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Office of the City Administrator

**PUBLIC WELFARE COMMITTEE**  
**Wednesday, August 10, 2016**  
**5:00 PM**  
**South Conference Room**

**Minutes**

1. Call to Order, Roll Call

**Present:**

Alderman Mark Gierl

Alderman John Wirth

Alderman Dale Mayr -- **Absent**

Also Present: Mayor Abendroth, City Administrator Jones, Alderman Connie Pukaite (5:22 p.m.), Community Development Director Tollefson, City Attorney Sajdak, James Friedman, Chair Ethics Board, Executive Assistant Prosser, Press

2. Approval of Meeting Minutes

a. Public Welfare Committee - Regular Meeting - Jul 12, 2016 6:00 PM

**RESULT:** Accepted [Unanimous]

**MOVED BY:** Alderman Wirth

**SECONDED BY:** Alderman Gierl

**AYES:** Alderman Gierl, Alderman Wirth

**ABSENT:** Alderman Mayr

3. Ordinances

**Action requested: review and recommend approval**

a. An Ordinance Amending Chapter 58, Zoning Code As it Relates to Definitions and the Use of Single-Family Dwellings in the Residential Zoning District for Short Term and Long Term Rentals

Community Development Director Tollefson provided a background on the text amendment noting that there are no changes to the amendments since the last time the Public Welfare Committee discussed short-term rentals. Ms. Tollefson went on to say staff recommends that the regulation of short term rentals be handled similar to other ancillary uses allowed within single-family residential zoning districts as permitted accessory. Ms. Tollefson used the examples of home occupations and professional offices as permitted accessory uses so long

as expressed conditions are met. Ms. Tollefson stated a similar application and permit can be used for short-term rentals. Ms. Tollefson pointed that this process would not include a public notification or Planning Commission approval. Ms. Tollefson stated a one-time application fee of \$40 is recommended.

Alderman Wirth stated if the use is permitted, than an application and fee would not be required unless it is specifically written in the ordinance as a requirement. Alderman Wirth requested further information on whether the code specifically states that an application is required for a permitted accessory use.

Alderman Wirth suggested a change to the language in Exhibit C, Sec. 14-175 to read; any person wishing to rent their residential property to others. Alderman Wirth suggested that both parties, the owner and the tenant, should be held legally responsible for any rule violation by the tenant. Alderman Wirth noted the way the code is currently written a boarding house is not permitted and if the intent is to remove restrictions on short-term rentals than the restriction on boarding houses should be removed. Alderman Wirth suggested removing boarding house from the definition and replace it with rental dwellings accepted as provided under the zoning code.

Attorney Sajdak reviewed the Committee's discussion stating, there is a general consensus among the members of the Committee to make the necessary change within the code to allow the use without any restrictions, and ensure enforcement of violations are not only against the tenant but also against the landlord.

**b. ORDINANCE 2016-1477** An Ordinance Creating § 2-137(b)(9) of the Mequon Municipal Code Relating to the Imposition of an Affirmative Duty Upon Officials to Act with Honesty in Their Dealings with the Public

City Attorney Sajdak provided a brief overview of prior discussions regarding Ordinance 2016-1477. Attorney Sajdak stated at the last meeting of the Public Welfare Committee a motion was made to forward the Public Welfare Committee's language to the Council with the request that the Ethics Board would be given the opportunity to provide their input. Attorney Sajdak stated the Ethics Board did meet to review the language; however they did not have a quorum. Attorney Sajdak went on to say, although there was no formal action taken, the four members present believed that no changes should be made to the Ethics Code. Attorney Sajdak noted a memo was forwarded to the Council that gave an overview of the informal discussion.

Jim Friedman, Chair of Ethics Board, stated the members of the Board are requesting that no changes be made to the Ethics Code.

Alderman Wirth inquired whether there would be a different vehicle to place the honesty provision that would resolve the concern of the Ethics Board. The Committee went on to discuss other alternatives for placement of an honesty provision.

Attorney Sajdak stated there is an honesty provision already in the personnel code adopted by the Council per the request of Alderman Gierl.

Alderman Gierl stated he would like to have a remedy included in the honesty provision.

Attorney Sajdak requested a point of clarification as to whether the focus should be more on employees as opposed to officials, or leave the provision somewhat broad. Alderman Gierl confirmed he would want the focus on both employees and officials.

Alderman Wirth moved to table until the next meeting to give staff the opportunity to determine whether there is a better vehicle than going through the Ethics Board, and a remedy as a result of being found to be dishonest.

**RESULT:** Tabled [Unanimous]  
**MOVED BY:** Alderman Wirth  
**SECONDED BY:** Alderman Gierl

<b>AYES:</b>	Alderman Gierl, Alderman Wirth
<b>ABSENT:</b>	Alderman Mayr

4. Discussion Items

a. Review of City Boards, Commissions and Committees

The Committee held a discussion on how to move forward with the review of the ordinances for the City's Boards, Commissions and Committees. Alderman Wirth suggested the Committee review the draft general ordinance he prepared as a model at the next meeting. Alderman Wirth will provide staff with the remaining proposed ordinances for the next meeting.

5. Information Items

a. Public Welfare Committee FY2016-2017 Work Plan

City Administrator Jones stated the Committee's work plan for FY2016-2017 is a document that is subject to change on a monthly basis. Mr. Jones noted that staff will bring back the ethics code, review of the city ordinances for boards, commissions and committees, and short-term rentals to the Committee's next meeting.

The Committee agreed to start the meeting at 5:00 p.m.

6. Adjourn

a. adjourn the meeting.

The Public Welfare Committee meeting was adjourned at 6:27 p.m.

**RESULT:** Approved by Voice Acclamation [Unanimous]  
**MOVED BY:** Alderman Gierl  
**SECONDED BY:** Alderman Wirth

<b>AYES:</b>	Alderman Gierl, Alderman Wirth
<b>ABSENT:</b>	Alderman Mayr