

City of Abbotsford

PO Box 589, 203 N. First Street, Abbotsford, WI 54405

ABBOTSFORD CITY COUNCIL
TO BE HELD MONDAY **May 3, 2021 at 5:30 P.M.**
AT THE ABBOTSFORD COUNCIL CHAMBER

1. Public Hearing re: Community Development Block Grant Application
2. Call the regular meeting to order
 - a. Roll call
 - b. Pledge of Allegiance
3. Comments by the Mayor
4. Comments by the Administrator
5. Comments by the Public
6. Minutes from the City Council Meeting held April 20, 2021 (pgs 1-4)
 - a. Waive the reading and approve/disapprove the minutes
7. Discussion: Open Seat for 3rd District (Wards 3) – 2 year seat
8. Incidents, Training, Accidents
9. Approve/Disapprove Promotion of Erin Clausnitzer to Deputy Clerk/Treasurer
10. Approve/Disapprove Resolution 2021-2 – A Resolution Ordering the Razing of 318 N. First St. (pgs. 5-6)
11. Discussion: Purchasing Smaller Trash Carts
12. Public Works Update
13. MSA Update (pgs 7-8)
14. Award Bid for 3rd Street Construction
15. Water/Wastewater Update
16. Update on Safe Drinking Water Loan Application and Other Water Projects
17. Approve/Disapprove Resolution 2021-3 A Resolution Providing A Guarantee of Matching Funds For the CDBG-PF Application (pg 9)
18. Approve/Disapprove Resolution 2021-4 A Resolution Authorizing the Submittal of a Community Development Block Grant (CDBG) Application (pg. 10)
19. Approve/Disapprove Temporary Class “B” Beer License (Picnic License) for Abby Fest at Schilling Park (pg. 11)
20. Discussion: Keeping Fowl (Chickens and Ducks) Within the City limits (pgs 12-20)
21. Bank Account Balances (pg 21)
22. Items for Future Agendas - No Action Will Be Taken
23. Next Meetings: Committee of the Whole May 19, 2021, City Council–June 7, 2021
24. Adjourn

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to Clerk's Office at (715) 223-3444 with as much advance notice as possible.

City Council May 3, 2021
Mon, May 3, 2021 5:30 PM - 8:00 PM (CDT)

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Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to Clerk's Office at (715) 223-3444 with as much advance notice as possible.

Minutes from the April 20, 2021 Abbotsford City Council Meeting held in the Abbotsford City Hall Council Chambers.

City Council call to order – Mayor Weix called the meeting to order at 6:00 P.M.

Roll Call: M. Rachu, D. Rachu, Diedrich, Huther, Weideman, and Kramer. Excused Absence – Faber. One vacant seat.

Others Present – Administrator Grady, Public Works Director Stuttgen, Water/Wastewater Supervisor Soyk, Judge Judy Kalepp, Tracy Olson, Dan Borchardt (MSA), Brian Chapman (Cedar Corp), and Kevin O’Brien (Tribune Phonograph)

Pledge of Allegiance – Held

Swear in Mayor and City Council Members Elected on April 6, 2020 – Judge Judy Kalepp - Members were sworn into office.

Nomination and Appointment of the Council President – Motion to appoint M. Rachu as City Council President by *Weideman/Huther*. Mayor Weix asked for nomination 3 times. Nomination approve unanimously.

Approve/Disapprove Committee/Commission Appointments for Council Members – Motion to approve appointments by *Huther/M. Rachu*. *Unanimous*. *A copy of the appointments list is attached.*

Approve/Disapprove Appointments to the Library Board – Motion to approve appointments to the Library Board by *Huther/M. Rachu*. *Unanimous*.

Approve/Disapprove Appointments to the Room Tax Commission – Motion to approve appointments to the Room Tax Commission by *D. Rachu/Huther*. *Unanimous*.

Establish Order of the Day – No changes.

Comments for the Mayor – A get well card is being passed around for Alder Faber. The City will be sending flowers.

Comments by the Administrator - I received a little more information regarding the American Recovery Act that the city will be receiving. We have to have a DUNS number and have an active registration on SAM, the US government purchasing and grant website. We do have both of these already. More information will be provided next month, but it is looking like that water and wastewater is the only place that we will be able to spend these funds.

The elections went off smoothly and these were no issues. Turnout was fairly low about ~20%.

As a reminder, Marathon County is running a Covid-19 vaccination site in the PLC starting next week. We don't have any information yet on sign ups. Anyone 16 years of age and older is now eligible for a vaccine.

Charter Communications contacted the City regarding a public access channel that the City has with Charter. The channel has been dormant and Charter would like to know if it can be moved back into general use.

The Expenditure Restraint Act form today. The city does qualify for a payment from the state.

Comments by the Public - Tracy Olson expressed interest in the open District 3 seat.

Minutes from the City Council Meeting held April 5, 2021 – Motion to approve by *Huther/D. Rachu. Unanimous.*

Discuss: Open Seat for 3rd District (Wards 3) – 2 year seat – The City Council asked that an ad be placed in the newspaper advertising the open seat and the issue be placed on the next agenda.

Incidents, Training, Accidents – Public Works Director Stuttgen informed the Council about an air leak in the fire suppression system. The leak was fixed.

Police Department Update – Alder Weideman provided an update.

Approve/Disapprove Police Department Bills – Motion to approve the bills in the amount of \$24,575.66 by *M. Rachu/Weideman. Unanimous.*

Fire Department Update – Mayor Weix provided an update.

Library Update – Alder Huther provided an update.

Approve/Disapprove Signers on City Checking and Savings Accounts at Abby Bank, Forward Bank, and Nicolet Bank – Motion by *Huther/D. Rachu* to add Mayor Weix and Erin Clausnitzer as signers on all City accounts and remove Lori Voss and Louella Luedtke as authorized signers. The official signers on all city bank accounts are as follows: Mayor James H. Weix, Council President Mason Rachu, Administrator Dan Grady, and Administrative Assistant Erin Clausnitzer. Motion is unanimously approved.

Public Works Update – Melvin Companies has started the final work for the Safe Routes to School Project. The new sidewalk will be installed on 4th Ave using extra

SRTS grant money available, as well as, the new crosswalk. Busses for Summer school will access the school via Hiline Ave during construction.

Approve/Disapprove Cedar Corporation Contract for 3rd Avenue Reconstruction - Motion to approve \$8,800 in engineering expenses by *M. Rachu/D. Rachu. Unanimous.*

Water/Wastewater Update – Brunner Well Drilling recently acid washed the pumps at some of our well sites. The water department saw an immediate increase in the gallons per minute that were pumped out of the wells.

Approve/Disapprove MSA Contract to Prepare CDBG Application – Motion to approve the contract in the amount of \$8,000 by *D. Rachu/M. Rachu. Unanimous.*

Approve/Disapprove Temporary Class “B” Beer License (Picnic License) for First City Days – Motion to approve by *Huther/Diedrich. Unanimous.*

Approve/Disapprove Street Use Permit for First City Days – Motion to approve by *Huther/Kramer. Unanimous.*

Approve/Disapprove Operators License – Motion to approve by *Huther/M. Rachu. Unanimous.*

Approve/Disapprove April 2021 Bills – Motion to approve the bills in the amount of \$644,695.76 by *M. Rachu/Huther. Unanimous.*

Monthly Financial Statements - presented

Items for Future Agendas – Open City Council seat in District 3

Next Meetings: City Council– May 3, 2021, Committee of the Whole - May 19, 2021

Motion to Adjourn by Huther/M. Rachu. The City Council adjourned at 6:51 p.m.

APPOINTMENTS FOR 2021-2022 TERM

Police Commission

Alder Mason Rachu
Alder Roger Weideman
Alder Sarah Diedrich
Alternate: Alder Dale Rachu

Central Fire Commission

Mayor Jim Weix
Alternate: Alder Sarah Diedrich

Library Board

Alder Lori Huther – term expiring April 2022
Renee Hinrichsen – term expiring April 2024
Monica Dukelow– term expiring April 2024

Board of Review

Mayor Jim Weix
Alder Dennis Kramer
Alder Mason Rachu
Alder Lori Huther
Administrator Dan Grady

Room Tax (1 year Appointment)

Mayor Jim Weix
Heather Lindgren
Alder Dennis Kramer
Danielle Treankler
Mr. Krunal Patel

Plan Commission

Alder Mason Rachu (Chair) – term expiring April 2022
Mayor Jim Weix– Mayor - term expiring April 2023
Mr. Jim Jakel – term expiring April 2024
Mr. Paul Erickson – term expiring 2024
Mr. Scott Christensen - term expiring April 2023
Ivonne Vazquez – term expiring April 2022
The Honorable Gerry Anders - term expiring April 2022
Roger Weideman – Citizen Alternate – term expiring April 2022

Board of Appeals – Terms Expire 2022

The Honorable Cathy Clement - Chair
Alder Dennis Kramer
The Honorable Peter Horacek
John Mueller
Duwayne Olson
Alternate: Alder Jim Weix
Alternate: Don Medenwaldt

Parliamentarian

Administrator Dan Grady

Emergency Management Director

Chief Jason Bauer

Weed Commissioner (1 year Appointment)

Public Works Director Craig Stuttgarten

**RESOLUTION NO. 2021- 2
CITY OF ABBOTSFORD
MARATHON & CLARK COUNTIES, WISCONSIN**

**A RESOLUTION ORDERING THE RAZING OF THE BUILDING
LOCATED AT 318 N. FIRST STREET**

WHEREAS, 318 N. First Street (Clark County PIN # 201.0044.000) is a public health hazard and a public nuisance.

WHEREAS, on October 14, 2020 the property owner requested and received a raze permit for 318 N. First Street (Clark County PIN # 201.0044.000) from the City of Abbotsford.

WHEREAS, the residence located at 318 N. First Street (Clark County PIN # 201.0044.000) has been without running water since the beginning of February 2021 in violation of both city ordinances and state statutes for residential properties used as rentals. The property owner has made no attempt to make repairs.

WHEREAS, a reasonable person standing in the City owned right of way can readily see gaping holes in the foundation, doors and windows that are badly askew, and the building buckling into itself.

WHEREAS, at the February 1, 2021 Common Council Meeting of the City of Abbotsford directed the City Administrator to send the property owner a 60 day notice to raze the building.

WHEREAS, the 60 day notice has expired and the property owner has not complied with the directive of the Common Council of the City of Abbotsford.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Abbotsford hereby declares that 318 N. First Street (Clark County PIN # 201.0044.000) to be a blighted property and that the residence on this property is both unfit and unsafe for human habitation.

BE IT FURTHER RESOLVED, the residence located at 318 N. First Street (Clark County PIN # 201.0044.000) is so dilapidated and structurally unsound from decades of neglect that the cost of repairs far exceed the value of the property.

BE IT FURTHER RESOLVED that the Common Council of the City of Abbotsford hereby directs the Colby-Abbotsford Police Department to deliver a copy of this resolution to the property owner as soon as possible.

BE IT FURTHER RESOLVED, that beginning 5 (five) business days after delivery of a copy of this resolution to the property owner, the Common Council of the City of Abbotsford hereby directs the Colby-Abbotsford Police Department to issue daily fines in the amount of \$_____ to the property owner of the building located at 318 N. First Street (Clark County PIN # 201.0044.000) until this order is carried out.

BE IT FURTHER RESOLVED, that Common Council of the City of Abbotsford hereby authorizes the Mayor and City Administrator to take any and all legal action necessary for the enforcement of this order.

BE IT FURTHER RESOLVED, that City staff is hereby directed to special assess the property owner for the cost of any public funds used in carrying out this order.

THEREFORE BE IT FINALLY RESOLVED, that the Common Council of the City of Abbotsford hereby orders the building located at 318 N. First Street (Clark County PIN # 201.0044.000) be razed immediately.

IN WITNESS WHEREOF, said Resolution was duly adopted by the Common Council of the City of Abbotsford at its meeting on the 3rd day of May, 2021, by a vote of in favor and opposed.

CITY OF ABBOTSFORD

By: _____
James H. Weix, Mayor

ATTEST
:

Dan Grady, Administrator/Clerk/Treasurer

City of Abbotsford, WI**CLIENT LIAISON:**

Dan Borchardt, PE
Phone: 715.304.0448
Cell: 715.216-3601
dborchardt@msa-ps.com

**DATE:**

May 3, 2021

SAFE ROUTES TO SCHOOL DESIGN - MSA PROJECT #07681015**SPRUCE ST. (BUS. 29) RECONDITIONING PROJECT - MSA PROJECT #07681024****CONSTRUCTION UPDATE**

Melvin Companies resumed work along 4th Ave. April 19, starting with removals and base installation. The City, MSA and DOT have a construction progress meeting scheduled on May 4th to review punchlist items. Based on MSA's discussion with WisDOT they were in support of relocating the RFB installation to the Cedar and 4th Street Intersection provided the City installs the appropriate landings on each side to of the intersection and has future plans for making that a pedestrian route with sidewalk.

Harmon will be onsite May 10th to install the sidewalk concrete along 4th Ave. Melvin will provide a schedule to complete all work prior to June 1 for the following items: Rapid Flashing Beacon (RFB) work along STH 13, striping and punchlist for the project.

INDUSTRIAL PARK UTILITY AND ROADWAY EXTENSION – MSA #07681040**CONSTRUCTION UPDATE**

Prime Contractor Haas Sons, Inc., had G&J onsite Wednesday April 28th to complete restoration work and has American Asphalt scheduled to install the surface lift of asphalt on May 12th. The City and MSA will create a final punchlist and certificate of substantial completion on May 4th to wrap this project up prior to the June 1st.

ABBOTSFORD GIS SERVICES – MSA PROJECT #07681041

MSA is preparing a cost estimate for Water Department solutions to assist with tracking cross connection inspections, water meter replacement and service material verification.

ABBOTSFORD WATER SYSTEM EVALUATION – MSA PROJECT #07681047 AND CDBG BLOCK GRANT 2021 APPLICATION #07681052

MSA has continued work to establish the exact scope of recommended water system improvements. Based on historic and projected water needs, and the current source capacity, the primary need is for reconditioning of existing wells to restore capacity and for the construction of additional wells. Besides additional well capacity, the other significant need is to recondition of the elevated water storage reservoir per the recommendations of the tank inspection report by KLM Engineering. MSA is preparing an application for a Community

PROJECT UPDATE

Development Block Grant (CDBG) for submittal by May 13, to include reconditioning of the elevated tank and several of the wells in the well field east of the City, along with construction of new wells and a metering station for the new wells. After discussion with Josh Soyk, it was agreed that the application to the DNR Safe Drinking Water Loan Program, which would be due on June 30, should be postponed until next year. The water system improvements are planned to be constructed in 2022, depending on receipt of the CDBG.

**RESOLUTION NO. 2021- 3
CITY OF ABBOTSFORD
MARATHON & CLARK COUNTIES, WISCONSIN**

**RESOLUTION PROVIDING A GUARANTEE OF MATCHING FUNDS
FOR THE CDBG-PF APPLICATION**

Relating to the City of Abbotsford’s participation in the Community Development Block Grant (CDBG) Program.

WHEREAS, federal monies are available under the CDBG Annual Public Facilities Competition, administered by the State of Wisconsin, Department of Administration, for the purpose of the provision or improvement of public facilities; and

WHEREAS, after public meeting and due consideration, the City Council of the City of Abbotsford has recommended that an application be submitted to the State of Wisconsin for the following project(s):

Tower Rehabilitation, New Wells and Well Rehabilitation

WHEREAS, the City Council of the City of Abbotsford has reviewed the need for the proposed public facilities projects, and the benefits to be gained therefrom; and

WHEREAS, an adequate local financial match must be provided for the proposed public facilities projects by the City of Abbotsford.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Abbotsford does hereby authorize the commitment of \$_____ to be used as outlined in the CDBG Application.

ADOPTED on this 3rd day of May, 2021.

The above resolution has been authorized by the governing body of the City of Abbotsford Resolution No. 2021-3, dated on this 3rd day of May, 2021.

SIGNED: _____
Jim Weix, Mayor

ATTEST: _____
Dan Grady, City Administrator/Clerk

**RESOLUTION NO. 2021- 4
CITY OF ABBOTSFORD
MARATHON & CLARK COUNTIES, WISCONSIN**

**AUTHORIZING RESOLUTION
FOR THE SUBMISSION OF A
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION**

Relating to the City of Abbotsford’s participation in the Community Development Block Grant-Public Facilities (CDBG-PF) program;

WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the Wisconsin Department of Administration (DOA) Division of Energy, Housing and Community Resources (DEHCR) for the purpose of the provision or development of a public facilities improvement for the CDBG-PF Program for the City of Abbotsford; and,

WHEREAS, after public meeting and due consideration, the City Council has recommended that an application be submitted to DOA for the following project:

Tower Rehabilitation, New Wells and Well Rehabilitation

and,

WHEREAS, it is necessary for the City Council to approve the preparation and filing of an application for the City to receive funds from this program; and,

WHEREAS, the City Council has reviewed the need for the proposed project(s) and the benefit(s) to be gained there from.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve and authorize the preparation and filing of an application for the above named project; and that the Mayor is hereby authorized to sign all necessary documents on behalf of the City of Abbotsford; and that authority is hereby granted to the Mayor to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.

BE IT FURTHER, RESOLVED, that if awarded, the City of Abbotsford hereby accepts the CDBG-PF award.

The above resolution has been authorized by the governing body of the City of Abbotsford Resolution No. 2021-4, dated on this 3rd day of May, 2021.

SIGNED: _____
James H. Weix, Mayor

ADOPTED on this 3rd day of May, 2021.

ATTEST: _____
Dan Grady, City Administrator/Clerk

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 2

Application Date: 4-28-2021

Town Village City of ABBOTSFORD

County of CLARK

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
 A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning _____ and ending _____ and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

- 1. Organization** (check appropriate box) → Bona fide Club Church Lodge/Society
 Chamber of Commerce or similar Civic or Trade Organization
 Veteran's Organization Fair Association

(a) Name ABBY FESTIVAL - ABBY COLBY CROSSINGS CC

(b) Address 100 W. SPRUCE STREET ABBOTSFORD WI 54405
(Street) Town Village City

(c) Date organized 7-1-2010

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:
 President Kim Rothell
 Vice President Kris O'heart
 Secretary NATALYN JANNER
 Treasurer Jenny Yaker

(g) Name and address of manager or person in charge of affair: PAULA RUESCH, 231198
PICKARD AVE, ABBOTSFORD, WI 54405

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number SCHILLING OAK

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? NO

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

3. Name of Event

(a) List name of the event ABBY FESTIVAL

(b) Dates of event JUNE 4-6, 2021

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

ABBY COLBY CROSSINGS CC
(Name of Organization)

Officer _____
(Signature/date)

Officer _____
(Signature/date)

Officer _____
(Signature/date)

Officer Paula A. Ruesch
(Signature/date)

Date Filed with Clerk _____

Date Reported to Council or Board _____

Date Granted by Council _____

License No. _____

Sec. 7-1-13 Animal Feces.

- (a) **Removal of Fecal Matter.** The owner or person in charge of any dog, cat, horse, potbellied pig, or other animal shall not permit solid fecal matter of such animal to deposit on any street, alley or other public or private property, unless such matter is immediately removed therefrom by said owner or person in charge. This Section shall not apply to a person who is visually or physically handicapped.
- (b) **Accumulation of Fecal Matter Prohibited on Private Yards.**
- (1) **Owner's Property.** The owner or person in charge of the dog, cat or other animal must also prevent accumulation of animal waste on his/her own property by regularly inspecting and properly disposing of the fecal matter.
 - (2) **Rental Property.** Any owner of property rented to others must insure tenants do not permit the accumulation of animal waste on the rental property by tenants regularly and shall inspect and properly dispose of fecal matter.

Sec. 7-1-14 Injury to Property by Animals.

It shall be unlawful for any person owning or possessing an animal, dog or cat to permit such animal, dog or cat to go upon any parkway or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate thereon.

Sec. 7-1-15 Barking Dogs or Crying Cats.

It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance. The owner of a dog or cat is considered to be in violation of this Section when two (2) formal, written complaints are filed with City law enforcement or animal control officers, or in the alternative, with the City Clerk-Treasurer, within a four (4) week period.

Sec. 7-1-16 Snakes; Farm Animals.

- (a) **Snakes.**
- (1) For purposes of this Subsection, "poisonous" shall mean having the ability to cause serious harm or death by the transfer of venom or poison to a person or animal.

7-1-16

- (2) No person shall keep or possess any snake in the City which is poisonous or in excess of ten (10) feet in length. This prohibition shall not apply to bona fide zoos, educational institutions or exhibitions keeping such snakes for display or for instructional or research purposes. Any person legally possessing any such animal in this capacity shall notify the City Clerk-Treasurer in writing of the location and type of snake being kept and the purpose for such possession.
- (b) **Farm Animals; Miniature Pigs.** Except as provided in Section 7-1-25 regarding miniature pigs and on properties zoned in an agricultural classification, no person shall own, keep, harbor or board any cattle, horses, ponies, swine, goats, sheep, fowl [more than two (2)] or rabbits [more than four (4)]. For purposes of this Subsection, the term "swine" shall not include any miniature pigs of either sex weighing less than eighty (80) pounds which are intended for and kept as domestic pets.

Sec. 7-1-17 Sale of Rabbits, Chicks or Artificially Colored Animals.

- (a) No person may sell, offer for sale, raffle, give as a prize or premium, use as an advertising device or display living chicks, ducklings, other fowl or rabbits that have been dyed or otherwise colored artificially.
- (b) (1) No person may sell, offer for sale, barter or give away living chicks, ducklings or other fowl without providing proper brooder facilities for the care of such chicks, ducklings or other fowl during the time they are in such person's care, custody or control.
- (2) No retailer, as defined in Sec. 100.30(2)(g), Wis. Stats., may sell, offer for sale, barter or give away living baby rabbits, baby chicks, ducklings or other fowl under two (2) months of age, in any quantity less than six (6), unless the purpose of selling these animals is for agricultural, wildlife or scientific purposes.

State Law Reference: Sec. 951.11, Wis. Stats.

Sec. 7-1-18 Providing Proper Care, Food and Drink to Animals.

- (a) **Care of Dogs and Domesticated Animals.** All dogs and domesticated animals shall be cared for, maintained and handled in a humane and sanitary manner and in such a way as to prevent noises, barking, fighting or howling or other disturbance of the peace and quiet of the neighborhood. No domestic animal shall be abandoned or turned loose by its owner or keeper. No animal shall be inhumanely confined in a manner which causes or is likely to cause pain, suffering, injury or death.
- (b) **Food and Water.**
- (1) No person owning or responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and water as prescribed in this Section.

- (2) The food shall be sufficient to maintain all animals in good health.
- (3) If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

State Law Reference: Sec. 951.13, Wis. Stats.

Sec. 7-1-19 Providing Proper Shelter.

- (a) **Proper Shelter.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this Section. In the case of farm animals, nothing in this Section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.
- (b) **Indoor Standards.** Minimum indoor standards of shelter shall include:
 - (1) **Ambient temperatures.** The ambient temperature shall be compatible with the health of the animal.
 - (2) **Ventilation.** Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.
- (c) **Outdoor Standards.** Minimum outdoor standards of shelter shall include:
 - (1) **Shelter from sunlight.** When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph, "caged" does not include farm fencing used to confine farm animals.
 - (2) **Shelter from inclement weather.**
 - a. **Animals generally.** Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal.
 - b. **Dogs.** If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog shall be provided.
- (d) **Space Standards.** Minimum space requirements for both indoor and outdoor enclosures shall include:
 - (1) **Structural strength.** The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.
 - (2) **Space requirements.** Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal adequate freedom of movement. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.
- (e) **Sanitation Standards.** Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waste materials, dirt and trash so as to minimize health hazards.

State Law Reference: Sec. 951.14, Wis. Stats.

- (9) The animal shall not be permitted to run at large. "Run at large" shall mean the presence of an animal which is not on a leash of six (6) feet or less on any public property or thoroughfare or on any private property. An animal may be unleashed on private property, with the permission of the property owner, in a fenced enclosure sufficient for purposes of restraint. Animals which are not leashed in a motor vehicle shall not be deemed to "run at large" if secured in a manner as will prevent their escape therefrom.
- (10) Animals shall not be kept in a manner as to disturb the peace of the neighborhood or of persons passing to and from upon the streets.
- (e) **Suspension, Revocation or Denial of Renewal of License.** The Mayor or law enforcement officers shall have the right to suspend or revoke any license once granted or deny annual renewal thereof when it appears that any license has violated any of the provisions of this Section, or any ordinance of the City, or law, rule or regulation of the State of Wisconsin, involving cruelty or mistreatment of the animal, or the unlawful possession of the animal. Prior to the suspension or revocation of any license or the denial of an application for a renewal thereof, written notice of the reason for such action shall be given to the applicant or licensee by the officer. Such notice shall state that the applicant may pursue an appeal to the Common Council by filing a request within ten (10) days of such notice.

Sec. 7-1-26 Keeping of Chickens on Residential Parcels.

- (a) **Purpose.** The purpose of this Section is to provide standards for the keeping of a limited number of domesticated chickens and other poultry on residential parcels in the City of Abbotsford on a non-commercial basis while limiting the potential adverse impacts on the surrounding neighborhood. The City recognizes that the keeping of backyard chickens helps provide locally produced, affordable and sustainable food. In addition, the keeping of such chickens can also provide animal companionship, weed and insect control, and nitrogen-rich fertilizer. The City of Abbotsford recognizes, however, that potential adverse impacts may result from the keeping of domesticated chickens as a result of odor, unsanitary waste removal and storage practices, noise, improper living conditions, non-confined poultry leaving the owner's property, and the attraction of predators, rodents or insects. This Section is intended to balance these interests. This Section is not intended to apply to indoor non-poultry birds kept as pets, including, but not limited to, parrots and parakeets, nor to the lawful transportation of fowl through the City of Abbotsford.
- (b) **Definitions.** The following definitions shall be applicable in this Section:
- (1) **Chicken.** Includes the following types of poultry and fowl: chickens, ducks, pigeons, doves, and quail. [Note: Other poultry types are specifically addressed in this Section.]

- (2) **Chicken Coop.** A structure or building for the sheltering of chickens or other poultry. An existing shed or garage may be utilized for this purpose if it meets the standards of this Section, including required distances to property lines and neighboring residences. Also known as a "hen house" or "chicken house".
- (3) **Chicken Pen.** An outdoor fenced area for poultry grazing and exercise use associated with a chicken coop structure. Also known as a "run".
- (c) **Where Permitted.** Chickens may be raised on one- or two-family residential-zoned parcels, as defined in the City of Abbotsford Zoning Code, in accordance with the regulations prescribed in this Section where a principal residence exists on the parcel.
- (d) **Permit Required; Application Requirements.** No chickens may be kept in the City of Abbotsford on parcels with a residential zoning classification except pursuant to a permit obtained from the City Clerk-Treasurer under this Section. A permit may be issued upon the applicant's meeting of the application requirements below and the husbandry and location standards of this Section:
 - (1) **Consent From Adult Residents.** The applicant must provide the written consent from all adult residents residing on the parcel for which the permit is sought.
 - (2) **Consent From Two-Family/Three Family Neighbors.** In the case of an applicant residing on a parcel with a two-family or three-family residence, the applicant must furnish with an application the written consent from the adult occupants of the other residential unit(s) on the parcel.
 - (3) **Site Plan.** The applicant shall provide a site plan showing the location and dimensions of the proposed chicken coop and any associated pen, and the distance of the coop and pen from all lot lines and principal structures located on adjacent lots.
 - (4) **Fee.** The applicant shall make payment of the initial permit fee or renewal fee prescribed in Section 1-3-1. Permit fees will not be pro-rated in the case of mid-year applications.
 - (5) **Inspection Consent.** Application and issuance of a permit under this Section constitutes consent by the applicant to the City of Abbotsford and any of its employees or agents to enter upon the applicant's property to ascertain compliance with this Section and with the terms of the permit, for as long as a permit is in effect.
 - (6) **Permit Issuance; Appeals.**
 - a. Permits will be issued by the City Clerk-Treasurer upon a finding that all conditions for a permit have been met. Written notice of the granting or denial of an application shall be provided to the applicant and to any person who has filed an objection to the granting of the permit. If a permit is denied, the City will provide the reasons for such denial.
 - b. The City may specify maximum size limits for a chicken coop and/or pen as a condition of permit issuance.
 - c. Any person aggrieved by the granting or denial of a permit may have such grant or denial reviewed by the Common Council by filing a written request for review

with the City Clerk-Treasurer no later than ten (10) days after the mailing date of the notice of grant or denial.

- d. Permits under this Section shall be valid for a period of one (1) year, expiring on January 31st of each year.

(e) **Permit Revocation; Citizen Complaints.**

- (1) **Revocation Grounds.** A permit issued under this Section may be revoked by the City Clerk-Treasurer, Zoning Administrator or other enforcement official upon a finding that:
 - a. The permittee has committed a serious violation of this Section, or upon a finding that the permittee has committed multiple or repeated violations of this Section; or
 - b. The permittee has made a material misstatement or omission with his/her permit application.
- (2) **Citizen Complaints.** A citizen may file a written complaint for consideration by the City Clerk-Treasurer or other enforcement official. Upon review, a revocation action may be initiated by the City Clerk-Treasurer or other enforcement official.
- (3) **Revocation Procedures.** The City Clerk-Treasurer or other enforcement official shall provide written notice to the permittee upon the revocation of a permit, and shall include in the notice a listing of the reasons for the revocation and a notice of the permittee's appeal rights as provided in this Subsection. The City Clerk-Treasurer or other enforcement official shall also provide a copy of the notice to any person who has filed a written and signed complaint regarding the permittee, and shall also provide to any such person notice of a non-revocation on the basis of such complaint.
- (4) **Permit Revocation Appeals.** Any person aggrieved by the revocation or non-revocation of a permit may appeal such decision and have the action reviewed by the Common Council by filing a written request for review with the City Clerk-Treasurer no later than ten (10) days after the mailing date of the notice of action.

(f) **Chicken Coop Standards.** A coop shall be provided and shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood. Chickens shall be provided with a building or structure ("coop") that meets the criteria set forth below:

- (1) **Location.** The coop shall be located no closer than ten (10) feet to a lot line, and no closer than twenty-five (25) feet to any residence or other occupied structure other than that of the owner, and may not be located in the street or side yard, as that term is defined in the City Zoning Code.
- (2) **Space Per Chicken.** Each mature chicken shall have a minimum of three (3) square feet of coop floor space.
- (3) **Nesting Boxes.** There shall be at least one (1) nesting box per mature chicken in the coop.
- (4) **Elevated Perches.** The coop shall include elevated perches.

- (5) **Soundness of Construction.** The coop must be structurally sound, moisture-proof, kept in good repair, and attractively finished and maintained. Coop structures shall have a roof and sides, be enclosed on all sides, have at least one (1) door, and be of a design that is secure from predators, including but not limited to dogs, cats, racoons, skunks, rats, coyotes and hawks. Access doors must be able to be closed and locked to prevent the escape of chickens and the entry of predators. A coop, with attached pen, may be of a moveable design to facilitate grazing provided such unit meets the standards of this Section.
- (6) **Windows; Ventilation.** The coop shall have adequate windows and vents to provide for proper light and ventilation. A coop must have at least one (1) window. Window and vent openings shall be covered with predator- and bird-proof wire of less than one (1) inch openings. Coops shall be located in a manner so as to provide both shade and adequate sunlight.
- (7) **Chicken Run Access.** The coop must provide access to the chicken pen/run.
- (8) **Temperature.** The coop must be maintained at an internal temperature of not less than 25° F. A heating bulb may be utilized.
- (g) **Chicken Pens.** Free-range chickens are prohibited. Chickens shall at all times be provided with an outdoor fenced area that meets the criteria set forth below:
 - (1) **Location.** The chicken pen must be no closer than ten (10) feet to a lot line, and no closer than twenty-five (25) feet to any house or other occupied structure other than that of the owner, and may not be located in the street or side yard, as that term is defined in the City Zoning Code.
 - (2) **Space Per Chicken.** Each mature chicken shall have a minimum of six (6) square feet of ground space within a chicken pen.
 - (3) **Minimum Dimensions.** The chicken pen must have minimum dimensions of three (3) feet wide by three (3) feet long by three (3) feet tall (3' x 3' x 3').
 - (4) **Fencing; Mesh Size.** The chicken pen sides shall be enclosed with sturdy wire fencing of a mesh size of not more than one (1") inch openings.
 - (5) **Chicken Pen Roof Fencing.** The chicken pen shall be covered with wire fencing or stout aviary netting with a mesh size of openings not more than one (1") inch square, or with solid roofing, to prevent entry by predators.
 - (6) **Fencing Burial.** If the chicken pen is not mobile, side fencing must be buried at least one (1) foot underground around the entire periphery of the pen to prevent burrowing by predators or rodents.
- (h) **Miscellaneous Requirements.**
 - (1) **Number Limits; Other Poultry Species.**
 - a. The maximum number of chickens which may be kept on a residential zoned parcel is as follows:
 1. Five (5) for residential lots of twenty thousand (20,000) sq. ft. or less.
 - b. The number of chickens which may be kept on residential lots greater than twenty thousand (20,000) sq. ft. may be increased by one (1) additional chicken per three thousand (3,000) sq. ft. up to a maximum of eight (8).

- c. The keeping of poultry species other than those specified in Subsection (b)(1), such as, but not limited to turkeys, pheasants, guinea fowl, geese and peacocks, is permitted only on parcels forty thousand (40,000) sq. ft. or larger after issuance of a conditional use permit pursuant to the City Zoning Code (Title 13, Chapter 1, Article E).
- (2) **Roosters.** Only female chickens are permitted on residential parcels and the keeping of roosters over four (4) months of age is prohibited on residential parcels except on those residential parcels forty thousand (40,000) square feet or larger where one (1) rooster may be kept for every ten (10) hens.
- (3) **Food and Water.** Chickens shall be provided with access to clean water and food at all times; steps shall be taken to keep such water and food unavailable to predators and rodents.
- (4) **Confinement Standards.** Chickens shall be kept confined in a coop or pen enclosure at all times, except that during daylight hours chickens may be allowed outside of their chicken pens or coops in a securely fenced yard if directly supervised. Chickens shall be secured within the coop during non-daylight hours.
- (5) **Manure Storage and Removal; Sanitary Standards.**
- The coop shall be cleaned daily. Provision shall be made for the storage and removal of chicken manure and other waste generated. All stored manure shall be contained within a fully enclosed building or in a predator- and vermin-proof container with a secure lid. Manure not used for fertilizing or composting shall regularly be removed from the site.
 - Feed shall be stored in a predator- and vermin-proof container with a secure lid. Uneaten or spoiled feed shall be removed in a timely manner.
 - The coop, pen, and surrounding area shall be kept free from trash and accumulated droppings, and shall at all times be clean and well-maintained.
 - Mobile chicken coops or pens shall be moved daily to prevent excessive manure or pathogen accumulation.
 - If a chicken dies, it shall be disposed of promptly in a sanitary manner.
 - Chickens shall not be kept in the principal residence past eight (8) weeks of age.
- (6) **Lighting.** Only motion-activated lighting may be used as a regular means of illuminating the exterior of the coop.
- (7) **Noise and Odor Impacts.**
- Perceptible noise from chickens shall not be persistent or be of such loudness at the property boundaries to disturb persons of reasonable sensitivity.
 - Odors from chickens, chicken manure, or other substances related to the keeping of chickens shall not be perceptible at the property boundaries.
- (8) **Slaughtering of Chickens.** No slaughtering of chickens shall take place outside or within public view.
- (9) **Restrictive Covenants.** While the City is not an enforcement authority for private restrictive covenants in place for certain subdivisions, it is the responsibility of the

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permittee to also investigate and be in compliance with any applicable land division restrictive covenants on the keeping of poultry within that subdivision.

- (i) **Sale of Eggs; Commercial Activities.** A permittee or family member of a permittee may sell eggs laid by the chickens permitted under this Section from the residence for which the permit has been issued, provided the permittee complies with all other applicable laws. The sale of such eggs is not considered a commercial use or a home occupation. Chickens may not be kept for any type of commercial purposes. It shall be unlawful for any person to keep live poultry within the City on a residential-zoned parcel for the purposes of sale or breeding, except in compliance with zoning regulations.
- (j) **Penalties.**
 - (1) A forfeiture may be assessed for any violation of this Section in an amount as authorized under Sec. 1-1-7. Each day that a violation of this Section continues shall be deemed a separate violation. Any violation hereunder shall be deemed a separate violation for each chicken kept in violation of this Section.
 - (2) In addition to a forfeiture penalty, any violation of the provisions of this Section or of the permit shall be grounds for the enforcement authorities of the City of Abbotsford to remove the chickens and the chicken-related facilities. Nothing in this Section, including but not limited to the issuance of a permit, shall be construed as limiting the City from abating nuisance-type conditions on a property.

Sec. 7-1-27 Feeding of Deer.

- (a) **Feeding of Deer Prohibited.** No person may place any salt, mineral, grain, deer suckers, fruit or vegetable material outdoors on any public or private property for the purpose of feeding whitetail deer or enticing deer into any specific area of anyone's property in the City of Abbotsford.
- (b) **Presumption.** There shall be a rebuttable presumption that either of the following acts are for the purpose of feeding whitetail deer:
 - (1) **Placement Height.** The placement of salt, mineral, grain, deer suckers, fruit or vegetable material in an aggregate quantity of greater than one-half (1/2) gallon at the height of less than six (6) feet off the ground.
 - (2) **Placement Quantity.** The placement of salt, mineral, grain, deer suckers, fruit or vegetable material in an aggregate quantity of greater than one-half (1/2) gallon in a drop feeder, automatic feeder or similar device regardless of the height of the salt, mineral, grain, fruit or vegetable material.
- (c) **Exceptions.** This Section shall not apply to the following situations:
 - (1) **Hunting.** The placement of bait for the purpose of hunting whitetail deer subject to all other laws, ordinances, rules and regulations governing hunting and the discharge of hunting weapons.

BANK ACCOUNTS

Account	March 2021
Water Savings	\$ 975,078.26
Water Reserve Fund -2012 Bond	\$ 279,017.57
Water Reserve Fund -2020 Bond	\$ 176,263.93
Sewer Reserve Fund	\$ 261,987.24
Sewer Savings	\$ 49,456.69
Treasurers Account	\$ 2,830,003.18
Forward Account	\$ 46,501.97
Library Account	\$ 40,526.78
Library Retirement	\$ -
Parade Building	\$ 49.75
Shortner Trust	\$ 16,219.21
CDBG	\$ -
Perpetual Care	\$ 38,408.71
Equipment Fund	\$ 65,492.34
Public Safety Donation Fund	\$ 53,990.97
Nursing Home CD	\$ 48,200.38
Red Arrow Park Reserve Fund	\$ 5,126.16
Tire and Appliance Escrow	\$ 12,598.27
General Fund Savings	\$ 79,986.57
Jetter Acct	
Fire Department Account	\$ -