



CITY OF MINERAL POINT

137 HIGH STREET, SUITE 1
MINERAL POINT, WI 53565
608-987-2361

AMENDED AMENDED AGENDA

CITY OF MINERAL POINT ORDINANCE & CLAIMS COMMITTEE MEETING

Thursday, December 19, 2024 4:30 PM

City Hall Community Room

1. Call to Order, Roll Call, and Confirmation of Compliance with the Open Meetings Law.
2. Approval of January 30, 2024 Minutes.
3. Discussion and consideration of amending Section 50.06(A)(4) of the Municipal Ordinance related to yard waste and brush.
4. Discussion and consideration of amending Chapter 73 of the Municipal Ordinance related to the location of a stop sign at the intersection of Nichols and Water Streets.
5. Discussion and consideration of amending Chapter 74 of the Municipal Ordinance related to No Parking designations for Alice, Copper, Front, Henry, South Iowa, Maiden, and S. Wisconsin Streets, alternate side parking exemption on Henry Street., and violation forfeiture.
6. Discussion and consideration of amending Section 92.05(E) and 92.05(M) of the Municipal Ordinance related to tree limbs and weed removal as public nuisances.
7. Discussion and consideration of amending Section 130.33(B) of the Municipal Ordinance to define motor vehicles and Section 130.035 of the Municipal Ordinance to amend language regarding littering.
8. Discussion and consideration of amending Sections 130.066(A), 130.067(A), and 130.068(A) of the Municipal Ordinance to amend the value thresholds of property offenses.
9. Discussion and consideration of disallowing claim against the City of Mineral Point, Iowa County, Wisconsin by Paul Mohlmann seeking reimbursement for property damage.
10. Adjourn.

Agenda Posted and Distributed: Thursday, December 12, 2024

Amended Agenda Posted and Distributed: Friday, December 13, 2024

Amended Amended Agenda Posted and Distributed: Tuesday, December 17, 2024

Reasonable accommodations for participation in this meeting by persons with disabilities, as defined by the Americans with Disabilities Act, will be made upon request and if feasible. Please contact the City Clerk's office (608-987-2361) at least 24 hours prior to the scheduled meeting so that necessary accommodations can be provided.

OFFICE OF THE CITY CLERK-TREASURER

Mayor – Danny Clark

City Administrator | Matthew Honer | administrator@cityofmineralpointwi.gov

City Clerk-Treasurer | Christy Skelding | cityclerk@cityofmineralpointwi.gov



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MINUTES

CITY OF MINERAL POINT ORDINANCE & CLAIMS COMMITTEE MEETING

Tuesday, January 30, 2024, 7:00 PM
City Hall Community Room

1. Call to Order, Roll Call, and Confirmation of Compliance with the Open Meetings Law.

Chair Weier called the meeting to order at 7:00pm.

Jared Weier, Chair	Present
Dave McCoy	Present
Danny Clark	Present
Others Present: Clerk-Treasurer Christy Skelding, Administrator Matt Honer	

APPROVAL OF NOVEMBER 20, 2023 MINUTES

Motion (Clark/Weier) to approve November 20, 2023 minutes. Motion carried, all voting aye (3-0).

PUBLIC HEARING – REGARDING AMENDING ORDINANCE 72.085 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES AND ROUTES, REVISING ROUTES AND HOURS OF OPERATION

Motion (McCoy/Weier) to open the public hearing at 7:01pm. Motion carried, all voting aye (3-0).

Kathleen Nutter – 232 High Street: Ms. Nutter owns, lives, and works at her property on High Street. She has previously brought UTV/ATV issues to the City Council. Stated she spoke with numerous visitors during a two year trial period. Most visitors stated they would stop returning to “that kind of City”. She asks to please keep off-road vehicles off of High Street and reduce their presences off the historic overlay.

Steph McKeon – 670 Oak Street: Ms. McKeon is a citizen and current member of Pointer Prowlers. She is asking the committee to consider opening High Street and Commerce street to ATV/UTV traffic. She stated that people who visit from out of town ask why they aren’t allowed to explore the City. The way the current ordinance is, there is no handicap access. Someone who has COPD or can’t walk up stairs, can’t patronize our locations as they aren’t allowed on High Street. Would like to match the current county and township ordinances and hours on the cheese county trail. At this time, she is unaware of any major issues since original ordinance was passed. She also asked the committee to consider extending the sunset clause.

Pat Yanna – 630 Church Street: They own an RV and ATV’s. ATV’s have brought a lot of money to Darlington. People in Darlington say they don’t feel welcomed in Mineral Point. They wonder why they can’t go up main street.

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Terry Lauffer – 811 Ridge Street: There are thousands of miles of trails in the state and they bring in so much revenue to businesses. Brings money to everyone. They don't hurt anything. If there is a problem, the Police Department takes care of it.

Sean Henninger – 20 Commerce Street: Stephanie mentioned that she doesn't know of any problems, but Kathleen said she has experienced problems. Is there somewhere to call without calling the police regarding some issues? Is there a possibility of having a committee to direct these to? The DNR has complete control over them so you could contact the DNR. Sean has no opinion on the matter as of right now. The Tavern League is very much in favor for the financial boom it brings. He's trying to form an opinion.

Angie Ludlum – 614 Commerce Street: Ms. Ludlum is part of Pointer Prowlers, and didn't own a UTV until the streets opened in Mineral Point. She didn't want to have to trailer her machine for 2 blocks to get to the trail. Her son is 11 and they UTV all the time. These machines cost a lot of money, people aren't usually goofing around and tearing things up. People get confused by High Street and the two blocks of Commerce Street. Matching the trail times is important to go to other communities and other events. She doesn't notice UTV's any more than motorcycles or loud trucks on Commerce Street.

John Spady – 111 Jail Alley: Owns the Mineral Point Hotel. In the 8 years he's run a hotel in this town, he averages 1,000 reservations a year. He has never had one person come to him and say they wish there weren't ATV's here.

Carole Spelic – 261 High Street: Owner of Green Lantern Studios and lives upstairs. Just wanted to say, she never had a client who came to them on an ATV. It's great if they are coming to town to spend money, but they are spending in the bars, not her art gallery. This isn't impactful for her. She would lean on the side of having those folks in town, but a lot of our visitors do come here because they do like the historic aspect of the City. ATV gets in the way of visitors seeing that.

Nathan Gieseke – 215 High Street: New resident to High Street, previous address was on very first ATV trail. There was loud noise from it. There were people not respectful of the speed limit. Having previous vehicles with muffler problems, going up High Street was embarrassing for him. ATV shoppers/bars, they don't have a back seat to put merch, they are going to the bars.

Joy Gieseke – 215 High Street: Ms. Gieseke has been a part of this discussion for 23 years and has had strong opinions, but has less strong opinions now. She doesn't think ATV's have to kill Mineral Point. She is also a shop keeper and has never seen anyone come in to her shop from an ATV, but it hurts her to her core to hear that there are people who don't feel welcome. That's what Mineral Point is about.

Kathleen Nutter – 232 High Street: Ms. Nutter would like to add that we're talking about the vehicles which she has video of and decimeter data of how loud these can be. She believes the City could use a noise ordinance that would help other vehicles that are also too loud.

Dorene Tieman – 325 Doty Street: Member of Prowlers. Not opposed to opening up streets and expanding hours. People who come from out of town don't always know what Mineral Point has to offer. They go to bars because there is signage. Those businesses have put up signage about them being open. They want to come here, shop and give us business. But having our community the way it is with our current ordinance is prohibiting.

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John Rury – 411 S. Iowa Street: They have several customers from Iowa and Illinois who come here every year. They would really appreciate being able to look at the architecture and look at the shops. Same with shops on Fountain Street. He has seen an increase because they were allowed on Fountain Street.

Claire Johnston – 421 Commerce Street: Ms. Johnston doesn't have a strong force in this game. Her takeaway is that there are two very opposite ends of the spectrum of pro-ATVs, and an avenue who doesn't want that, especially downtown. There's a way for this Council to be diplomatic to give both sides what they want by keeping it the way it is.

Liz Carter – 58 Shakerag Street: Ms. Carter owns 252 High Street. This is a new business on High Street. She came to this town and wanted to put a lot of her life and effort into this town. Currently, Shakerag Street is open to ATV traffic. In her neighborhood, the amount of noise is a lot. There tends to not just be one, but tends to be several. She believes there is a situation in regards to traffic on High Street - Parking issues, two-way street, etc. It increases the stress of more vehicles on High Street. The noise on Shakerag Street has increased.

Brittany Booth – 530 Church Street: Ms. Booth stated they ride Harley's and are part of the ranger club. The rangers are not allowed on the street after 11:00pm, but "we get on our Harley and rip and roar up the street and set off car alarms. We don't try to make noise, but we can go around on our Harley and can drive past anyone's house at anytime. But people getting to the trail from their house is an issue?"

Motion (Clark/McCoy) to close the public hearing at 7:35pm. Motion carried, all voting aye (3-0).

PUBLIC HEARING – REGARDING AMENDING SCHEDULE I. ONE-WAY STREETS OF CHAPTER 73 OF THE MUNICIPAL CODE, MAKING WISCONSIN STREET BETWEEN DOTY STREET AND JAIL ALLEY ONE-WAY, ENTRANCE FROM DOTY STREET (SOUTHBOUND TRAFFIC) ONLY.

Motion (McCoy/Clark) to open the public hearing at 7:35pm. Motion carried, all voting aye (3-0).

Nathan Gieseke – 215 High Street: Turning up Doty Street isn't safe. It's a scary intersection. Highly agrees with recommendation.

Dorene Tiemen – 325 Doty Street: This is the best decision Mineral Point could make to make that street one-way. It is very hazardous.

Molly Huie – 148 High Street: As a pedestrian, that intersection is super challenging to try to get across. Sometimes you just run.

Carole Spelic – 261 High Street: Not an inconvenience to close that block.

Debbie Filut – 307 High Street: The retaining wall is the back of her property. She is not opposed to one-way from Doty Street going south.

Motion (Clark/McCoy) to close the public hearing at 7:41pm. Motion carried, all voting aye (3-0).

DISCUSSION OF AMENDING ORDINANCE 72.085 ALL TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES AND ROUTES, REVISING ROUTES AND HOURS OF OPERATION.

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Alder Weier thanked the residents for voicing their opinions. He stated there is a lot to consider with this item, and there will be no discussion at this time.

No action taken.

CONSIDERATION OF ORDINANCE 2024-02, AN ORDINANCE TO AMEND SCHEDULE I (TIME LIMITED PARKING) OF CHAPTER 74 OF THE MUNICIPAL CODE, ADDING TIME-LIMITED PARKING ON A PORTION OF COMMERCE STREET.

This item was discussed at the last Ordinance & Claims meeting. The area of discussion is the patient pick-up/drop-off location in front of the Dean Clinic on Commerce Street. There is currently no accessible disability/handicapped parking in this location on Commerce Street. The section of street is currently "No Parking",

Motion (McCoy/Clark) to recommend Council approval of Ordinance 2024-02, an ordinance to amend schedule I (Time Limited Parking) of Chapter 74 of the Municipal Code, adding time-limited parking on a portion of Commerce Street. Motion carried, all voting aye (3-0).

CONSIDERATION OF ORDINANCE 2024-03 AN ORDINANCE TO AMEND SCHEDULE I (ONE-WAY STREETS) OF CHAPTER 73 OF THE MUNICIPAL CODE, ADDING WISCONSIN STREET BETWEEN DOTY STREET AND JAIL ALLEY (SOUTHBOUND TRAFFIC ONLY).

Motion (Clark/McCoy) to recommend Council approval of Ordinance 2024-02, an ordinance to amend schedule I (One-Way Streets) of Chapter 73 of the Municipal Code, adding Wisconsin Street between Doty Street and Jail Alley (Southbound Traffic Only). Motion carried, all voting aye (3-0).

CONSIDERATION OF ORDINANCE 2024-04, AN ORDINANCE TO AMEND SCHEDULE V (ALTERNATE SIDE PARKING EXEMPTION) OF CHAPTER 74 OF THE MUNICIPAL CODE, ADDING AN ALTERNATE SIDE PARKING EXEMPTION FOR THE 300 BLOCK OF SIXTH STREET.

With more houses on this portion of 6th Street and more people living there, it is easier for the snowplow drivers if everyone parks on the South side of the street, instead of following alternate side parking. All of the residents of the street are okay with the change.

Motion (Clark/McCoy) to recommend Council approval of Ordinance 2024-04, an ordinance to amend Schedule V (Alternate Side Parking Exemption) of Chapter 74 of the Municipal Code, adding an alternate side parking exemption for the 300 block of Sixth Street. Motion carried, all voting aye (3-0).

UPDATE ON OTHER ORDINANCES AND CLAIMS MATTERS.

At the February Council meeting, Council will look and potentially take action on how the City spends ARPA funds. On the proposed ARPA plan, it is suggested to use some of the ARPA funds toward updating the City's ordinances. Attorney Brownlee has provided a preliminary estimate of approximately \$18,000-20,000.

ADJOURN

Motion (Clark/McCoy) to adjourn at 7:52 pm. Motion carried, all voting aye (3-0).

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PARKING – S. Wisconsin St

A new resident has moved into the duplex on the corner of 9th Street and S Wisconsin Street. They have multiple vehicles and regularly park on S. Wisconsin Street between 9th Street and 8th Street/Filardo Court. This block of S. Wisconsin Street is narrower than the blocks to the north. The street department advised they will not have room to get through with the plows in the winter. They would like the ordinance committee to consider making this portion of S. Wisconsin no parking on either side. I reviewed the request and would recommend no parking on either side, year around.

PARKING – Copper St

While dealing with some parking and signage issues on Copper Street near the swimming pool I went to look up the ordinance for verification. I cannot find an ordinance restricting parking on Copper Street between Shake Rag St and Merry Christmas Lane. It is currently signed as no parking on either side.

PARKING – Alice St.

Alice Street currently has no restriction on parking and was seldom used for parking. Recently a tenant of the Alice St apartment began parking in the street instead of the apartments' designated parking lot. The road is narrow and plowing along vehicles parked on either side is difficult. The street department is requesting no parking on either side. I agree with this request and believe the parking restrictions should be year-round. Except for the apartment building, no residences face Alice Street and I don't believe the year around restrictions will hamper residential parking.

THEFT & CDTP – raise charging threshold above \$100

The current property value threshold for the city to issue a non-criminal citation for a theft or criminal damage to property (CDTP) offense is set by ordinance at \$100 or under. The district attorney currently does not except theft charges unless the property is valued at \$250 or more. I recommend further discussion to consider raising the Theft (130.066), CDTP (130.067) and Retail Theft (130.068) ordinance threshold to at least \$500.

PARKING – Maiden St

The ordinance was recently changed to allow handicap parking on the north side, directly in front of the church. Due to concerns of traffic having issues making the corner at S. Chestnut and concerns Maiden was too narrow for Emergency vehicles (ambulance pulling up to front doors) to pass, the new ordinance prohibits parking on the south side directly across from the handicap zones. After the ordinance was passed, UCC requested to keep the south side open to parking. The city has not placed no parking signs on the south side and wanted to do a trial run to see if there are issues.

The police dept has monitored the parking during church events and has not noticed any significant issues allowing parking on both sides of the street. I recommend changing the ordinance to allow parking on the south side of the street.

PARKING - time restrictive Front St and S, Iowa St

The school and the school's busing company are requesting a change to ordinance #754 regarding time limited parking along a portion of S. Iowa Street and Front Street.

The current ordinance and signage cover the morning drop off times but does not include the afternoon pick up times. People generally don't park here in the afternoons but when they do, it is a safety and traffic flow issue. I would recommend the committee look at extending the no parking restriction during the entire school day when school is in session.

Note: ordinance 754 was from 2012 but missed in the 2013 ordinance recodification update.

JUNK – add definition of motor vehicle

The definition of a motor vehicle is not defined in Junk ordinance 130.033. The following highlighted text is the city attorney's thoughts. For clarity, I believe the state definition of a motor vehicle should be added to the junk ordinance.

Technically, "motor vehicle" is not defined in that chapter, so we could start by looking at the plain meaning of it to interpret the ordinance (a vehicle powered by a motor). However, we could look to other chapters of your code or statutes to help clarify the meaning. Sec. 154.03 of the zoning code defines motor vehicle as "Any passenger vehicle, truck, truck-trailer, or semi-trailer propelled or drawn by mechanical power." That is a pretty broad definition but it is not clear what "passenger vehicle" encompasses. Is that any vehicle that can carry a passenger or is it more limited? I believe looking to the definition in Wis. Stat. sec. 340.01(35) may be more helpful:

340.01(35) "Motor vehicle" means a vehicle, including a combination of 2 or more vehicles or an articulated vehicle, which is self-propelled, except a vehicle operated exclusively on a rail. "Motor vehicle" includes, without limitation, a commercial motor vehicle or a vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails. A snowmobile, an all-terrain vehicle, a utility terrain vehicle, an electric scooter, and an electric personal assistive mobility device shall be considered motor vehicles only for purposes made specifically applicable by statute. "Motor vehicle" does not include an electric bicycle.

That definition is also broad, but provides more clarity.

I believe it would be a good idea to add a definition for "motor vehicle" in the junk ordinance to provide clarity. Most of my other municipal clients just reference Wis. Stat. sec. 340.01(35) for the definition. I believe that would be appropriate here.

ORDINANCE NO. 2025 - XX

AN ORDINANCE TO AMEND SECTION 50.06(A)(4) OF THE MUNICIPAL CODE OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN

THE COMMON COUNCIL OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 50.06(A)(4) of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

(4) Yard waste is not collected by the city. Leaves, grass clippings, yard, and garden debris are considered yard waste. Yard waste should be taken to the City's designated compost site. Brush is collected by the city on designated days. Branches and sticks are considered brush. Brush should be placed out for pick up on designated days and should not be longer than 6 feet or thicker than 6 inches in diameter.

Section II. This ordinance shall be effective upon its passage and publication as required by law.

Adopted and approved this 14th day of January 2025.

Danny Clark, Mayor

ATTEST:

Christy Skelding, City Clerk

Date adopted: _____
Date recorded: _____
Date published: _____
Effective date: _____

ORDINANCE NO. 2025 - XX

AN ORDINANCE TO AMEND SCHEDULE II OF CHAPTER 73 OF THE MUNICIPAL CODE OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, RELATING TO STOP SIGNS

THE COMMON COUNCIL OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Schedule II of Chapter 73 of the Municipal Code of the City of Mineral Point is hereby amended to include the following:

SCHEDULE II. STOP SIGNS

<i>Street/Intersection</i>	<i>Direction</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Nichols Street and Water Street	Facing Nichols Street	2025 - XX	01-14-2025

Section II. This ordinance shall be effective upon its passage and publication as required by law.

Adopted and approved this 14th day of January 2025.

Danny Clark, Mayor

ATTEST:

Christy Skelding, City Clerk

Date adopted: _____
Date recorded: _____
Date published: _____
Effective date: _____

ORDINANCE NO. 2025 - XX

AN ORDINANCE TO AMEND CHAPTER 74: PARKING SCHEDULES OF THE MUNICIPAL CODE OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN

THE COMMON COUNCIL OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Schedule III of Chapter 74 of the Municipal Code of the City of Mineral Point is hereby amended as follows:

SCHEDULE III. NO PARKING AREAS

<i>Street</i>	<i>Location</i>	<i>Limitation</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Alice Street	From Mineral Street to Garden Street	No Parking either side	2025 - XX	01-14-2025
Copper Street	From Shake Rag Street to Merry Christmas Lane.	No Parking either side	2025 - XX	01-14-2025
Front Street, north side	From Cothorn Street to South Iowa Street	No parking from 7:30 a.m. to 8:10 a.m. 4:00 p.m. on school days.	754 <i>Amended:</i> 2025 - XX	01-4-2012 <i>Amended:</i> 01-14-2025
Henry Street	From High Street to Fountain Street	No Parking on the east side of the street.	2025 - XX	01-14-2025
South Iowa Street, east side.	From Front Street to Maiden Street	No parking from 7:30 a.m. to 8:10 a.m. 4:00 school days	754 <i>Amended:</i> 2025 - XX	1-4-2012 <i>Amended:</i> 01-14-2025

Maiden Street	From the east edge of the property at 319 Maiden Street to Front Street.	No parking on the north side of the street, with the exception of the two parking stalls reserved for persons with disabilities. No parking on the south side of the street between S. Chestnut Street and 80' west of S. Chestnut Street, opposite the two parking stalls reserved for persons with disabilities.	2023 – 14 <i>Amended:</i> 2025 - XX	12-12-2023 <i>Amended:</i> 01-14-2025
S. Wisconsin Street	From 9 th Street to 8 th Street	No Parking either side	2025 - XX	01-14-2025

Section II. Schedule V of Chapter 74 of the Municipal Code of the City of Mineral Point is hereby amended as follows:

SCHEDULE V. ALTERNATE SIDE PARKING EXEMPTION.

<i>Street</i>	<i>Location</i>	<i>Limitation</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Henry Street	From High Street to Fountain Street	Parking is limited to the west side of the Street. No parking from 2:00 a.m. to 6:00 a.m.; from November 1 until April 1	- <i>Amended:</i> 2025 - XX	- <i>Amended:</i> 01-14-2025

Section III. Chapter 74 of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

Except as otherwise provided in this Municipal Code, the forfeiture for a violation of Chapter 74 shall be \$20.00.

Section III. This ordinance shall be effective upon its passage and publication as required by law.

Adopted and approved this 14th day of January 2025.

Danny Clark, Mayor

ATTEST:

Christy Skelding, City Clerk

Date adopted: _____

Date recorded: _____

Date published: _____

Effective date: _____

DRAFT

ORDINANCE NO. 2025 - XX

AN ORDINANCE TO AMEND SECTION 92.05 OF THE MUNICIPAL CODE OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, REGARDING TREE LIMBS AS A PUBLIC NUISANCE AFFECTING PEACE AND SAFETY AND SPECIAL ASSESSMENT FOR WEED REMOVAL ON PRIVATE PROPERTY

THE COMMON COUNCIL OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 92.05(E) of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

(E)*Tree limbs.* Trees standing in and upon any public way, public area, or upon any private property adjacent to any public way shall be kept trimmed so that the lowest branches projecting over any street or alley provide a clearance of not less than fourteen (14) feet, and any branches projecting over any public sidewalk or trail provide a clearance of not less than 10 (10) feet. Such clearance requirements shall be as measured during full foliage.

Section II: Section 92.05(M) of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

(M)*Special Assessment for weed removal on private property.* If a private citizen or business allows his, her, or its property to become in such a condition as to be overrun with weeds, grasses, or other vegetation so as to require mowing, and that condition continues for a month, the street crew for the city, upon giving a 10-day notice to the landowner, shall mow the private premises, at an assessment to the landowner determined by the City's most recently adopted fee schedule.

Section III. This ordinance shall be effective upon its passage and publication as required by law.

Adopted and approved this 14th day of January 2025.

Danny Clark, Mayor

ATTEST:

Christy Skelding, City Clerk

Date adopted: _____
Date recorded: _____
Date published: _____
Effective date: _____

ORDINANCE NO. 2025 - XX

AN ORDINANCE TO AMEND SECTION 130.033(B) AND 130.035 OF THE MUNICIPAL CODE OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, DEFINING MOTOR VEHICLES AND AMENDING LANGUAGE REGARDING LITTERING.

THE COMMON COUNCIL OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 130.033(B) of the Municipal Code of the City of Mineral Point is hereby amended to include the following:

(B) *Definitions*

MOTOR VEHICLE. As defined by Wis. State. Sec 340.01(35)

Section II: Section 130.035 of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

No person shall throw any glass, refuse or waste, brush or yard waste, filth or other litter upon the streets, alleys, highways, public parks or other property of the city or upon private property or upon the surface of any body of water within the city.

Section III. This ordinance shall be effective upon its passage and publication as required by law.

Adopted and approved this 14th day of January 2025.

Danny Clark, Mayor

ATTEST:

Christy Skelding, City Clerk

Date adopted: _____
Date recorded: _____
Date published: _____
Effective date: _____

ORDINANCE NO. 2025 - XX

AN ORDINANCE TO AMEND SECTIONS 130.066(A), 130.067(A), AND 130.068(A) OF THE MUNICIPAL CODE OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN

THE COMMON COUNCIL OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 130.066(A) of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

(A) *Prohibited.* No person shall intentionally take and carry away, use, transfer, conceal or retain possession of movable property of another without his or her consent and with intent to deprive the owner permanently of possession of the property where the value is less than ~~\$100~~ \$250.

Section II: Section 130.067(A) of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

(A) No person shall intentionally cause damage to any physical property of another without the person's consent, where the property is reduced in value by ~~\$100~~ \$250 or less.

Section III: Section 130.068(A) of the Municipal Code of the City of Mineral Point is hereby amended to read as follows:

(A) No person shall intentionally alter indicia of price or value of merchandise or take and carry away, transfer, conceal or retain possession of merchandise held for resale by a merchant or property of the merchant having a value of under ~~\$100~~ \$250 without his or her consent and with intent to deprive the merchant permanently of possession or the full purchase price.

Section IV. This ordinance shall be effective upon its passage and publication as required by law.

Adopted and approved this 14th day of January 2025.

Danny Clark, Mayor

ATTEST:

Christy Skelding, City Clerk

Date adopted: _____

Date recorded: _____

Date published: _____

Effective date: _____



12/19/2024

Mineral Point, Wisconsin

☒ New Business ☐ Unfinished Business ☐ Reports ☐ Closed Session ☐ Ordinance/Resolution	Meeting: Ordinance & Claims Committee
Department Reporting: Administration	Submitted by: Matthew Honer
<u>Issue:</u> Discussion and Consideration of disallowing claim against the City of Mineral Point, Iowa County, Wisconsin by Paul Mohlmann seeking reimbursement for property damage.	
<u>BACKGROUND/ANALYSIS:</u> Per conversation between the City Administrator, City Clerk, Insurance Claims Specialist and City Attorney. A "statutorily correct Formal Notice of Loss or Claim is in place". A City tree fell over in a storm and resulted in the power service being pulled from Paul Mohlmann's house. The tree was healthy, and the City had no notice of any issue with the tree. The root structure under the tree may have been compromised by the high groundwater; but even if proven true, such was unnoticed to the City. Although the loss involves a City tree, the insurance company recommends that the claim be disallowed as the City is obviously not liable for the weather event causing a healthy tree to fall over. The insurance company suggests the City NOT make a unilateral payment, for this would set a precedent of City action. Per the City's attorney: "With the notice of claim requirements fulfilled, the City has 120 days (until 1/20/25) to serve a notice of disallowance of the claim pursuant to Wis. Stat. sec. 893.80(1g). If we serve such a notice of disallowance (via certified mail w/ return receipt) before 1/20/25, that shortens the amount of time the claimant has to bring a suit against the City to 6 months (from receipt of the notice of disallowance). If we do not serve a notice of disallowance by 1/20/25, the claim is deemed disallowed automatically, but the claimant would have 6 years from the date of the loss to bring a claim against the City (the normal statute of limitations for this sort of claim)." "I would advise the City strongly consider issuing the notice of disallowance."	
<u>RECOMMENDATION:</u> Recommend Council Disallow the Claim against the City of Mineral Point by Paul Mohlmann.	
<u>FISCAL IMPACT:</u>	
<u>ATTACHMENTS:</u>	

RESOLUTION NO. _____

RESOLUTION DISALLOWING CLAIM

WHEREAS, a notice of claim was filed against the City of Mineral Point, Iowa County, Wisconsin, by Paul Mohlmann, seeking reimbursement for property damage; and

WHEREAS, said notice of claim was served on the City Clerk on October XX, 2024;

WHEREAS, the Common Council has considered and discussed said claim and the recommendation of the City's insurer;

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MINERAL POINT, IOWA COUNTY, WISCONSIN, AS FOLLOWS;

1. The claim of Paul Mohlmann shall be and hereby is disallowed. All other relief sought, if any, is further disallowed.

2. The City Clerk is hereby directed to notify Paul Mohlmann of said disallowance in the manner provided under Wis. Stat. sec. 893.80(lg).

Adopted and approved this 14th day of January 2024.

Danny Clark, Mayor

ATTEST:

Christy Skelding, City Clerk

It was moved by _____ and seconded by _____ that the foregoing resolution be adopted. The following voted Aye:

The following voted No: _____

The Mayor declared the resolution adopted.

NOTICE OF DISALLOWANCE OF CLAIM

TO: Paul Mohlmann
413 S. Wisconsin St.
Mineral Point, WI 53565

RE: Claim against the City of Mineral Point re: damage resulting from tree falling

You, Paul Mohlmann, on **October XX, 2024**, served a notice of claim and claim on Christy Skelding, Clerk of the City of Mineral Point, Iowa County, Wisconsin.

By this NOTICE OF DISALLOWANCE, you are hereby notified of the disallowance of said claim and each and every portion thereof as set forth in your claim and any attachments thereto.

YOU ARE HEREBY FURTHER NOTIFIED, pursuant to the provisions of Wis. Stat. sec. 893.80(1g), that no action on this claim against the City may be brought after six months from the date of service of this notice.

This notice is served upon you by order and direction of the Common Council of the City of Mineral Point.

Dated this _____ day of January 2025.

BY: _____
Christy Skelding, City Clerk