discussion was held and questions answered.

Motion by Antoine, seconded by Moore to direct city staff to come back with a payment plan to be offered to property owners that have a code violation fee that cannot be transferred to the tax roll for collection; as well as, come up with an ad-hoc committee to review the fee structure and bring it back to the Council.

All members voted aye.

Motion carried.

c. Ordinance Update to Chapter 17.22(2) Commercial Highway District – Wholesale and Warehousing.

Planner Stephenson stated in reviewing the Commercial Highway District (CHD) zoning district regulations, a permitted use within the district is wholesaling and warehousing. While staff feels this use should not be disallowed, it should be in conjunction with a primary commercial activity and not purely wholesaling or warehousing. Wholesaling and warehousing as a standalone use is more appropriate within one of our industrial districts, which permit both uses by right. An amendment is being proposed to update the CHD that would allow wholesaling and warehousing only when another primary commercial business is on the site.

Motion by Coenen, seconded by Moore to approve the ordinance update to 17.22(2) Commercial Highway District (CHD) as presented and forward the updated ordinance to the Common Council.

All members voted aye.

Motion carried.

3. Adjourn.

Motion by Thiele, seconded by Moore to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:42 p.m.

Sally Kenney, Clerk