



CITY OF WAUWATOSA
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COMMUNITY DEVELOPMENT COMMITTEE MEETING

Tuesday, October 8, 2013

Committee Room #2

PRESENT: Aids. Roznowski, Pantuso, Moldenhauer, Walz-Chojnacki, McBride, Wilke, Causier, Berdan – 8

ALSO PRESENT: A. Kesner, City Attorney

Ald. Roznowski as Chair called the meeting to order at 8:03 p.m.

Intergovernmental Agreement with the City of Milwaukee regarding emergency services at Center Street and Hartung Parks

The City Attorney explained that a request was made by Aids. Wilke and Pantuso regarding concerns of safety services and jurisdiction issues at Center Street and Hartung Parks.

The City Attorney noted that The City of Milwaukee owns both of the parks, however Hartung Park is in the City of Wauwatosa's jurisdiction.

Atty. Kesner said that he has worked with the City of Milwaukee and they have come to an agreement regarding jurisdiction in this location. He further explained that whatever municipality receives a call to respond will do so. The first municipality to respond will handle the case. 911 calls will not be rerouted through the system to a particular municipality.

General park reservations will be handled through the City of Milwaukee. Regulatory permits for Hartung Park will be handled by the City of Wauwatosa.

Moved by Ald. Pantuso, seconded by Ald. Wilke
to recommend approval to enter into an Intergovernmental
Agreement with the City of Milwaukee regarding emergency services
at Center Street and Hartung Park - 8

Ordinance amending portions of Chapter 9 of the Municipal Code to permit the keeping of chickens in the city

The City Attorney explained the major changes incorporated into the ordinance as requested at the previous meeting.

The changes include one \$12 annual permit fee per household with enforcement handled through the Development Department except for health issues, which will be addressed by the Health Department. These fees will be incorporated into the consolidated fee schedule. There will be a late fee penalty added to the consolidated fee schedule for late payment of renewal. The City Attorney explained why the language was changed to permit a household instead of coop.

Ald. Wilke expressed appreciation for the re-drafting and the streamlining of the permit process and for the trust given to the people to follow the ordinance.

Moved by Ald. Wilke, seconded by Ald. Walz-Chojnacki to recommend adoption of an ordinance amending Section 9.04.050 and 9.04.060 of the City Code.

Ald. Berdan expressed concern that the revenue received for the four licensed chicken coops did not come close to covering staff time costs and questioned why we would further reduce the permit fee. She didn't think the taxpayers should have to pay this subsidy. Ald. Berdan noted that she visited one of the chicken coops and people are treating their chickens as pets and naming them. She didn't think the chickens should be permitted any differently than a cat or dog. If people want to have chickens they should be prepared to pay the cost associated.

Ald. Wilke felt that the fee needs to be cost effective for those that want to raise chickens. Most of them are doing it for the eggs. He felt the fee per bird is not equivalent to what other surrounding communities are charging. He wanted to keep the fee at \$12 per coop.

Ald. Moldenhauer commented that it doesn't sit well with him that we are subsidizing the chicken costs. He heard from some constituents in agreement with his position on this. He doesn't feel that the city should be subsidizing this. His district has shown no interest in raising chickens.

Moved by Ald. Berdan, seconded by Ald. Causier to amend the motion recommending to change the fee back to its original price of \$15 per chicken.

Ald. McBride felt a compromise could be made to recapture some of the city expense and suggested a coop fee of \$20, comparable to the dog and cat license.

Ald. Berdan said we are still losing money. She agreed that the cost is not going to be the same every year. The cost to renew a license will not be as high. She suggested an up-front charge initially for the first year and then an annual renewal cost.

The Development Director said the administrative fees will decrease with the streamlining of the permit process. She noted that any violations will be acted on the same way as a complaint. Ald. Berdan expressed concern that the program be cost neutral.

During the discussion about the motion, the following fees were discussed but not acted upon.

- \$20 coop fee initially with a \$12 annual renewal fee
- \$50 one-time fee with a \$12 renewal fee
- \$20 annual fee
- \$60 one-time fee consistent with the original \$15 per chicken fee with a \$20 renewal fee
- Minimum of \$125 annual fee

Ald. Walz-Chojnacki felt that we are holding chickens to a higher standard than a dog. He would be happy with an owner paying a coop fee the same price as a dog license.

More discussion continued and it was asked if other city programs recoup their staff time. Ms. Enders and the City Attorney agreed that in a lot of instances especially in the building department, the fees cover the expense.

Some felt the city is imposing costs on itself and it was commented if the upfront expense is going away, why charge more.

Ald. Moldenhauer felt strongly that valuable staff time was spent on the chicken program which could have been spent on more valuable items. He felt that the city should expect to recoup costs when new programs are started.

The committee agreed a compromise has to be made and move forward. A review will be given nine months after the ordinance is adopted.

Ald. Berdan amended her motion, with approval of the second recommending a \$60 one-time fee per household with an annual renewal fee of \$20, grandfathering in the four existing license holders.

Ald. Wilke again suggested \$20 fee per household per year. This would be an increase from \$12 and yet not be a barrier to someone wanting to get a chicken permit.

Ald. Walz-Chojnacki felt the city is being hyper-cautious in regulating chickens. He reluctantly agreed with Ald. Berdan's amended motion and noted they will be reviewing the ordinance in nine months.

Ald. McBride felt more comfortable with a \$50 one-time household fee instead of \$60.

Ald. Berdan amended her motion, with approval of the second recommending a \$50 one-time fee per household with an annual renewal fee of \$20, grandfathering in the four chicken coops currently licensed.

Attorney Kesner reminded the committee that the late fee charge will be based on the annual fee.

Ald. Roznowski called for a vote on the amended motion.

Vote on the amended motion – Ayes: 6 Noes: 2 (Wilke, Moldenhauer)

The Chair called for a vote on the original amended motion.

Ald. Wilke moved to amend the fee schedule to \$20 per household annually, motion failed for lack of second.

Vote on the original motion.

Ald. Berdan amended her motion, with approval of the second recommending a \$50 one-time fee per household with an annual renewal fee of \$20, grandfathering in the four chicken coops currently licensed.
Ayes: 7 Noes: 1 (Moldenhauer)

The meeting adjourned at 8:48 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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