

MINUTES OF THE LEGISLATIVE COMMITTEE MEETING HELD AT THE GREENFIELD CITY HALL ON
MONDAY, AUGUST 26, 2019.

The meeting was called to order by Ald. Bailey at 7:00 p.m.

1. <u>ROLL CALL:</u>	Ald. Bailey	Present
	Ald. Lubotsky	Excused
	Ald. Saryan	Present
	Brian Sajdak, City Attorney	Present

Also present: Kristi Johnson, Community Development Manager

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| 2. It was moved by Ald. Bailey, seconded by Ald. Saryan to approve the minutes of the April 29, 2019 Legislative Committee as recorded. Motion carried unanimously. | 4/29/19 minutes approved |
| 3. Discussion/decision to adopt an ordinance amending various sections of 13.04 and 13.07 of the City of Greenfield Municipal Code pertaining to direct sellers and entertainment (Goergen) (LC 8/26/19) | Disc/adopt ord. amend. various sections of 13.04 & 13.07 of Mun. Code re direct sellers & entertainment |

City Attorney, Brian Sajdak, stated that the City Clerk's office is looking to remove licensing and fee requirements for temporary vendors (direct sellers) and entertainment as they relate to Outdoor Special Events. The amendment is designed to streamline the process and eliminate some of the fees that were associated with the licenses. It is also meant to allow some of the simpler types of approvals to be handled with the special event permit as opposed to having multiple permits. It will cut down on fees for the vendors and there wouldn't be additional background checks on each of the individuals. In some instances, the event organizers will cover the fees for the vendors and that becomes pretty costly since it's more of a community event and the organizers aren't charging the vendors a space or booth rental fee.

COMMON COUNCIL

Ald. Saryan asked if most communities have a direct sellers fee?

Atty. Sajdak stated that he doesn't believe the communities that he represents have the direct sellers fee. He is sure there are some that do, but it depends on the community and the types of events they have.

Ald. Saryan asked what fees would the event still have if these are eliminated?

Kristi Johnson, Community Development Manager, stated they would have the special event fee which is \$50 if the event is less than 200 people and \$100 if it's more than 200 people, a temporary liquor license fee if they will be selling beer or wine. There will still be an inspection fee of \$60 per inspector each time they go out to inspect the site.

Ald. Saryan asked if there will be a potential problem if we don't run background checks on each seller?

Atty Sajdak stated that arguably there could be, but in most cases we rely on the event organizer themselves to prevent that since they wouldn't want the seller's to tarnish their reputation as well. If there were issues, the Police Department could step in and deal with them as appropriate.

Ald. Bailey asked, since we will be losing money by eliminating some of the fees, would it be appropriate to raise the special event fee of more than 200 people to \$200?

Atty. Sajdak stated that there has been discussion by some of the departments, as part of the budget process, that fees may need to be looked at and modified accordingly so this could be one of them to be looked at.

It was moved by Ald. Bailey, seconded by Ald. Saryan to adopt an ordinance amending various sections of 13.04 and 13.07 of the City of Greenfield Municipal Code pertaining to direct sellers and entertainment. Motion carried unanimously.

4. Ordinance to repeal and recreate Chapter 16 of the Municipal Code – Plumbing Code (K. Johnson) (LC 8/26/19)

Ms. Johnson explained that the reason for the plumbing code recreation is that the Wisconsin Department of Safety and Professional Services is requiring all municipalities to update their municipal plumbing code to comply with the October 1, 2019 Private On-site Wastewater Treatment System (POWTS) (i.e. septic tank) Maintenance Program deadline. Greenfield has 5 parcels with POWTS systems. The plumbing inspector has done research and worked with the state to make sure the right details are in the code. While incorporating the required updates, staff made other necessary minor edits, such as correctly identifying the Inspection Services Division structure, eliminating references to the Department of Commerce, etc. The ordinance update also incorporates a section that restricts the scope of work that may be completed by homeowners when applying for a permit. Ms. Johnson stated that in a lot of instances, homeowners apply for a plumbing permit to do the work themselves and then they ask the plumbing inspector for help designing the plan. It's a conflict of interest and liability to the City to ask the inspector to design plumbing work and then also inspect it. What the language entails is that homeowners will still be allowed to pull plumbing permits for existing plumbing fixtures, for example, a dishwasher or water heater, but any new plumbing work, homeowners are required to hire a plumbing contractor to pull the permit and complete.

Ald. Saryan asked for an example of work they would need a plumbing contractor to do?

Atty. Sajdak explained if you have a basement with stubs for a toilet and shower that were never put in and you want to put them in now. Those would be new items and require a plumbing contractor.

Ald. Saryan also asked, what if the homeowner is handy and can do the work themselves?

Ms. Johnson explained that being handy and knowing the plumbing code are two different things. The plumbing inspector said 9 times out of 10, the homeowners who do the work themselves are failing the inspections. Ms. Johnson stated Brookfield, Franklin, West Allis and Wauwatosa all require the same regarding plumbing permits.

It was moved by Ald. Bailey, seconded by Ald. Saryan to repeal and recreate the POWTS section of Chapter 16 of the Municipal Code – Plumbing Code and forward Sec. 16.045(2) that restricts the scope of work that may be completed by homeowners under issuance of a permit to the Common Council with no recommendation. Motion carried unanimously.

Adopt. ord. repealing & recreating the POWTS section of Chapter 16 of the Mun. Code; forwarding Sec. 16.045(2) with no recommendation **COMMON COUNCIL**

5. Ordinance to repeal and recreate Chapter 17 of the Municipal Code – Electrical Code (K. Johnson) (LC 8/26/19)

Adopt. ord. repealing & recreating Chapter 17 of the Mun. Code re electrical code.

COMMON COUNCIL

Ms. Johnson explained the Wisconsin Department of Safety and Professional Services is requiring all municipalities to update their electrical code to incorporate new commercial electrical rules. One major change includes the elimination of license classifications, as required by the State of Wisconsin. While incorporating the required updates, staff made other necessary minor edits, such as correctly identifying the Inspection Services Division structure, eliminating references to the Department of Commerce, etc. The ordinance update also incorporates a section that restricts the scope of work that may be completed by homeowners when applying for a permit and requiring them to hire an electrical contractor. Homeowners will still be allowed to pull electrical permits for existing electrical fixtures, for example, repairs, broken light switches, ceiling fans, dimmer installation, dishwashers. Because of safety purposes, anything that requires new wiring, an electrical contractor must pull the permit and complete the work.

It was moved by Ald. Saryan, seconded by Ald. Bailey to repeal and recreate Chapter 17 of the Municipal Code - Electrical Code. Motion carried unanimously.

6. Ordinance to repeal and recreate Chapter 34 of the Municipal Code – Sanitary Sewer System Code. (K. Johnson) (LC 8/26/19)

Adopt ord. repealing & recreating Chapter 34 of the Mun. Code re Sanitary Sewer System Code.

COMMON COUNCIL

Ms. Johnson stated these are extremely minor edits which include: the removal of the line “Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease interceptor;” modify the language regarding garbage disposals to say “The use of disposals which discharge to a grease interceptor is discouraged since it decreases the operational capacity of grease interceptors;” elimination of the reference Department of Commerce and modifying a number regarding plumbing code. No new requirements were added.

It was moved by Ald. Bailey, seconded by Ald. Saryan to repeal and recreate Chapter 34 of the Municipal Code – Sanitary Sewer System Code. Motion carried unanimously.

7. Ordinance amending sections 3.12(9)(a), (b) and (c) of the Municipal Code relating to license fees enumerated.

Ms. Johnson explained there is a variety of permit fee related amendments. As of today, there is a minimum permit fee of \$60 for all 3 trades, plumbing, building and electrical. The inspectors have done research for the minimum fees in surrounding communities such as Franklin, Milwaukee, and West Allis. Their minimum fee is \$75. The City of Greenfield has not amended or updated these fees since November 2012 and is purposing a \$15 increase to be at the minimal fee. Other fees pertaining to electrical that we would like to amend would be to have a \$75 charge for a commercial rooftop HVAC unit. We have not previously charged for that and it’s been a revenue that we probably should have been receiving all these years. The City of Greenfield recently hired a new Electrical Inspector whose previous region was downtown Milwaukee working on the high rises. He took a look at all of Greenfield’s fees and was surprised at how low they were and how we weren’t collecting fees for certain services that we should have been. Some other proposed fee amendments include: charging \$50 per 100 amps for services; raising temporary wiring from \$60 to \$85; creating a fee of \$3 for light fixtures; and collecting \$5/kilowatt for solar panels with a minimum fee of \$25. Proposed plumbing code fee updates include some new fees that had never been collected (including POTWS fees that are now required with the State-mandated POWTS maintenance program), and some updated fees, all in line with surrounding municipal fees.

It was moved by Ald. Bailey, seconded by Ald. Saryan to amend sections 3.12(9)(a),(b) and (c) of the Municipal Code relating to license fees enumerated. Motion carried unanimously.

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| 8. Review of existing ordinances/procedures for update and/or clarification as the need arises.
(Bailey, Saryan) | Update/clarify exist. Ord. |
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There were no additional items for discussion.

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| 9. It was moved by Ald. Bailey, seconded by Ald. Saryan to adjourn the meeting at 7:44 p.m.
Motion carried unanimously. | Adjourn |
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Respectfully submitted,

Brittney L. Knippel
Recording Secretary

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