

UNOFFICIAL
COMMON COUNCIL MEETING
CITY OF WISCONSIN DELLS
March 16, 2026

Mayor Wojnicz called the meeting to order at 6:30PM. Notice of the meeting was provided to the *Dells Events*, WNNO Radio, and posted in accordance with State Statutes.

1. Present: First District Ald. Brian Holzem & Ald. Troy Ryan, Second District Ald. Mike Freel & Ald. Terry Marshall; Third District Ald. Ben Anderson & Ald. Dan Anchor; Mayor Ed Wojnicz (VIA ZOOM)

 Others: Clerk/Treasurer Lisa McClyman, Director of Public Works Chris Tollaksen, Police Chief Nicholas Brinker, Fire Chief Ryan Ennis, City Attorney Joseph Hasler.
2. Pledge of Allegiance was said.
3. Motion by Ald. Holzem seconded by Ald. Anderson to approve the following consent agenda items:
 a. February 16, 2026 Common Council meeting minutes; b. Schedule of Bills Payable. Motion carried unanimously.
4. There were no public appearances.
5. Mayor Wojnicz called the Public Hearing open to act upon a Final Resolution in order to vacate part of Iowa Avenue right-of-way and part of Elm Street right-of-way, Kilbourn City in Columbia County. No one came forward to speak at the Public Hearing. Mayor Wojnicz called the Public Hearing Closed.
6. Ald. Brian Holzem read the 2026 Arbor Day Proclamation.
7. Motion by Ald. Anchor seconded by Ald. Holzem to approve an application for a Special Event Permit submitted by Downtown Events LLC/BID, for The Egg-Stravaganza Scavenger Hunt for the licensing period of March 28, 2026. Motion carried unanimously.
8. Motion by Ald. Ryan seconded by Ald. Anderson to approve an application for a Special Event Permit submitted by Central Wisconsin Community Action Council, for Wisconsin Dells Community Action Council 60th Anniversary & Fundraiser for the licensing period of May 19, 2026, with a request to waive the fee. Motion carried unanimously.
9. Motion by Ald. Freel seconded by Ald. Marshall to approve an application for a Peddler/Solicitor Permit submitted by Dells Scouting Troop 66, Troop 7066 and Pack 79, for Fundraising for the licensing period of March 18, 2026 through March 1, 2027 with a request to waive the fee. Motion carried unanimously.
10. Motion by Ald. Ryan seconded by Ald. Anchor to approve an original Quota Plus Class "B" Beer and "Class B" Liquor License submitted by Uphoff Resorts LLC, DBA The Dellshire Resort, located at 2277 Dellshire Drive for the licensing period of March 17, 2026 through June 30, 2026.
11. Motion by Ald. Holzem seconded by Ald. Ryan to approve an original Class "B" Beer and "Class B" Liquor License submitted by Broadway LLC, DBA Swagat Indian Cuisine, located at 232 Broadway for the licensing period of March 17, 2026 through June 30, 2026.

12. Motion by Ald. Anderson seconded by Ald. Freel to approve a change of Agent for an alcohol and tobacco license submitted by Kwik Trip #1113, located at 420 State Hwy 13 for the licensing period of March 17, 2026 through June 30, 2026.
13. Motion by Ald. Holzem seconded by Ald. Ryan to approve an application for a Room Tax Permit submitted by Uphoff Resorts, LLC located at 2277 Dellshire Drive.
14. Motion by Ald. Freel seconded by Ald. Ryan to approve the renewal of the following Taxicab Service Licenses for the licensing period of April 1, 2026 through March 31, 2027, contingent on vehicle inspections and background checks conducted by the Police Department:
 - ProInvest LLC, Calin Bobeanu, for City Taxi
 - Dells Transport LLC, Brent Mlsna for Dells Express Taxi
 - Dells Cab Company, Larry K. Volkey for Dells Cab
 - Speed Taxi, Marinal Alberta
15. Motion by Ald. Holzem seconded by Ald. Ryan to approve an original application for a Temporary “Class B” Retailer’s License submitted by the following Sponsors of the Spring Wine Walk on April 11, 2026.
 - Wisco Nutrition – 725 Oak Street
 - The Pickled Cowboy – 209 Broadway
 - DooHickey’s – 122 Broadway
 - Yeti Yard – Next Level Adventure – 101 La Crosse Street
 - Soda Sisters – 737 Oak Street
 - River District Retail – 226 Broadway
 - Pirate’s Cove Adventure Golf – 193 US Hwy 13
 - Made With Love – 316 Broadway
16. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5799.**

A RESOLUTION REGARDING OPERATIONS AT ELM STREET PLAZA

WHEREAS, the City of Wisconsin Dells owns the property known as the Elm Street Plaza; and

WHEREAS, the City of Wisconsin Dells employs the servers working at the Elm Street Plaza; and

WHEREAS, the City of Wisconsin Dells desires to sell fermented malt beverages at the Elm Street Plaza as part of its operations and events; and

WHEREAS, the sale of fermented malt beverages may enhance community events, public gatherings, and economic activity at the Elm Street Plaza.

NOW, THEREFORE, BE IT RESOLVED, that the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin affirms that the Elm Street Plaza is a City-owned facility and that staff serving at the plaza are employees of the City of Wisconsin Dells.

BE IT FURTHER RESOLVED, that the City of Wisconsin Dells is authorized to sell fermented malt beverages at the Elm Street Plaza in accordance with all applicable Wisconsin statutes, municipal ordinances, and licensing requirements.

BE IT FURTHER RESOLVED, that the appropriate City officials are authorized to take all necessary actions to implement and administer the sale of fermented malt beverages at the Elm Street Plaza.

Ald. Anderson seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

17. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5800**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Plan Commission from their March 9, 2026 meeting;

IT APPROVES the Conditional Use Permit submitted by Decem Properties LLC for a multi-family dwelling complex at 1703/1705 Broadway Rd, Columbia County Tax Parcel 11291-1496, zoned C-2 Commercial – Downtown, with the following contingency:

The Site Plan for the project receives final approval by City Staff.

Per Common Council decision, Tourist Rooming House/Short Rentals will not be permitted in this multi-family complex.

Ald. Anchor seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

18. Ald. Marshall introduced and moved for adoption **RESOLUTION NO. 5801**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Plan Commission from their March 9, 2026 meeting;

IT APPROVES the Site Plan Review Application submitted by Decem Properties LLC for a multi-family dwelling complex at 1703/1705 Broadway Rd, Columbia County Tax Parcel 11291-1496, zoned C-2 Commercial – Downtown, with the following contingency:

1. Final approval is granted by the City Staff and Public Works Director, specifically regarding the utilities, storm water ponds, and storm water outflow.
2. Accommodations for the City Garbage service and Hold Harmless agreement.
3. The owner is responsible for storm water pond maintenance, which includes: preventing it from overflows, removing sediment to prevent infiltration blockage due to long term sediment build up, preventing trash accumulation in or around the pond. A storm water maintenance agreement should be on file with the City.
4. Fencing may be required, if needed, between the pond areas and the parking.
5. Final approval of the final utility plans by the Director of Public Works.
6. Verification of access easement of possible looped water utility to the City.
7. Lighting and buffering plan submissions are required for Staff approval.
8. Per Common Council decision, Tourist Rooming House/Short Rentals will not be permitted in this multi-family complex.

Ald. Ryan seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

19. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5802**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Plan Commission from their March 9, 2026 meeting;

IT APPROVES the Site Plan Review Application submitted by Jesse Schable for a new commercial building at 531 Vine Street, Columbia County Tax Parcel 11291-1110, zoned C-1 Commercial – Neighborhood. Ald. Ryan seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

20. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5803**.
Resolution to Adopt the Public Participation Plan for the City of Wisconsin Dells Comprehensive Plan Update
WHEREAS, the City of Wisconsin Dells has started the process to prepare a Comprehensive Plan update; and

WHEREAS, Wisconsin Stat. 66.1001(4)(a) requires the adoption of written procedures designed to foster public participation, including open discussion, and public meetings for which notice has been provided, and

WHEREAS, the Public Participation Plan designates the Comprehensive Plan Steering Committee ("the CPSC") as the steering committee to guide the update of the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan Steering Committee will consist of the following members, Brian Holzem, Dar Mor, Terrance Slack, Michelle Pugh, Kheli Mason, Chris Tollaksen, Holly Swaney and Karen Terry; and

WHEREAS, the Public Participation Plan shall encourage citizen participation through a Community Survey plus one (1) Public Engagement Event facilitated by Consultant (Vierbicher), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearing notice, and accommodate non-English speaking residents; and

WHEREAS, the City of Wisconsin Dells has publicly reviewed the two-page Public Participation Plan;

NOW, THEREFORE, BE IT RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Plan Commission from their March 9, 2026 meeting;

BE IT FURTHER RESOLVED, that the Common Council of the City of Wisconsin Dells officially adopts the Public Participation Plan.

Ald. Anderson seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

21. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5804**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Public Works Committee from their March 9, 2026 meeting;

IT DENIES the sale of Parcels 11291-262.8 and 11291-267.1 to Brian Landers.

Ald. Marshall seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

22. Ald. Marshall introduced and moved for adoption **RESOLUTION NO 5805**.

THE COMMON COUNCIL of the City of Wisconsin Dells hereby consents to the following action per State Statute 66.1003;

WHEREAS, the City of WISCONSIN DELLS having considered an Application for Vacation of part of Iowa Avenue right-of-way and part of Elm Street right-of-way, Columbia County, Wisconsin; and

WHEREAS, the City of Wisconsin Dells Common Council has determined that the request is reasonable; and

WHEREAS, the City of Wisconsin Dells provided all required notices of the proceedings with regards to the proposed street discontinuance and the Common Council having conducted a public hearing and considered said application and evidence on March 16, 2026; and

THEREFORE, by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the Plan Commission from their March 9, 2026; and

THEREFORE, BE IT FURTHER RESOLVED, the City of Wisconsin Dells Common Council has vacated

part of Iowa Ave right-of-way and part of Elm Street right-of-way as described in the legal description below:

Being part of Iowa Avenue right-of-way and part of Elm Street right-of-way, Kilbourn City, located in part of the Northeast Quarter of the Northwest Quarter, Section 10, Town 13 North, Range 6 East, City of Wisconsin Dells, Columbia County, Wisconsin, described as follows:

Beginning at the Northwest corner of Lot 1, Certified Survey Map, No. 6771, said point being in the East right-of-way line of Elm Street;

thence South 01°34'48" West along the East right-of-way line of Elm Street and the West line of Lot 1, Certified Survey Map, No. 6771, 200.31 feet to a point in the North right-of-way line of vacated Iowa Avenue;

thence South 00°58'19" West along the East right-of-way line of Elm Street and the West line of Lot 1, Certified Survey Map, No. 6771, 82.06 feet to the South right-of-way line of vacated Iowa Avenue; thence South 01°41'05" West along the East right-of-way line of Elm Street and the West line of Lot 1, Certified Survey Map, No. 6771, 76.64 feet to a point in the Northeasterly right-of-way line of vacated La Crosse Street;

thence North 41°12'38" West along the Northeasterly right-of-way line of vacated La Crosse Street, 215.39 feet to a point in the South line of Lot 8, Block 57, Kilbourn City, said point being in the North right-of-way line of Iowa Avenue;

thence South 88°40'17" East along the South line of Lot 8 and the North right-of-way line of Iowa Avenue, 65.59 feet to the Southeast corner of Lot 8;

thence North 01°34'48" East along the East line of Lots 5, 6, 7 and 8, Block 57, Kilbourn City and the West right-of-way line of Elm Street, 200.38 feet to the Northeast corner of Lot 5;

thence South 88°37'30" East, 80.00 feet to the point of beginning.

Containing 27,619 square feet (0.63 acres), more or less.

Attached as Exhibit A is a map which shows the effect of this Resolution and legal description of the vacated right-of-way in Columbia County.

All proofs of service, mailings, maps and postings regarding this proceeding are incorporated herein and made part of this Resolution.

Ald. Anchor seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

23. Ald. Freel introduced and moved for adoption **RESOLUTION NO 5806**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Finance Committee from their March 16, 2026 meeting;

IT APPROVES the updated Schedule of Fees for the Swimming Pool Resident Daily Fee and the Non-Resident Daily Fee. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

24. Ald. Ryan introduced and moved for adoption **RESOLUTION NO 5807**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Finance Committee from their March 16, 2026 meeting;

IT APPROVES selecting North American Acquiring to provide credit card processing services for the Parks and Recreation Department. The associated processing fee will be paid by the customers as follows: Online payments - \$3.00 per transaction; In-house transactions - 3% processing fee will be added to the total purchase amount. Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

25. Ald. Marshall introduced and moved for adoption **RESOLUTION NO 5809**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Public Works Committee from their March 16, 2026 meeting;

IT APPROVES the winning bid received from Parisi Construction, LLC for the installation of the temporary stoplights at the intersection of Dellshire Drive and Wisconsin Dells Parkway in the amount of \$190,346.00. Ald. Freel seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

26. Ald. Holzem introduced and moved for adoption **RESOLUTION NO 5808**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Public Works Committee from their March 16, 2026 meeting;

IT APPROVES revision #5 State/Municipal Financial agreement for a state-let highway project. Ald. Marshall seconded the motion. Upon roll call vote the motion carried 6-0. Resolution adopted.

27. Ald. Anderson introduced and moved for adoption the Second reading of the following ordinance:

CITY OF WISCONSIN DELLS
ORDINANCE NO. A- 939
(Overnight Lodging – Tourist Rooming Houses)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE.

This ordinance substitutes the City Clerk for the Zoning Administrator as the office to process overnight lodging renewals; and, provides that the Common Council, not the Zoning Administrator, will act on revocations.

SECTION II: PROVISION AMENDED:

Wisconsin Dells Codes Sec. 16.35(9)(c), 16.35(9)(d) and 16.35(13)(a) is amended.

SECTION III: PROVISION AS AMENDED:

16.35 OVERNIGHT LODGING – TOURIST ROOMING HOUSES & SHORT TERM RENTALS

(9) Renewal

(c) The ~~Zoning Administrator~~, **City Clerk**, or designee, shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this Section. The ~~Zoning Administrator~~ **City Clerk**, or designee, shall request reports from the Police Department and

the Code Enforcement Officer regarding any complaints received, calls for service or actions taken regarding the permitted properties.

(d) The City Clerk, or designee, ~~shall issue renewal Overnight Lodging Licenses within ten (10) days of the filing of the application~~ shall present the Overnight Lodging License applications to the Legislative Committee in April for approval, unless the information provided is incomplete or otherwise not in compliance with the requirements of this Section, and/or the reports from the Police Department and the Zoning Administrator indicate that there are complaints or actions involving the property.

~~(e) If the Zoning Administrator, or designee, finds that the license or permit should not be renewed, or that the application should be considered by Council, the Zoning Administrator, or designee, shall forward the application to the Legislative Committee for recommendation to Common Council for action along with a written explanation of the reason for referral.~~

(13) Denial, Non-Renewal, Suspension & Revocation

(a) An Overnight Lodging License may be revoked by the ~~Zoning Administrator and/or~~ Common Council for one or more of the following reasons:

1. Failure to make payment on taxes or other debts owed to the City;
2. Three or more justified and validated calls for police service, building inspection, health department or fire inspector for nuisance activities or other law violations in a 12-month period;
3. Failure to maintain all required local, county and state licensing requirements;
4. Any violation of local, county or state laws that substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 16.

Motion was seconded by Ald. Freel. Upon roll call vote the motion carried 6-0. Ordinance adopted and in full force after publication.

28. Ald. Freel introduced and moved for adoption the Second reading of the following ordinance:

CITY OF WISCONSIN DELLS
ORDINANCE NO. A- 940
(Busking)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE:

This ordinance substitutes the City for VCB as the entity which schedules Downtown performances; and, provides that the City, not WDPD, will process busker applications.

SECTION II: PROVISIONS AMENDED:

Wisconsin Dells Codes Sec. 16.10(3) and 16.10(4) is amended.

SECTION III: PROVISION AS AMENDED:

16.10 BUSKING

- (3) Exemptions. Those individuals or groups hired and scheduled by the ~~Wisconsin Dells Visitors and Convention Bureau~~ City of Wisconsin Dells or their representative, that are ~~business~~ covered under a Conditional Use Permit, and events otherwise covered under a Special Events Permit are exempt.
- (4) Application. Applicants for a permit under this section must file with the ~~Police Department~~ City of Wisconsin Dells or designee, a sworn application in writing on a form to be furnished by the ~~Police Department~~ City of Wisconsin Dells or designee, which shall give the following information:
- (a) Full name, including middle initial of all performers including date of birth, driver's license number and state of issuance.
 - (b) Current address (include mailing address if different).
 - (c) Telephone number, including cell phone number
 - (d) Brief description of type of performance that will be done
 - (e) Fee must accompany permit application and is non-refundable
 - (f) A performance audition or submitted media may be required
 - (g) All applicants are subject to a criminal history check conducted by the police department or designee. Based on the results, the Police Chief or designee may deny the permit.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 16.

Motion was seconded by Ald. Anchor. Upon roll call vote the motion carried 6-0. Ordinance adopted and in full force after publication.

29. Ald. Holzem introduced and moved for adoption the Second reading of the following ordinance:

**CITY OF WISCONSIN DELLS
ORDINANCE NO. A- 941
(Municipal Court Update)**

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE:

1. The Municipal Court was created by ordinance adopted in 2000. This ordinance updates the code section to remove obsolete provisions and update statutory references.
2. This ordinance also outlines the procedures and penalties for intentional contempt of the Municipal Court defined as misconduct or witness refusal to appear without reasonable excuse. For misconduct the judge may immediately impose up to 7 days in the county jail and a forfeiture. For refusal to appear the judge may issue a warrant and order payment of a forfeiture.

SECTION II: PROVISIONS AMENDED:

Code sections 1.08 (1), (2) and (6) are repealed and recreated.

SECTION III: PROVISION AS AMENDED:

1.08 MUNICIPAL COURT

(1) Court Established

Pursuant to the authority granted by Wis Stat. Chap. 755 there is created and established a Municipal Court to be designated "Municipal Court for the City of Wisconsin Dells".

(2) Jurisdiction

(a) The Municipal Court will have jurisdiction over incidents as provided Wis. Const Art. VII and Wis. Stat secs. 77.045 and 77.05, And as otherwise provided by state law.

(b) Judge may issue civil warrants including, without limitation, special inspection warrants, to enforce matters under the jurisdiction of the Municipal Court under Wis. Stat. secs. 755.045(2), 66.0119 and 66.0119 (3).

(c) Pursuant to Wis. Stat. sec. 938.17(2)(cm) the Municipal Court has jurisdiction over juvenile offenders and may impose dispositions and sanctions as provided by state law(s).

(6) Municipal Court Contempt Procedure

(a) In this section, "contempt of court" means any of the following intentional acts:

1. Misconduct in the presence of the court that interferes with the court proceeding or with the administration of justice, or that impairs the respect due the court.
2. Refusal of a witness to appear without reasonable excuse.

(b) A judge may impose a forfeiture in an amount not to exceed \$200 for a contempt of court.

(c) For a contempt of court described in sub. (a)(1), the judge may impose imprisonment in the county jail for not more than 7 days and impose a forfeiture. These penalties shall be imposed immediately after the contempt of court has occurred and only under the following conditions:

1. For the purpose of preserving order in the court and protecting the authority and dignity of the court.
2. After allowing the person who committed the contempt of court an opportunity to address the court.

(d) For a contempt of court described in sub. (a)(2), the judge may do any of the following:

1. Issue a warrant to bring the witness before the court for the contempt and to testify.
2. In addition to ordering the witness to pay a forfeiture under sub. (2), the judge may order the witness to pay all costs of the witness's apprehension.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 1.

Motion was seconded by Ald. Anderson. Upon roll call vote the motion carried 6-0. Ordinance adopted and in full force after publication.

30. Ald. Freel introduced and moved for adoption the Second reading of the following ordinance:

**CITY OF WISCONSIN DELLS
ORDINANCE NO. A- 942
(Retention of Overpayments)**

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE:

The ordinance allows the City to retain 'nominal' overpayments of taxes, fees or other obligations paid. The initial 'nominal' amount is \$5.00 which may be modified by Common Council resolution. Claimants may make a written request for payment. This ordinance is designed to control staff and administrative costs.

SECTION II: PROVISIONS AMENDED:

Code section 4.16 is created.

SECTION III: PROVISION AS AMENDED:

4.16 Retention of Nominal Amounts

- (1) In this section 'nominal amount' means \$5.00 or less which amount may be changed from time to time by Common Council resolution.
- (2) The City may retain nominal overpayments of City obligations such as taxes or fees; provided that payors may make written request for payment by process established by the Clerk Treasurer.16.35 (5) Property Manager.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 4.

Motion was seconded by Ald. Anchor. Upon roll call vote the motion carried 6-0. Ordinance adopted and in full force after publication. Second reading is schedule for March 16, 2026.

31. Ald. Anderson introduced and moved for adoption the First reading of the following ordinance:

CITY OF WISCONSIN DELLS
ORDINANCE NO. _____
(Public Nuisances)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE.

This ordinance allows the Wisconsin Dells Police Department to appoint a designee to act on their behalf for enforcement of chapter 17.04 and the Wisconsin Dells Public Works Director to appoint a designee to act on their behalf for enforcement of chapter 17.07.

SECTION II: PROVISION AMENDED:

Wisconsin Dells Codes Sec. 17.04(1), 17.04(5)(a), 17.04(5)(f), 17.04(5)(k), 17.05(2), 17.05(2)(b) and 17.07(2)(b) are amended.

SECTION III: PROVISION AS AMENDED:

17.04 VEHICLES -- NUISANCES -- REPAIR WORK

- (1) Purpose. The purpose of this ordinance is to prevent blight, to secure healthy and humane living conditions, to protect the integrity of investments in real property, to prevent the decline of real estate values, to improve aesthetics and to protect the public health, safety and welfare. In order to secure this goal, activities contrary to this ordinance are deemed to constitute a matter of public concern which must be regulated or prescribed through the exercise of the City's police powers.

(5) Nuisance Vehicles--Removal.

- (a) Authority to Tow. Subject to the procedures hereinafter set forth, nuisance vehicles may be towed and stored by the Police Department , **or other persons**

designated by the Chief of Police, at the cost and expense of the owner thereof. Unclaimed towed vehicles may be disposed of by towers through means and procedure authorized by law.

(f) Extensions of Time. The Police Department, or designee for good cause, upon the nuisance vehicle owner's request, may grant a reasonable extension of any time limit imposed herein to enable a nuisance vehicle owner to voluntarily comply with this ordinance.

(k) Appeal. Appeal shall be as hereinafter provided, the City electing not to be governed by Wisconsin Statutes, Chapter 68. An aggrieved party desiring to appeal from a hearing determination under subsection (j), may file a written Notice of Appeal which must be received by the City Clerk/Treasurer prior to the expiration of the time for compliance with this Ordinance provided for in the Notice of Intent to Tow. The Notice of Appeal shall state the error alleged in the initial decision and shall provide the address and phone number of the appellant. The appeal shall be heard by the Common Council of the City of Wisconsin Dells. The review shall be upon the record and a written determination affirming or denying the initial decision maker shall be made. No vehicles shall be towed until the appeal process is completed, and then only where the decision of the initial decision maker finding a violation of the Ordinance is upheld, and only after the appellant has been notified of the appeal decision and given at least twenty-four (24) hours to comply with the Ordinance. Further appeal would be by Writ of Certiorari to the Circuit Court.

17.05 ABATEMENT OF PUBLIC NUISANCES

(2) Summary Abatement.

(a) Notice to Owner. If the inspecting officer shall determine that a public nuisance exists within the City and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Mayor may direct the Chief of Police or their designee to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the City will cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.

(b) Abatement by City. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the Chief of Police or their designee shall cause the abatement or removal of such public nuisance.

17.07 GRAFFITI

(2) Graffiti Abatement. Graffiti shall be removed by the property owner or by the City at the property owner's expense. The Director of Public Works, other persons designated by the

Director, may order graffiti removed within a time certain. If a property owner fails to remove graffiti within the time specified in the order, the Director of Public Works may cause the graffiti to be removed. The Director of Public Works shall keep an accurate account of the expenses thereof and report the same to the City Clerk/Treasurer, who shall annually prepare a statement of the expense so incurred on each lot or parcel of land. The amount charged to each lot or parcel of land shall be entered in the tax roll as a special tax against said lot or parcel of land, and shall be collected in all respects like other taxes upon real estate.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 17.

Motion was seconded by Ald. Ryan. Upon roll call vote the motion carried 6-0. Second reading is scheduled for April 21, 2026.

32. Ald. Anderson introduced and moved for adoption the First reading of the following ordinance:

**CITY OF WISCONSIN DELLS
COMMON COUNCIL
ORDINANCE - _____
Recycling 2026**

The Common Council, City of Wisconsin Dells, Adams, Columbia Juneau and Sauk Counties, does hereby ordain as follows:

SECTION I: PURPOSE.

The Wisconsin Department of Natural Resources has promulgated a revised model recycling ordinance for adoption by municipalities. The City adopted the original model ordinance. This ordinance adopts the new model which includes revisions and to improve collection standards for multifamily and non-residential properties and enhanced reporting and education requirements. It includes city specific provisions which reflect the City's requirements.

SECTION II: PROVISIONS REPEALED AND RECREATED.

Code Sections 12.02 and 12.05 are repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED.

12.02 DEFINITIONS

- (1) “Bi-metal container” means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- (2) “Container board” means corrugated paperboard used in the manufacture of shipping containers and related products.
- (3) “Foam polystyrene packaging” means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
 - A. Is designed for serving food or beverages.
 - B. Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
 - C. Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- (4) “Glass Container” means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, heat-resistant glass such as pyrex, lead based glass such as crystal, or TV tubes.
- (5) “HDPE” means high density polyethylene, labeled by the resin code # 2.
- (6) “LDPE” means low density polyethylene, labeled by the resin code # 4.
- (7) “Magazines” means magazines and other materials printed on similar paper.
- (8) “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.
- (9) “Multiple-family dwelling” means a structure containing 5 or more residential units, including units that are occupied seasonally.
- (10) “Newspaper” means a newspaper and other materials printed on newsprint.
- (11) “Non-residential facilities and properties” means commercial, retail, industrial, institutional and government facilities and properties. Non-residential facilities and properties includes any location at which goods or services are provided or manufactured, including locations under construction, demolition, or remodeling, or used for special events such as fairs, festivals, sport venues, conferences, and exhibits. This term does not include multiple family dwellings.
- (12) “Office paper” means a variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper or packaging.
- (13) “Other resins or multiple resins” mean plastic resins labeled by the resin code # 7.

- (14) “Person” includes any individual, corporation, limited liability company, partnership, association, local government unit, as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.
- (15) “PETE” or “PET” means polyethylene terephthalate, labeled by the resin code # 1.
- (16) “Plastic container” means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.
- (17) “Postconsumer waste” means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7) Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 289.01(17)., Wis. Stats.
- (18) “PP” means polypropylene, labeled by the resin code # 5.
- (19) “PS” means polystyrene, labeled by the resin code # 6.
- (20) “PVC” means polyvinyl chloride, labeled by the resin code # 3.
- (21) “Recyclable materials” includes lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires; and bi-metal containers.
- (22) “Solid waste” has the meaning specified in s. 289.01(33), Wis. Stats.
- (23) “Solid waste facility” has the meaning specified in s. 289.01(35), Wis. Stats.
- (24) “Solid waste treatment” means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. “Treatment” includes incineration.
- (25) “Waste tire” means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (26) “Yard waste” means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

12.05 RECYCLING

- (1) Purpose/Authority. The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s. 287.11, Wis. Stats., and ch. NR 544, Wis. Adm. Code. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats. This ordinance is the model recycling ordinance promulgated in 2025/2026 by the Wisconsin Department of Natural Resources.
- (2) Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or

permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

- (3) Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in ch. NR 544, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the ch. NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.
- (4) Applicability. The requirements of this ordinance apply to all persons within the the City of Wisconsin Dells, Adams, Columbia, Juneau, and Sauk Counties, Wisconsin.
- (5) Administration. The provisions of this ordinance shall be administered by the the City of Wisconsin Dells Director of Public Works.
- (6) This subsection left blank.
- (7) Separation of Recyclable Materials. Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:
 - A. Lead acid batteries
 - B. Major appliances
 - C. Waste oil
 - D. Yard waste
 - E. Aluminum containers
 - F. Bi-metal containers
 - G. Corrugated paper or other container board
 - H. Foam polystyrene packaging
 - I. Glass containers
 - J. Magazines
 - K. Newspaper
 - L. Office paper
 - M. Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins

N. Steel containers

O. Waste tires

(8) Separation Requirements Exempted. The separation requirements of s. (7) do not apply to the following:

A. Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in s. (7) from solid waste in as pure a form as is technically feasible.

B. Solid waste which is burned as a supplement fuel at a facility if less than 30 % of the heat input to the facility is derived from the solid waste burned as supplement fuel.

C. A recyclable material specified in s. (7)(E) through (O) for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.

(9) Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with s. (7) shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain, and other inclement weather conditions.

(10) Management of Lead Acid Batteries, Major Appliances, Waste Oil, Yard Waste, and Waste Tires. Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, yard waste, and waste tires as follows:

A. Lead acid batteries shall be returned or exchanged at the retail outlet where the replacement battery is purchased.

B. Major appliances shall be exchanged at the retail outlet where the replacement appliance is purchased.

C. Waste oil shall be taken to a licensed recycling facility for disposal.

D. Yard waste shall be composted.

E. Waste tires shall be disposed of at private retail outlets, any other points of purchase, or other legal disposal locations including, but not limited to, private recycling firms, all for the purpose of recycling the tires under law.

(11) Preparation and Collection of Recyclable Materials. Except as otherwise directed by the City of Wisconsin Dells, occupants of single family and 2-to-4-unit residences shall do the following for the preparation and collection of the separated materials specified in s. (7)(E) through (O):

A. The following will be collected curbside in the contractor provided recycling carts:

1. Aluminum containers

2. By metal containers
 3. Corrugated paper or other container board
 4. Glass containers
 5. Magazines
 6. Newspaper
 7. Office paper
 8. Steel containers
 9. Rigid plastic containers
- B. All items should be empty. All metal and plastic items should be left in their original shape. Plastic lids can be placed back on items. Cardboard should be flattened.
- C. Foam polystyrene packaging will be placed in the container designated for landfill disposal.

(12) Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.

- A. Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in s. (7)(E) through (O):
1. Provide adequate, separate containers for the recycling program established in compliance with the ordinance. The number of recycling containers shall equal or be greater than the number of trash containers and at least one of the following shall be met:
 - a. The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - b. The ratio of trash container volume to recycling container volume is at most 2:1.
 - c. An alternative method that does not result in the overflow of a recycling container during the time period between collection of materials and delivery to a recycling facility.
 2. Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
 3. Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
 4. Notify tenants which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in 1) do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that

recovers for recycling the materials specified in s. (7)(E) through (O) from solid waste in as pure a form as is technically feasible.

- C. Owners of rental property will be responsible for violations of this Chapter which occur on their rental property.

(13) Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

- A. Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. (7)(E) through (O):
 - 1. Provide adequate, separate containers for the recycling program established under this section. The total volume of recycling containers shall be sufficient to avoid overflow during the time period between collection of materials and delivery to a recycling facility.
 - 2. Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
 - 3. Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.
 - 4. Notify users, tenants and occupants which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in 1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s. (7)(E) through (O) from solid waste in as pure a form as is technically feasible.
- C. Owners of rental property will be responsible for violations of this Chapter which occur on their rental property.

(14) Prohibitions on Disposal of Recyclable Materials Separated for Recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in s. (7)(E) through (O) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(15) Unlawful to Remove Recyclables. It will be unlawful for any person to collect or remove recyclables that have been placed by any person at a designated collection site for collection. This Chapter will not apply to a City employee acting within the scope of his/her employment, or to a person under contract with the City of Wisconsin Dells.

(16) Recycling Enforcement.

- A. For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City of Wisconsin Dells may inspect recyclable materials separated for recycling, postconsumer waste intended for

disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the Town of Delton who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

B. Any person who violates a provision of this ordinance may be issued a citation by the City of Wisconsin Dells to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

C. Penalties for violating this recycling ordinance may be assessed as follows:

1. Any person who violates s. (14) may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000.00 for a third or subsequent violation.
2. Any person who violates a provision of this ordinance, except s. (14), may be required to forfeit not less than \$10 or more than \$1000.00 for each violation.

SECTION IV: VALIDITY.

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this Ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE.

This Ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE.

This ordinance becomes a part of Wisconsin Dells Code, Chapter 12.

Motion was seconded by Ald. Holzem. Upon roll call vote the motion carried 6-0. Second reading is schedule for April 21, 2026.

33. Attorney Joe Hasler, asked if item #17 could be reconsidered for discussion. The council agreed 5-1 with a rollcall to reconsider agenda item #17. Joe stated that he spoke with Kheli in regards to the contingencies for the CUP and felt that the Council should possibly consider a contingency that the property could not be used as a Tourist Rooming House. The Council agreed to make that a contingency on Resolution #5800 – agenda item #17 with a rollcall vote of 5-1. There was no other Business for Referral.
34. Motion by Ald. Freel seconded by Ald. Anderson to adjourn. Motion carried unanimously and the meeting adjourned at 6:57 pm.



Lisa McClyman
City Clerk/Treasurer
Published: April 30, 2026