

**PUBLIC SAFETY
COMMITTEE**

**Wednesday, November 14,
2018**

6:30 PM

**McFarland Municipal Center
Conference Room A**

AGENDA

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
3. APPROVAL OF MINUTES.
 - a. Motion to approve the minutes of the October 10, 2018 meeting.
4. BUSINESS.
 - a. Staff Reports
 - 1) Fire and Rescue Department
 - 2) Police Department
 - 3) Emergency Management
 - b. Discussion and recommendation on a request from Roundy's Supermarkets, Inc. to modify Village code of ordinances 11-57(h)(1) as it pertains to the requirement that a licensed permit be for a structure.
 - c. License Hearing
 - 1) Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Michaela Reed for the period ending June 30, 2019.
 - 2) Discussion and recommendation on the operator's license for Michaela Reed for the period ending June 30, 2019.
 - d. License Hearing
 - 1) Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Kristin Guimond for the period ending June 30, 2019.
 - 2) Discussion and recommendation on the operator's license for Kristin Guimond for the period ending June 30, 2019.
 - e. Discussion and recommendation on the creation of a special event permit.
 - f. Discussion and recommendation to authorize the use of State of Wisconsin Funding Assistance Escrow Funds for the purchase of an automated CPR compression device.

5. SCHEDULE NEXT MEETING DATE.

- a. Wednesday, December 12, 2018 at 6:30 p.m.

6. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or cassandra.suettinger@mcfarland.wi.us.

VILLAGE OF MCFARLAND
Public Safety Committee Minutes

Wednesday, October 10, 2018 - 6:30 PM

1. CALL TO ORDER, ROLL CALL.

Village Trustee Jerry Adrian called the regular meeting of the Public Safety Committee to order at 6:30 PM in Conference Room A.

Members present: Tyler Mortenson, Rich Staley, Village Trustee Jerry Adrian, Tom Mooney, Village Trustee Carolyn Clow, Ken Machtan, Sandy Bakk

Members not present: Kathryn Lyons

Staff Present:

2. PUBLIC APPEARANCES.

None.

3. APPROVAL OF MINUTES.

a. Approve the minutes of the August 8, 2018 meeting

Motion by Ken Machtan, second by Village Trustee Carolyn Clow, to approve the minutes of the August 8, 2018 meeting with one correction. Motion carries 7 - 0 - 0 by acclamation.

4. BUSINESS.

a. Staff Reports

1) Fire and Rescue Department

Chief Dennis was unable to attend this portion of the meeting due to the Open House for Fire Prevention Week.

2) Police Department

Chief Sherven reviewed the monthly report.

3) Emergency Management

EM Director DiPiazza reviewed the monthly report.

b. Discussion and recommendation on Class A alcohol licenses for J and B Ventures, Inc. d/b/a HWY 51 Liquor and Bait, 5716 HWY 51, for the period ending June 30, 2019.

Motion by Village Trustee Carolyn Clow, second by Ken Machtan, to recommend approval on the Class A alcohol licenses for J and B Ventures, Inc. d/b/a HWY 51 Liquor and Bait, 5716 HWY 51, for the period ending June 30, 2019. Motion carries 7 - 0 - 0 by acclamation.

- c. Discussion and recommendation on a request from Roundy's Supermarkets, Inc. to modify Village code of ordinances 11-57(h)(1) as it pertains to the requirement that a licensed permit be for a structure.

Brianna Cotten, representing Roundy's, requested that the Village consider amending the Village Code that states that a license premises for an alcohol license must be a structure and explained what Pick 'N Save was looking to do. Trustee Adrian clarified that the Committee was only considering whether to proceed with drafting a code amendment for future consideration and not Pick 'N Save's specific plans. The Committee discussed that they would need more information on what was being done in other communities, including how the ordinances were drafted, if the business types were limited, and what other restrictions were in place. The Committee would like to see guidelines along with a draft ordinance, as well as a process for how a business would go about getting approval for this type of change. The Committee asked staff to look into all of these things and provide more information to the Committee

Motion by Tom Mooney, second by Village Trustee Carolyn Clow, to table the discussion until the next meeting in order to obtain more information. Motion carries 7 - 0 - 0 by acclamation.

- e. Discussion and recommendation on a request from Waubesa Shores Condominiums to grant a variance per section 26-183 of the Village Code of Ordinances in regard to section 26-82 regarding use and storage of grills and other outdoor stoves.

Representatives from Waubesa Shores indicated that they were requesting a variance to be able to use grills on balconies. They intended to install permanent gas lines with one hour shut off and there would not be fuel stored on the balconies. Additionally there will be sprinkler systems and fire resistant materials on the balconies. Chief Dennis stated that the variance was needed because of the conflicts in the building and fire codes and that he supported the variance because of the safety features that had been planned.

Motion by Village Trustee Jerry Adrian, second by Ken Machtan, to recommend approval to the Village Board on a request from Waubesa Shores Condominiums to grant a variance per section 26-183 of the Village Code of Ordinances in regard to section 26-82 regarding use and storage of grills and other outdoor stoves. Motion carries 7 - 0 - 0 by acclamation.

- d. License Hearing

- 1) Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Kristin Guimond for the period ending June 30, 2019.

Kristin Guimond was not present and no hearing was held.

- 2) Discussion and recommendation on the operator's license for Kristin Guimond for the period ending June 30, 2019.

Motion by Village Trustee Carolyn Clow, second by Tom Mooney, to recommend the application for an operator's license for Kristin Guimond for the period ending June 30, 2019 be placed on file without prejudice. Motion carries 7 - 0 - 0 by acclamation.

- f. Discussion and recommendation on entering into an intergovernmental agreement for operation of a joint crowd control unit with the City of Monona, City of Stoughton, City of Verona, and Village of Oregon.

Chief Sherven indicated that this was a mutual aid agreement that provided for a Special Events Team, including training and equipment.

Motion by Village Trustee Jerry Adrian, second by Tyler Mortenson, to recommend approval to the Village Board on entering into an intergovernmental agreement for operation of a joint crowd control unit with the City of Monona, City of Stoughton, City of Verona, and Village of Oregon. Motion carries 7 - 0 - 0 by acclamation.

- g. Discussion and recommendation on a request to consider speed limit signs in the Glen Road neighborhood

Chief Sherven indicated that he was not opposed to posting Glen Road as 15 mph because the street is pretty narrow and the Ordinance currently indicates that it is 15 mph.

Motion by Tyler Mortenson, second by Ken Machtan, to recommend approval to the Village Board on a request to consider special speed limit signs in the Glen Road neighborhood as identified as a-j on the summary sheet . Motion carries 7 - 0 - 0 by acclamation.

- h. Discussion and recommendation on an ordinance amendment to sec. 35-159 of the Village ordinance regarding parking heavy vehicles, boats, trailers, and recreation vehicles on public streets and private property.

Chief Sherven distributed a draft of the proposed amendments and indicated that the proposal was to change the Ordinance to match how the Police Department was enforcing the issues. He indicated that there was no specific timing on the changes so the Committee could review the proposed changes and discuss them further at a future meeting.

Motion by Village Trustee Jerry Adrian, second by Village Trustee Carolyn Clow, to table to the next meeting the discussion and recommendation on an ordinance amendment to sec. 35-159 of the Village ordinance regarding parking heavy vehicles, boats, trailers, and recreation vehicles on public streets and private property. Motion carries 7 - 0 - 0 by acclamation.

5. SCHEDULE NEXT MEETING DATE.

No discussion was held.

6. ADJOURNMENT.

Motion by Village Trustee Carolyn Clow, second by Ken Machtan, to adjourn at 8:03 p.m.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,
Tanya O'Malley
Deputy Clerk



McFarland Fire & Rescue Department

5915 Milwaukee Street • PO Box 110 • McFarland, WI 53558-0110
(608) 838-3278 • Fax: (608) 838-3619

Emergency: 911

November 2018 Fire & Rescue Department Report For October 2018 Activity

- **General**

- Fire prevention week is in the books for another year. We performed eight station tours with 274 kids coming through the station. We performed five schools visits with visiting 210 kids. We witnessed two school fire drills and delayed one drill due to the school having a lockdown due to a law enforcement incident in the area. On Wednesday night we hosted our annual fire prevention open house. We were able to display a considerable amount of items that our Fire & Rescue Association has been able to obtain for us. Some of the items included our medium fidelity manikin, fire extinguisher trainer, extrication tools, etc.
- We completed our training of school district staff in the Stop the Bleed program, which allowed us to deliver the final three bleeding control bags to the school district. We provided training for a total of twenty-four staff members. It was well received and we are working on additional sessions for next year, which will include refresher training. We are happy to have the grant be successful and get the bleeding control bags into the schools. The Fire & Rescue Association is considering doing fundraising to provide more kits to the school district.
- The Fire & Rescue Association voted to support the purchase of a Lucas (automated compression device) for performing CPR. We would like to purchase one with Association funding and one with State of Wisconsin Funding Assistance Program funds. We are hoping to have the units delivered in December and training completed in January.
- Department of Safety Professional Services released the updated code for Fire Department Health and Safety. The new code will require some adjustment as we will no longer be able to have new firefighters assist with supervision during firefighting incidents. The firefighter must complete entry-level firefighter before performing firefighting duties on an incident. There is a similar concern with driver operators, however, our current policies follow the code. The area we must work on compliance is with the requirement of officer training from the technical college and having all crews have an officer. We have been performing a considerable amount in-house, and the training doesn't meet the standard. The requirement is delayed until October 2019 as many departments are facing a similar issue. We are hoping some members will complete the training in the spring of next year.
- We have not received any additional information from the State of Wisconsin EMS section pertaining to the new legislation implementations.

- Chief Dennis has been working with the Public Safety Analysis project team. The information requested from RW Management was completed. Chief Dennis provided a tour of the Fire House and the protection area to RW Management.
- As follow up from the recent variance request to the Village Fire Prevention code, we are working on a revision to the code to be proposed. We are hoping to have a draft to the Village Attorney by the end of the year. We are close to completing our research and tentatively recommending the adoption of the International Fire Code to assist in reducing conflicts between the fire prevention code and building code.
- The Department assisted in the annual Halloween parade with apparatus protecting the parade participants.
- The Department was also able to distribute a considerable amount of candy donated by the Fire & Rescue Association on Halloween. We enjoy performing the process as we help keep an eye on the children and provide a public safety presence throughout our protection area.
- **Staffing**
 - Current Staffing Levels
 - Fulltime Fire Rescue Chief – 1
 - Fulltime Fire Inspector/Public Education Specialist – 1
 - Fulltime EMTs – 5
 - Fulltime Confidential Administrative Assistant (Shared w/Admin) - 1
 - Paid on Call – 59 (18 EMTs, 20 Firefighters (2 Active Retired), 10 EMR/Firefighter, & 11 EMT/Firefighters)
 - Total Staffing Level – 67
 - We have begun a recruitment program with a focus on Village residents for firefighters. We are currently down three firefighters from normal staffing and will most likely have three resignations near the first of the year due to a few different factors. We are hoping to have interviews performed the last week of November and to be able to schedule individuals for school starting January.
- **Training Activity**
 - The month of October training included medical documentation, station prep for fire prevention week, live car fire at Madison College and basic firefighter skills.
 - The medical documentation was an outside speaker arranged from Dane County. The speaker was in Verona, and Dane County broadcasted it online in a web meeting. Additionally, the session was recorded for future training. We had members attend in person in Verona, McFarland via online, and watch the recording.
 - We performed interior fire attack training on the house in the Town of Dunn on Saturday, October 13th. Our crews were unable to burn the house down on the Saturday due to winds increasing during the day. The result is the house delayed one night of training at MATC to perform the training on a Monday night.
 - We were able to send one crew to MATC to practice cars fires. There were some issues with the training prop, and we had to change the plan some. Crew practiced forcible entry training, gas grill and dumpster fires. We are attempting to find a location to store a forcible entry prop with easier access.

- The month of November will be advanced medical skills and the remainder of the firefighters going to MATC for car fire training. The month will be shorter due to the Thanksgiving Holiday.

<u>Inspection/Prevention Activity</u>	<u>Completed</u>	<u>Year to Date Total</u>
Building Inspections	37	436
Fire Code Violations Identified	13	266
Re-Inspections	1	35
Corrections Noted	2	69
Plan Reviews	0	52
Acceptance Inspections/Test	2	26

<u>Public Instruction</u>	<u>Completed</u>	<u>Year to Date Total</u>
CPR Certifications	4	152
First Aid Training	0	105
High School CPR (Hands Only)	0	0
Baby Sitters First Aid	0	48
Public Education Tours	2	10

- **Apparatus & Equipment**

- The 2008 Ambulance (Rescue 82) had an electrical issue occur and required contacting the factory to determine the cause of the problem which was a failed circuit breaker mounted in a hard to find location. The truck unfortunately was out of service for two days.
- The 2015 Ambulance (Rescue 84) had a battery fail and was replaced by the Village Mechanic. The failure occurred while Rescue 82 was out of service and we were unable to secure the County ambulance during the time. The supplier had to obtain a replacement from their distribution center. We were unfortunately without an ambulance for about three hours but fortunately had no incidents during the time. The 2018 pickup (Car 2) was outfitted with all the ambulance equipment during the situation to provide the same level of care in the event of an incident occurring.
 - Later in the month Rescue 84 has a regular service performed.
- The 2005 Pumper (Engine 1) had the front tires replaced with the old tires being sent to public works for usage on a patrol truck that doesn't require an emergency response rating of tires.
- The 2016 SUV (Car 3/Chief's car) had normal service performed with no issues being found.
- The 2018 Pumper (Engine 2) had several items addressed under warranty. Some additional issues have occurred with steering alignment, backup alarm, screw scratching a door, etc. Chief Dennis and Assistant Chief Reiter will be meeting with Reliant Fire, the dealer for the truck, to discuss and develop a plan to resolve issues.

Incident Summary

Incident Type	2018		2017	
	October	Year to Date Total	October	Year to Date Total
EMS – Falls	10	123	10	111
EMS – General Medical	30	340	31	327
EMS – Motor Vehicle Crash	7	60	10	36
EMS – Trauma Other	1	50	5	26
EMS – Other types	9	102	15	111
EMS – Total (-1%)	57	675	71	682
Fire – Building, vehicle or outside	1	27	4	28
Fire – Assist EMS Crew	6	90	14	108
Fire – Motor Vehicle Crash	6	40	5	29
Fire – Alarms	4	51	4	44
Fire – Other types	20	112	13	129
Fire – Total (-5%)	37	320	40	338

Significant Incident

- On Wednesday, October 8th a citizen reported a contractor was discharging a white substance into the storm sewer in 4700 block of Farwell. A captain of the department began investigating the situation and made contact with a remediation contractor that was working and causing the discharge. In collaboration with the McFarland Public Works Department, the City of Madison as State of Wisconsin Regional Hazardous Materials Team and Wisconsin Department of Natural Resources (DNR), we determined the contractor experienced a reaction in the remediation mixing due to an organic substance being present in the ingredients. The compounds in the mixture when combined cause a relatively neutral substance. The amounts utilized were well below the DNR requirements for containment and cleanup. Additionally, samples were taken from the lagoon where the storm drains discharge and no changes in the water were noted. The incident remained relatively low profile with only response from McFarland Fire & Rescue command and staff vehicles. The outside agencies participated via teleconferences. The incident required about three hours of time to determine the released was not hazardous or toxic to the environment or storm sewer system.

Runs by Dispatch Reason - MFR

Incident Complaint Reported By Dispatch (eDispatch.01)	Number of Runs	Percent of Total Runs
Falls	10	16.39%
Sick Person	10	16.39%
Traffic/Transportation Incident	10	16.39%
Breathing Problem	4	6.56%
Unconscious/Fainting/Near-Fainting	4	6.56%
Fire	3	4.92%
Hemorrhage/Laceration	3	4.92%
Assault	2	3.28%
Cardiac Arrest/Death	2	3.28%
Chest Pain (Non-Traumatic)	2	3.28%
Medical Alarm	2	3.28%
No Other Appropriate Choice	2	3.28%
Abdominal Pain/Problems	1	1.64%
Carbon Monoxide/Hazmat/Inhalation/CBRN	1	1.64%
Choking	1	1.64%
Convulsions/Seizure	1	1.64%
Diabetic Problem	1	1.64%
Standby	1	1.64%
Stroke/CVA	1	1.64%
Total: 61		Total: 100.00%

Report Filters

Incident Date: is between '10/1/2018' and '10/31/2018'

****Note report is based on patient care reports. Incidents with multiple patients will cause additional runs. Total incidents will be less than total runs indicated on this report.**

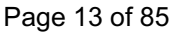
Runs by Dispatch Reason - MFR

Incident Complaint Reported By Dispatch (eDispatch.01)	Number of Runs	Percent of Total Runs
Falls	125	16.87%
Traffic/Transportation Incident	115	15.52%
Sick Person	99	13.36%
Unconscious/Fainting/Near-Fainting	80	10.80%
Fire	53	7.15%
Breathing Problem	45	6.07%
Hemorrhage/Laceration	21	2.83%
Chest Pain (Non-Traumatic)	18	2.43%
Convulsions/Seizure	17	2.29%
Heart Problems/AICD	17	2.29%
Carbon Monoxide/Hazmat/Inhalation/CBRN	14	1.89%
Stroke/CVA	14	1.89%
Abdominal Pain/Problems	12	1.62%
No Other Appropriate Choice	12	1.62%
Overdose/Poisoning/Ingestion	12	1.62%
Back Pain (Non-Traumatic)	11	1.48%
Diabetic Problem	11	1.48%
Standby	10	1.35%
Cardiac Arrest/Death	9	1.21%
Traumatic Injury	8	1.08%
Allergic Reaction/Stings	7	0.94%
Assault	5	0.67%
Choking	5	0.67%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	5	0.67%
Headache	3	0.40%
Transfer/Interfacility/Palliative Care	3	0.40%
Unknown Problem/Person Down	3	0.40%
Medical Alarm	2	0.27%
Burns/Explosion	1	0.13%
Eye Problem/Injury	1	0.13%
Industrial Accident/Inaccessible Incident/Other Entrapments (Non-Vehicle)	1	0.13%
Pregnancy/Childbirth/Miscarriage	1	0.13%
Stab/Gunshot Wound/Penetrating Trauma	1	0.13%
Total: 741		Total: 100.00%

Report Filters

Incident Date: is between '1/1/2018' and '10/31/2018'

****Note report is based on patient care reports. Incidents with multiple patients will cause additional runs. Total incidents will be less than total runs indicated on this report.**



Village Of McFarland Fire EMS
Fire Incident Type Period Comparisons
Alarm Date Between {10/01/2018} and {10/31/2018}

Incident Type	10/01/2018 to 10/31/2018	10/01/2017 to 10/31/2017	10/01/2016 to 10/31/2016	10/01/2015 to 10/31/2015
111 Building fire	1	0	1	0
132 Road freight or transport vehicle fire	0	0	1	0
138 Off-road vehicle or heavy equipment fire	0	1	0	0
141 Forest, woods or wildland fire	0	1	0	0
161 Outside storage fire	0	1	0	0
311 Medical assist, assist EMS crew	6	14	7	4
322 Motor vehicle accident with injuries	4	0	1	1
324 Motor Vehicle Accident with no injuries	1	0	1	0
341 Search for person on land	0	1	0	0
352 Extrication of victim(s) from vehicle	0	1	0	1
353 Removal of victim(s) from stalled elevator	0	0	1	0
411 Gasoline or other flammable liquid spill	1	0	0	0
412 Gas leak (natural gas or LPG)	1	0	1	0
422 Chemical spill or leak	1	0	0	0
440 Electrical wiring/equipment problem, Other	1	0	0	0
444 Power line down	0	0	0	1
445 Arcing, shorted electrical equipment	1	2	0	0
463 Vehicle accident, general cleanup	1	4	0	0
520 Water problem, Other	0	2	0	0
531 Smoke or odor removal	1	0	0	0
553 Public service	1	0	0	0
571 Cover assignment, standby, moveup	1	0	0	0
600 Good intent call, Other	0	0	0	1
611 Dispatched & cancelled en route	9	8	5	5
631 Authorized controlled burning	2	0	0	1
653 Smoke from barbecue, tar kettle	0	1	0	0
671 HazMat release investigation w/no HazMat	2	0	0	0
672 Biological hazard investigation	0	0	1	0
731 Sprinkler activation due to malfunction	1	0	0	0
735 Alarm system sounded due to malfunction	0	0	0	1
736 CO detector activation due to malfunction	0	1	0	0
744 Detector activation, no fire - unintentional	0	0	1	0
745 Alarm system activation, no fire - unintentional	1	3	0	0
746 Carbon monoxide detector activation, no CO	1	0	0	1
Totals	37	40	20	16

Village Of McFarland Fire EMS
Fire Incident Type Period Comparisons
Alarm Date Between {01/01/2018} and {10/31/2018}

Incident Type	01/01/2018 to 10/31/2018	01/01/2017 to 10/31/2017	01/01/2016 to 10/31/2016	01/01/2015 to 10/31/2015
100 Fire, Other	0	0	0	1
111 Building fire	13	8	10	15
112 Fires in structure other than in a building	1	1	0	1
113 Cooking fire, confined to container	2	6	1	0
116 Fuel burner/boiler malfunction, fire confined	0	0	1	0
118 Trash or rubbish fire, contained	0	1	0	0
130 Mobile property (vehicle) fire, Other	0	0	1	1
131 Passenger vehicle fire	2	2	2	1
132 Road freight or transport vehicle fire	0	0	2	1
134 Water vehicle fire	0	1	1	0
137 Camper or recreational vehicle (RV) fire	0	0	0	1
138 Off-road vehicle or heavy equipment fire	1	1	0	0
140 Natural vegetation fire, Other	1	1	0	0
141 Forest, woods or wildland fire	1	1	0	1
142 Brush or brush-and-grass mixture fire	1	2	2	2
143 Grass fire	0	0	0	1
150 Outside rubbish fire, Other	1	0	0	0
151 Outside rubbish, trash or waste fire	0	0	1	1
154 Dumpster or other outside trash receptacle fire	0	3	0	1
160 Special outside fire, Other	1	0	0	1
161 Outside storage fire	0	1	0	0
171 Cultivated grain or crop fire	1	0	1	0
251 Excessive heat, scorch burns with no ignition	0	1	0	0
300 Rescue, EMS incident, other	0	0	1	0
311 Medical assist, assist EMS crew	90	106	74	74
322 Motor vehicle accident with injuries	23	14	16	14
323 Motor vehicle/pedestrian accident (MV Ped)	2	0	1	1
324 Motor Vehicle Accident with no injuries	10	3	3	2
331 Lock-in (if lock out , use 511)	0	3	1	0
341 Search for person on land	0	2	0	0
350 Extrication, rescue, Other	0	2	1	0
352 Extrication of victim(s) from vehicle	0	2	0	4
353 Removal of victim(s) from stalled elevator	2	1	1	0
357 Extrication of victim(s) from machinery	1	0	0	0
363 Swift water rescue	1	0	0	0
365 Watercraft rescue	1	1	2	0
381 Rescue or EMS standby	0	1	0	0
400 Hazardous condition, Other	0	0	1	0
411 Gasoline or other flammable liquid spill	4	3	0	0
412 Gas leak (natural gas or LPG)	5	4	5	2
413 Oil or other combustibile liquid spill	0	2	0	0
420 Toxic condition, Other	1	0	0	0
422 Chemical spill or leak	1	0	0	0
424 Carbon monoxide incident	4	3	3	4
440 Electrical wiring/equipment problem, Other	1	7	1	1

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Village Of McFarland Fire EMS
Fire Incident Type Period Comparisons
Alarm Date Between {01/01/2018} and {10/31/2018}

Incident Type	01/01/2018 to 10/31/2018	01/01/2017 to 10/31/2017	01/01/2016 to 10/31/2016	01/01/2015 to 10/31/2015
442 Overheated motor	1	0	0	3
443 Breakdown of light ballast	0	0	1	0
444 Power line down	3	4	4	3
445 Arcing, shorted electrical equipment	2	6	1	1
451 Biological hazard, confirmed or suspected	0	1	0	0
463 Vehicle accident, general cleanup	5	10	1	0
500 Service Call, other	1	0	3	0
510 Person in distress, Other	1	1	1	0
511 Lock-out	0	0	1	0
520 Water problem, Other	0	3	1	1
522 Water or steam leak	1	2	1	0
531 Smoke or odor removal	2	1	0	0
542 Animal rescue	0	1	0	0
550 Public service assistance, Other	0	1	0	0
551 Assist police or other governmental agency	0	2	0	1
552 Police matter	0	0	1	0
553 Public service	1	0	1	0
561 Unauthorized burning	3	1	0	0
571 Cover assignment, standby, moveup	4	1	0	1
600 Good intent call, Other	3	10	1	3
611 Dispatched & cancelled en route	49	53	38	31
621 Wrong location	0	0	0	1
622 No Incident found on arrival at dispatch address	1	2	4	1
631 Authorized controlled burning	10	2	3	4
632 Prescribed fire	0	0	1	0
650 Steam, Other gas mistaken for smoke, Other	0	1	0	0
651 Smoke scare, odor of smoke	6	3	1	2
652 Steam, vapor, fog or dust thought to be smoke	0	1	1	1
653 Smoke from barbecue, tar kettle	0	2	0	0
661 EMS call, party transported by non-fire agency	0	1	0	0
671 HazMat release investigation w/no HazMat	5	1	0	1
672 Biological hazard investigation	0	0	1	0
700 False alarm or false call, Other	2	1	2	1
710 Malicious, mischievous false call, Other	1	0	1	1
714 Central station, malicious false alarm	3	0	1	0
715 Local alarm system, malicious false alarm	0	0	0	1
730 System malfunction, Other	0	0	0	1
731 Sprinkler activation due to malfunction	3	0	0	0
733 Smoke detector activation due to malfunction	3	0	5	3
735 Alarm system sounded due to malfunction	6	8	3	4
736 CO detector activation due to malfunction	3	7	5	8
740 Unintentional transmission of alarm, Other	3	2	0	2
741 Sprinkler activation, no fire - unintentional	0	1	0	0
743 Smoke detector activation, no fire - unintentional	3	5	1	2
744 Detector activation, no fire - unintentional	1	0	1	1

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Village Of McFarland Fire EMS
Fire Incident Type Period Comparisons
Alarm Date Between {01/01/2018} and {10/31/2018}

Incident Type	01/01/2018 to 10/31/2018	01/01/2017 to 10/31/2017	01/01/2016 to 10/31/2016	01/01/2015 to 10/31/2015
746 Carbon monoxide detector activation, no CO	6	4	2	5
812 Flood assessment	1	0	1	0
814 Lightning strike (no fire)	1	0	0	0
815 Severe weather or natural disaster standby	2	2	0	0
900 Special type of incident, Other	1	0	2	0
Totals	<u>320</u>	<u>338</u>	<u>230</u>	<u>216</u>

MCFARLAND POLICE DEPARTMENT



October 2018 Monthly Report

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OCTOBER 2018 MONTHLY REPORT

As observed on the attached Call Summary Report, the McFarland Police Department logged 801 cases in October. This is compared to 595 cases for the same time period in 2017. Cases of interest for the month were: six intoxicated drivers, two domestic disturbances, seven disturbances, two juvenile complaints, two burglaries, ten thefts, fifteen traffic accidents, thirty-seven EMS assists, and responded to twelve alarms. Officers also logged 252 traffic incidents/stops during this month.

Cases of interest for the month are as follows:

10/02/2018 An officer stopped a vehicle on US HWY 51 for speeding. The officer made contact with the occupants of the vehicle and could also smell the odor of burnt marijuana coming from inside. The occupants were removed from the vehicle as there was some concern the vehicle did not belong to them and may have been stolen. The vehicle was searched and two cans of pepper spray were found along with evidence of drug use. The driver was eventually arrested for operating a motor vehicle while under the influence-1st offense, misdemeanor bail jumping, speeding, and no valid DL. It was later determined the vehicle and license plates had been stolen in Madison. All four occupants were also charged with driving or being a passenger in a stolen vehicle. As a note, the driver had previously been charged twice for operating a stolen vehicle.

10/20/2018 An officer stopped a vehicle on Badger Street for a routine traffic violation. As the officer was approaching the vehicle, it sped away from the stop location. The vehicle proceeded west on Dale Street and into an apartment building parking lot. The vehicle drove through a wooden fence and was able to elude the officers. It was later learned the owner had loaned the vehicle to a subject who had subsequently loaned the vehicle to someone else. The possible driver of the vehicle was known to have several felony warrants for his arrest and may be the reason he fled from officers. The case is still under investigation.

The McFarland Police Department also handled two traffic crashes in October that were caused by intoxicated drivers. In both cases, the drivers had a .20 or higher blood alcohol concentration. The officers of the Police Department work hard at keeping the roads safe for all who travel throughout the Village. Enforcement of the impaired driver laws, whether it is drugs or alcohol, is a top priority for the Department.

Staffing Report

- Our evening shift Police Clerk will officially retire on November 30th. A transition plan is in place to hire this employee's replacement.
- The new evening shift position will be officially hired within the same classification as our recent Confidential Administrative Assistant. That said, their duties and functions they perform will be quite different. My intent is to create an Office Manager position within the department, which the first hire

will transition to sometime in 2019. Our front office structure will then be one Office Manager, one Confidential Administrative Assistant, and one part-time/as needed Police Clerk.

- No new police department staffing has been requested in the 2019 budget.

Equipment Report

- We continue to monitor the situation with Ford Motor Company as related to our squad car leases for 2019. We will complete our first round of squad leases at the end of 2018. We have been made aware that Ford will discontinue the current Police Utility product at the end of February, and after that will produce only 2020 models with a hybrid option. The cost of these vehicles ranges from \$4000-\$12000 per vehicle more than the 2019 version. Ford had indicated that all orders received prior to September 21, 2018 would be assured 2019 models at the lower cost threshold.

At this point, it is unknown what we will receive. Regardless of whether we receive 2019 or 2020 models, I will not be ordering the hybrid versions, as I would prefer to wait until the technology has been vetted by other departments in a law enforcement application before committing to it.

- The UAV Program training is under way, with anticipated completion before the end of the year
- The Department has requested funding in the 2019 budget for a departmental transition from our current .40 cal. handguns to the Smith and Wesson M&P 9mm handgun. This transition makes sense for three reasons.

First, the average age of our current inventory is approaching suggested replacement and/or internal component replacement.

Second, current FBI trajectory and ballistic testing now recommends the 9mm round as the caliber of choice for law enforcement applications.

Third, the cost analysis shows an overall minimal financial investment necessary to accomplish the transition. When comparing the cost (parts and staff time) required to refurbish existing inventory vs. purchasing new weaponry and selling the existing inventory, the cost differential is minimal.

- The Department has also requested funding in the 2019 budget for the replacement of all hand-held portable radios. We have been advised that in 2019 the current technology will no longer be supported by the manufacturer and will become unserviceable.

Training Report

- All officers attended their last in-service session for 2018. Firearms and vehicle contacts were the topics covered. The training was held at the Dane County Range.
- Sgt. Joe Maurer and Investigator Josh Barnier attended Instructor Recertification training in Milwaukee.
- Officer Sydney Bryant attended Operation Rush training in Middleton. The training focuses on drug interdiction techniques.
- Officers Joel Zietsma and Sydney Bryant attended Advanced Roadside Impaired Driving Enforcement (ARIDE) training in Middleton. The training focused on different techniques for the enforcement of impaired drivers.

Budget Report

- The department is currently working on the 2019 Annual Operating and Capital Budgets.

Other Information

- The 2nd Annual McFarland-Monona Citizen's Police Academy is in full swing and doing well. Graduation night is Thursday, November 15th. A big thank you to Officer Jason Onken for coordinating, and all of the officers involved in instructing it.
- The mutual aid agreement with our training consortium partners (Monona, Stoughton, Verona and Oregon) for the purposes of establishing our own SET Team (Special Events and Crowd Management) has been approved by the Village Board. Equipment purchasing and training will take place throughout November and December.
- 365 lbs. of unwanted prescription drugs were collected over the past 6 months in our Drug Drop Box. That's an average of 2 lbs. of medications per day!



Incident Analysis Report Summary By Incident Type

McFarland Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 11/01/2018 15:17
Login ID: mcbgr
Incident Type: All
Call Source: All

From Date: 10/01/2018 00:00
To Date: 10/31/2018 23:59

McFarland Police Department
ORI Number: WI0137300

Officer ID: All
Location: All

Incident Type	Number of Incidents
911 Abandoned Call	3
911 Call Question	2
911 Call Silent	3
911 Call Unintentional	9
911 Disconnect	7
911 Misdialed Call	2
Accident Hit and Run	1
Accident Mv/Deer	1
Accident Private Property	1
Accident Property Damage	8
Accident Unknown Injuries	2
Accident w/injuries	2
Adult Arrested Person	3
Alarm	12
Alarm Broadcast/File	1
Animal Stray	5
Assist Citizen	39
Assist EMS/Fire	37
Assist K9	8
Assist Police	26
ATL Person	5
Battery	3
Burglary Residential	2
Check Person	21
Check Property	146
Civil Dispute	5
Conveyance	1
Damage to Property	1
Death Investigation	1
Disturbance	7
Domestic Disturbance	2
Drug Incident/Investigation	2
Follow-Up	31
Foot Patrol	1
Fraud	2
Information	29
Juvenile Complaint	2
Noise Complaint	3



Incident Analysis Report Summary By Incident Type

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To Date: 10/31/2018 23:59

McFarland Police Department
ORI Number: WI0137300

Officer ID: All
Location: All

Incident Type	Number of Incidents
OMVWI Arrest/Intoxicated Driver	8
Parking Complaint On Street	18
Phone	18
PNB/AED Response	1
Preserve the Peace	3
Problem Solving Person	9
Property Found	5
Recovered/Stolen Outside Agency	1
Repo	2
Safety Hazard	16
Serving Legal Papers	2
Sex Offense Miscellaneous	1
Silent Case Number	2
Special Event	2
Suspicious Person	5
Suspicious Vehicle	11
Test 911 Call	1
Theft	8
Theft from Auto	1
Theft Retail	1
Threats Complaint	3
Traffic Complaint/Investigation	81
Traffic Incident	2
Traffic Stop	169
Violation of Court Order	1
Total:	801

PUBLIC SAFETY COMMITTEE

EMERGENCY MANAGEMENT REPORT

October 2018 Report

Update on outdoor warning siren:

Outdoor warning sirens are activated country wide at 12:00 PM on the 1st Wednesday of the month, sirens are operating properly.

Emergency Management Committee Meeting:

The most recent meeting was held on September 27, 2018 at 2:00 PM with 5 members in attendance.

The next meeting will be held on November 29, 2018 at 2:00 PM.

Storm Activity:

High waters and flood areas have been calming down, and we are currently in the sandbag removal stage. Department heads, Public Safety Committee Members, Emergency Management Committee Members and Village Board Members shall continue to be supplied with weather briefings as I participate in the weather briefing webinars and telephone conferences when they are held. Further, weather briefings and posts are being placed on Social Media for the Village.

Emergency Response Manual Update:

Our emergency services department heads have been addressed with 2 additional scenarios, one being the collapse of bleachers at the high school and the other a large structure fire to review and gather information from them to add protocols to our Emergency response Manual, although we have experienced busy times with the heavy rainfall and flooding situations. Therefore, we will review the scenarios prior to the next Emergency Management Committee Meeting on November. 29th

Training:

Three police officers have recently joined the UAS team and are currently studying the materials for his exam to be taken in the near future. Scott Miller has been, and shall be available for our training needs with the UAS as personnel become members of the team.

Webinars from Emergency Government Technology as well as other affiliations and organizations for Emergency Management programs are attended to assist in my role regarding training and updates, etc.

Community Awareness:

We set up our annual Village of McFarland booth at the Family Festival, this year assisted by the police department where Officer Joel Zietsma spoke to attendees and had additional educational handouts, John Venturino as we put on a UAS presentation and demonstration, and Lori Anderson with the Senior Outreach Program. Again, we had several interested residents stop by and speak to those at the booth.

Articles and graphs shall be submitted for inclement weather, storm watches and warnings, and other pertinent information and literature for public awareness as we shall now shift gears into the winter weather.

Submitted by: Chuck Di Piazza



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, November 14, 2018

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer, Craig Sherven, Chief

AGENDA ITEM: Discussion and recommendation on a request from Roundy's Supermarkets, Inc. to modify Village code of ordinances 11-57(h)(1) as it pertains to the requirement that a licensed permit be for a structure.

PREVIOUS ACTION:

ISSUE SUMMARY:

On August 31, 2018, the Village received an application from Roundy's Supermarket to expand their licensed premise for the sale of liquor and beer to include the parking lot. Roundy's is rolling out an online application called "Clicklist" that allows shoppers to order groceries ahead of time online and pick them up at the store. They would also like to also make cigarettes and alcohol available through the online order program.

Staff reviewed the application and forwarded it on to the Village Attorney for review. After review, the Village Attorney reported the application does not meet the requirements of section 11-57(h)(1) which requires that a licensed premise be for a structure. Based on the Village's Attorney's opinion, staff rejected Roundy's application as it did not meet the requirements of the ordinance.

On September 11, the Village received a letter from Roundy's requesting the Village change the ordinance to allow designated parking stalls to be included in a licensed premise. The request is now before the Public Safety Committee to make a recommendation regarding a change to the ordinance. It is important to note, this item is **not** consideration of the expansion of a licensed premise for Roundy's. An expansion of a licensed premise for Roundy's could only be considered if the ordinance were changed.

At the October PSC Committee meeting, the committee reviewed the request and directed staff to do additional research on how other jurisdictions handled online alcohol ordering. The Clerk followed up with the same jurisdictions that had provided feedback from their Police Chief's in the September PSC packet. The City of Fitchburg and the City of Monona did not amend ordinances nor did they add any additional conditions to the license. They simply approved the expansion of the licensed premise to include the parking lot for online alcohol ordering. The City of Madison amended their ordinance and provided additional regulations. This ordinance is provided in the packet as an example of a municipality that has chosen to regulate online alcohol ordering and parking lot pick up.

FINANCIAL/BUDGET IMPACT:



No financial impact as there are no additional revenues or expenses from an expansion of a licensed premise.

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

11-57(h)(1)

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. Roundy's Clicklist Ordinance Request
2. City of Madison Ordinance - Online Ordering

ROUNDY'S SUPERMARKETS, INC.

PICK 'N SAVE • COPPS • METRO MARKET • MARIANO'S

PO Box 473
Milwaukee, WI 53201

414-231-5000

September 11, 2018

VIA ELECTRONIC MAIL

Cassandra Suettinger
Village Clerk/Treasurer
Village of McFarland
5915 Milwaukee Street
McFarland, WI 53558

Dear Ms. Suettinger:

Based on our previous application dated August 31, 2018, Roundy's Supermarkets is interested in implementing Clicklist, our online ordering program, at our McFarland Pick n' Save store located at 5709 Hwy 51. ClickList is our popular ecommerce service allowing customers to order their groceries on-line and pick them up curbside.

The initial application was to request the extension of our Licensed Premises to include the designated Clicklist parking spaces. This modification would allow Roundy's to fully implement the Clicklist program and include alcohol in the offerings. However, you informed us that that this request is precluded by the McFarland ordinance code section 11-57(h)(1) which limits Licensed Premises to structures.

Roundy's would like to respectfully request the Village consider modifying this section of the ordinance to allow for designated parking stalls to be included in Licensed Premises. This modification would thereby allow for a full e-commerce experience for the residents of McFarland.

Customer satisfaction surveys have indicated the Clicklist initiative ranks high in approval ratings and is very popular with customers. The primary reason for this is convenience and accessibility. Customers with young children are highlighting the fact they don't have to leave their cars to get their groceries. Elderly customers who can no longer navigate the store as they once did are finding Clicklist a great benefit to them as well.

It is important to note that Roundy's has strict policies and procedures in place for the handling of alcohol through ClickList. Customers must show an appropriate ID proving they are of legal age to purchase alcohol and, the employee handling the transaction, is required to have a valid operator's license.

Since starting the program Roundy's has received approval to include alcohol in Clicklist sales in approximately 35 municipalities, including Middleton, Monona, Fitchburg, and Madison. In Madison, Roundy's worked successfully with the city council to draft and gain approval for a "Clicklist and Collect" ordinance.

Roundy's welcomes the opportunity to partner with the Village to work toward a solution to this matter and asks for your thoughtful consideration of amending the above stated ordinance.

Cordially,



Brianna Cotten
Assistant Real Estate Manager
Roundy's Division- The Kroger Co.



38.07 - GENERAL RESTRICTIONS.

- (1) Public Place. No owner, lessee or person in charge of a public place may permit the consumption of alcohol beverages on the premises of the public place, unless the person has an appropriate retail license or permit. This subsection does not apply to municipalities, buildings and parks owned by counties, regularly established athletic fields and stadiums, school buildings, churches, premises in a state fair park or clubs.
- (2) Possession of Alcohol Beverages on School Grounds Prohibited. Pursuant to the provisions of Wis. Stat. § 125.10, the City of Madison does hereby adopt and incorporate into this Subsection the provisions of Wis. Stat. § 125.09(2), inclusive of all future amendments to any provisions of this section of the Wisconsin Statutes. (Am. by Ord. 11,624, 6-28-96; Rep. & Rec. by ORD-07-00118, 9-22-07)
- (3) Restrictions on Delivery of Beer, Wine and Intoxicating Liquor.
 - (a) No person may peddle any alcohol beverage from house to house where the sale and delivery are made concurrently.
 - (b) For delivery of beer, wine, and intoxicating liquor, payment or payment arrangements shall be made in person at the licensed establishment prior to delivery. (Am. by ORD-10-00073, 8-12-10)
 - (c) The person paying for the keg/beer/wine coolers/intoxicating liquor must be at least 21 years of age and shall provide the licensed establishment with two forms of identification. The types of identification and identifying factors (e.g. driver's license number, physical descriptors, address, etc.) shall be recorded by the licensed establishment. The identifying information shall be retained by the retailer for at least two years from the date of sale and must be made available at the request of law enforcement or the Alcohol License Review Committee, pursuant to an active investigation by the Madison Police Department, City Attorney, or ALRC regarding alleged Chapter 38 MGO/ Wis. Stat. ch. 125 violation(s). (Am. by ORD-10-00073, 8-12-10)
 - (d) When purchasing kegs of beer, the person paying for the keg(s) must sign a receipt indicating how many kegs are being purchased and where they will be delivered.
 - (e) Delivery of any alcoholic beverage shall not be made unless the person who provided the identification is at the point of delivery and signs for receipt of the alcohol. The licensed establishment shall retain the signed delivery receipt for at least two years from the date of sale and make it available at the request of law enforcement or the Alcohol License Review Committee, pursuant to an active investigation by the Madison Police Department, City Attorney, or ALRC regarding alleged Chapter 38 MGO/ Wis. Stat. ch. 125 violation(s).
 - (f) Any person who violates this subsection is subject to a forfeiture of not more than \$1,000.
 - (g) Transactions under this subsection shall comply with Sec. 38.07(16), MGO. (Cr. by ORD-10-00073, 8-12-10)

(Sec. 38.07(3) Am. by Ord. 12,942, 12-24-01)

- (4) Online Ordering and Curbside Pickup of Alcohol Beverages.
 - (a) No establishment shall allow online purchase of alcohol beverages and curbside delivery of such purchases ("Click and Collect"), without first obtaining a "Change of Premises" from the Madison Common Council, upon recommendation of the Alcohol License Review Committee (ALRC) to license that portion of the establishment's parking lot that will allow vehicles to park for purposes of picking up their online order.
 1. The licensed establishment shall file a detailed operation plan with their "Change of Premises" form that clearly details how their "Click and Collect" operation will function.

The operation plan shall include the licensee's protocol for assuring that underage persons and intoxicated persons do not pick up alcohol via the "Click and Collect" program.

2. Failure of licensee to provide a detailed operation plan with their "Change of Premises" application shall result in the City of Madison Clerk's Office not forwarding the "Change of Premises" form to the ALRC for consideration.
- (b) No establishment holding an alcohol beverage license shall allow online purchase and pick-up of alcohol beverages unless the sale is consummated on the licensed premises.
1. Payment for the purchase must be completed on premises and may not be completed until the purchaser is at the licensed premises and has presented valid photo identification that has been verified by a licensed operator employed by the premises.
 2. The licensed operator must verify that the person placing the "Click and Collect" order is the same person picking up the order.
 3. The sale and delivery of "Click and Collect" purchases shall be made only by a licensed operator.
 4. No alcohol sales are permitted if the purchaser fails to present valid photo identification.
 5. The "Click and Collect" system must allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
- (c) Each "Click and Collect" transaction must capture and retain an image of the vehicle into which the order is being loaded for thirty (30) days.
- (d) Each "Click and Collect" transaction must record and retain the following information for thirty (30) days:
1. The name of the purchaser.
 2. The type of identification card presented and the number and expiration date of that identification card.
 3. The purchaser's date of birth.
 4. The license plate of the vehicle into which the order is being loaded.
- (e) Pick-up of "Click and Collect" orders shall be between the hours of 8:00 a.m. and 8:00 p.m.
- (f) There shall be a minimum four- (4) hour waiting period between order time and pick-up time.
- (g) Orders placed after 2:00 p.m. cannot be picked up until the following day.
- (h) If the "Click and Collect" purchaser is not the driver of the vehicle into which the order is being loaded, the licensed operator must verify that the driver is 21 years of age or older.
- (i) The licensed operator shall report to his or her manager any purchaser who shows signs of alcohol consumption, and in conjunction with the manager, shall assess sobriety for purposes of approving or denying the sale.
- (j) The pick-up area for "Click and Collect" purchases shall be clearly defined with visible markings, signs, and/or barriers.
- (k) No events other than the delivery of "Click and Collect" orders shall be allowed on the expanded premises.
- (l) Penalty. Any licensee or person who violates any provision of this subsection shall be subject to a forfeiture of not less than \$250, nor more than \$1000 plus court costs and

fees. Licensees are also subject to demerit point assessment for violations of this subsection.

(Cr. by [ORD-18-00005](#), 3-9-18)

- (5) City Parks After Hours. It shall be unlawful for any person to drink or possess any alcohol beverages in any City park after the hour of 10:00 p.m. unless the Park Commission approves a later time for an authorized event in which case the prohibition becomes effective after such later time. (Am. by Ord. 11,268, 5-30-95; Renumb. by [ORD-18-00005](#), 3-9-18)
- (6) Person May Not Leave Licensed Premises. It shall be unlawful for any person to whom a license has been granted to permit any person to leave the licensed premises with an open container containing any alcohol beverages. (Renumb. by [ORD-18-00005](#), 3-9-18)
- (7) Sell or Serve on Public Street. It shall be unlawful for any person to sell or serve, or offer to sell or serve any alcohol beverages upon any public street within the City of Madison, except in areas holding a sidewalk cafe permit pursuant to Sec. 9.13 of these ordinances, and for which the sidewalk is part of the licensed premises as that term is used in Sec. 38.02 of these ordinances. (Renumb. by [ORD-18-00005](#), 3-9-18)
- (8) Possess Open Container on Street. It shall be unlawful for any person to possess an open container which contains alcohol beverages or consume any alcohol beverages upon any public street (including sidewalks and alleys) within the City of Madison except when such street or portion thereof is included within an area for which the Street Use Staff Commission has granted a Street Use Permit pursuant to Sec. 10.056 of these ordinances and a temporary Class B License (Picnic) has been approved by the Common Council under Sec. 38.05(9)(e)2., and except in areas holding a sidewalk cafe license pursuant to Sec. 9.13 of these ordinances, and for which the sidewalk is part of the licensed premises as that term is used in Sec. 38.02 of these ordinances. (Am. by Ord. 8894, 6-12-86; ORD-11-00118, 9-12-11; Renumb. by [ORD-18-00005](#), 3-9-18)
- (9) Unlawful Devices for Sale of Alcohol Beverages. It shall be unlawful for any person, firm, corporation or limited liability company to use or operate, or cause to be used or operated, in any public street or place, or from any aircraft or in front of or outside of any building, place or premises, or in or through any window, doorway or opening of such building, place or premises, abutting on or adjacent to any public street or place, any device, apparatus or instrument for the amplification of the human voice or any sound or noise, or other sound making or sound reproducing device for the purpose of advertising the sale of alcohol beverages. (Am. by Ord. 10,883, Adopted 4-5-94; Renumb. by [ORD-18-00005](#), 3-9-18)
- (10) Off-Street Parking Facilities. Effective with licenses issued for the period commencing July 1, 1965, no license shall be issued to any club, society or lodge unless such organization has provided off-street parking stalls equal in number to twenty percent (20%) of the number of members of such club, society or lodge. This restriction shall not apply in the case of renewal licenses issued to clubs, societies and lodges holding licenses as of the date of the enactment of this subsection (April 22, 1965). (Renumb. by [ORD-18-00005](#), 3-9-18)
- (11) Lighting Standard. The following areas shall be properly illuminated in accordance with the following minimum requirements:
 - Hallways and passageways - five (5) foot candles;
 - Dance halls and taverns - three (3) foot candles;
 - Stairways and washrooms - ten (10) foot candles.

The above standards refer to the general illumination of the areas set forth above. All illumination shall be measured on a plane thirty (30) inches above the floor at any point in the areas indicated.

(Renumb. by [ORD-18-00005](#), 3-9-18)

- (12) Gambling Prohibited. It shall be unlawful to permit gambling or devices used for gambling upon any premises licensed under this chapter. This subsection shall not apply to any gaming activity operated by a recognized Indian tribe or any gaming activity on Indian lands as defined and authorized under the Indian Gaming Regulatory Act, 25 U.S.C. § 201, et seq., as may be amended. (Cr. by Ord. 8643, 8-2-85; Am. by ORD-16-00057, 6-17-16; Renumb. by [ORD-18-00005](#), 3-9-18)
- (13) Illegal Postering. It shall be unlawful for the holder of a Class B Alcohol Beverage License to fail to include in any contract or agreement with any entertainment group, individual or entity, a clause prohibiting the entertainment group, individual or entity or agent or agents thereof from advertising or posting in the manner prohibited in Sec. 23.02(1) of the Madison General Ordinances. The Class B Alcohol Beverage license holder shall also provide a copy of Sec. 23.02(1) of these ordinances to each entertainment group, individual or entity or agent thereof. (Cr. by Ord. 8643, 8-2-85; Renumb. by [ORD-18-00005](#), 3-9-18)
- (14) Security Plan.
- (a) In addition to any conditions placed upon a license by the Common Council at the time of approval, renewal or after a suspension/revocation or non-renewal hearing pursuant to Sec. 38.10 of these ordinances, the Chief of Police is hereby authorized to impose additional conditions on such license. The Clerk is directed to issue a new license which includes such additional conditions when notified in writing of such additional conditions by the Chief of Police. The previously issued license is declared void upon the Clerk's preparation of the new license.
- (b) Limits on Authority. The Chief of Police is only authorized to formulate additional conditions which comprise a security plan. No condition which is part of a security plan may be contrary to or inconsistent with any statute or ordinance regulating alcohol beverages or any other condition authorized to be placed upon the license by the Common Council.
- (c) Elements of Plan. A security plan may only include the following elements:
1. Provision for licensed security guards.
 2. Monitoring of interior and exterior areas by licensee.
 3. Regulating traffic flow in parking areas.
 4. Exterior and interior lighting.
 5. Regular meetings with Police Department personnel.
 6. The posting of regulatory signage to aid enforcement efforts.
 7. Limitations on the number of patrons allowed on the premises at certain times.
 8. Any other reasonable security measures not enumerated above.
- (d) Procedures. The Chief of Police is encouraged to meet with license holders to develop a security plan but the elements of the plan are to be solely determined by the Chief of Police or designee. The Chief shall provide notice of the contents of the security plan in writing to the licensee.
- (e) Appeal. If the licensee objects to the security plan, the licensee shall so notify the City Clerk and the Chief of Police within ten (10) days of the date of the plan. If no such notice is received, the Clerk shall amend the license to include the plan as an additional condition on the license and forward said amended license to the licensee. If the Clerk receives an objection from the licensee, the Clerk shall notify the ALRC who shall schedule a hearing. The Chief of Police and the licensee shall both be allowed to present evidence and make arguments. The Committee may consider any probative evidence without regard to the

rules of evidence. The hearing shall be tape recorded. The Committee may accept, reject or modify the security plan as presented by the Chief of Police or designee. If the licensee is aggrieved by the action of the ALRC, the licensee has ten (10) days from the date of the decision by the ALRC to seek review by the Common Council. Review before the Common Council shall be upon a transcript of the proceeding before the ALRC. The Common Council may accept, reject or modify the decision of the ALRC.

(Cr. by Ord. 10,759, 11-1-93; Renumb. by [ORD-18-00005](#), 3-9-18)

- (15) Public Library. It shall be unlawful for any person to possess an open container which contains alcohol beverages or consume any alcohol beverages upon any property owned or operated by a public library except when said possession or consumption has been authorized by the Madison Public Library Board. (Cr. by ORD-07-00118, 9-22-07; Renumb. by [ORD-18-00005](#), 3-9-18)
- (16) Establishments Selling Motor Vehicle Fuels. (Am. by ORD-16-00105, 12-2-16)
- (a) Policy. The City of Madison finds that it is appropriate to prohibit the sale of intoxicating liquors, other than wine, at retail establishments that also sell gasoline or diesel fuel because the availability of intoxicating liquors to the motoring public at locations where fuel is purchased could encourage or facilitate alcohol related driving offenses. Intoxicating liquors are a particular problem when trying to identify those who engage in drinking and driving. The package sizes of intoxicating liquors are also smaller and easier to conceal than other alcohol beverages.
- (b) No new "Class B" license or "Class A" license authorizing the retail sale of intoxicating liquors shall be issued to any establishment which also sells motor vehicle fuels, unless the licensee agrees to the license condition that the establishment will limit sales of intoxicating liquors to wine. This subsection (15) does not apply to any full service grocery store that sells motor fuels from a separate, non-contiguous location or to any license originally issued prior to July 1, 2009.

(Cr. by ORD-09-00153, 11-20-09; Renumb. by [ORD-18-00005](#), 3-9-18)

- (17) Face-to-face Retail Sales. Except as provided in Wis. Stat. § 125.26(2m), 125.26(2s), 125.51(3)(bm) and 125.51(bs), and except with respect to caterers, a retail alcohol license issued under this chapter authorizes only face-to-face sales to consumers at the premises described in the retail license.

(Cr. by ORD-09-00169, 12-31-09; Renumb. by [ORD-18-00005](#), 3-9-18)

- (18) Failure to Comply With a Lawful Order of the Madison Police Department, Fire Department or Building Inspection Unit.
- (a) A licensee shall immediately comply with all lawful orders of the Madison Police Department, Madison Fire Department or the Building Inspection Unit regarding any immediate threat involving death or great bodily harm.
- (b) Police Orders. If, in the determination of the police department, the number of persons on the premises exceeds the limitations set on the official placard, the police department shall order the number reduced to the permitted number. The police department may also order the establishment closed until it complies with this section.
- (c) The Madison Police Department shall have the power to order closure of a licensed establishment, when such closure is necessary because of an immediate threat involving death or great bodily harm.

(Renumb. by [ORD-18-00005](#), 3-9-18)

- (19) No retail licensee shall purchase alcohol beverages from any source other than a licensed wholesaler, except as permitted by state law. (Renumb. by [ORD-18-00005](#), 3-9-18)
- (20) Conditions on License. A licensee shall comply with all conditions placed upon its license by action of the Common Council. (Renumb. by [ORD-18-00005](#), 3-9-18)
- (21) Restaurant Condition. A license that is required as a condition of its license to operate and maintain its business as a restaurant shall meet the definition of a restaurant contained in Sec. 38.02.

(Sec. 38.07(17) - (20) Cr. by ORD-10-00044, 5-12-10; Renumb. by [ORD-18-00005](#), 3-9-18)

- (22) Exceeding Lawful Occupancy Capacity.
 - (a) No licensee or person shall permit or allow occupancy of the licensed premise in excess of the lawfully established occupancy capacity. Occupancy capacity includes all staff and persons on the premise.
 - (b) Exceeding lawful occupancy capacity by more than thirty percent (30%) shall result in an enhanced penalty.
 - (c) Penalty. Any licensee or person who violates sub. (a) shall be subject to a forfeiture of not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500). Any person violating sub. (b) shall be subject to a forfeiture of no less than five hundred dollars (\$500) nor more than one thousand five hundred dollars (\$1500).

(Sec. 38.07(21) Cr. by ORD-13-00201, 12-10-13; Renumb. by [ORD-18-00005](#), 3-9-18)



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, November 14, 2018

SECTION: Business

DEPARTMENT: Administration

CONTACT:

AGENDA ITEM: Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Michaela Reed for the period ending June 30, 2019.

PREVIOUS ACTION:

ISSUE SUMMARY:

Chief Sherven has reviewed the new operator's license application from Michaela Reed and based on the Village's Operator License Approval policy has recommended denial. Attached is Chief Sherven's letter outlining his reasoning for recommending denial. Pursuant to Village policy, the application has been referred to the Public Safety Committee for further review and a recommendation to the Village Board. This item is to conduct a hearing on the issuance of the license. Once the hearing is concluded the Public Safety Committee will move on to the next agenda item to make their official recommendation to the Village Board.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

Village Operator's License Review Policy

ORDINANCE REFERENCE:

Village Ordinance 11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Chief Sherven has recommended denial of the new operator's license for Michaela Reed.

ATTACHMENTS:

1. Reed Exhibits
2. Operator License policy Version - UPDATE - 7-23-18

Application for an Alcohol Beverage Operator's License

To Serve Fermented Malt Beverages and Intoxicating Liquors

☒ New

☐ Renewal

McFarland, WI 9/28, 2018

Fee Paid: ☒ \$35.00 (1 yr) ☒ \$50.00 (1 yr plus Provisional @ \$15.00) ☐ Cash ☐ Check # _____

Name of employer for which license is intended: Parkside Pub LTD

I, the undersigned, make application to the Village Board of the Village of McFarland, County of Dane, Wisconsin for a License to serve, from date hereof to June 30, 2019, inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the limitations imposed by Section 125.32(2) and 125.68(2) of the Wisconsin Statutes; Chapter 11, Article II of the McFarland Municipal Code, and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of such beverages and liquors if a license be granted to me.

(PLEASE PRINT LEGIBLY)

Name of Applicant: Michaela Rhawn Reed Home Phone: _____

First

Middle

Last

Work Phone: _____

Complete Address: _____

Date of Birth: _____ Gender: ☐ Male ☒ Female

Soc. Sec. # _____ D.L. # _____

****This application must be completed in its entirety or it will be returned as incomplete and you will be required to complete a new application at an additional fee of \$35.00. ****

1. As required by Wis. Stats. Section 125.17(6), have you completed a Responsible Beverage Server Training Course?
☒ yes ☐ no

If so, where and when? servingalcohol.com 6/20/18
(A copy of the certificate indicating course completion must be attached to this application unless applicant is renewing an active Operator's License.)

2. Have you held an Operator's License within the last 2 years? ☒ yes ☐ no
(If not in McFarland, attach a copy of the license or a letter from the Clerk of the municipality)

3. Have you ever been fined/arrested for and/or convicted of violating ANY LAW of the State of Wisconsin or of the United States (INCLUDING TRAFFIC VIOLATIONS)? ☒ yes ☐ no

(The following websites may provide information on your records: <https://recordscheck.doj.wi.gov/> <https://wcca.wicourts.gov/> <https://www.dmv.us.org>)

Date of Arrest	Date of Conviction (if applicable)	Name of Court	Nature of Offense
	9/14/15?	Dane	DUI
	9/26/16	Dane	Operating while revoked
	2018	Dane	Seat belt
	2018	Dane	Insurance
	2018	Dane	Operate after susp
	2018	Dane	Failed change address

Please add additional sheets as necessary.

Please continue by completing reverse side of this form.

OVER >

4. Have you ever had a license to serve alcohol beverages suspended or revoked, or surrendered the license in lieu of suspension or revocation? ☐ Yes ☒ No
If yes, provide the place and date _____
5. Have you been hospitalized or treated in the last five years for drug abuse or alcoholism? ☐ Yes ☒ No
If yes, explain and give dates. _____
6. Are you a citizen of the United States? ☒ Yes ☐ No
7. Since when have you been a resident of the State of Wisconsin? _____
8. List addresses and dates of residency for the past 5 years. _____

I understand that the fee is not refundable should this application be denied.

STATE OF WISCONSIN

)
) SS
)

Michaela Rhann Reed, being first duly sworn on oath says that (s)he is the
Person who made and signed the foregoing application for an operator's license; that all the statements made by the
applicant in the foregoing application are true.

x

Michaela Reed

(Applicant sign here)

Subscribed and sworn to before me this 28th
day of September, 20 18

Janet Skeffington
Notary Public, Dave County, Wisconsin

My commission ☐ is permanent
Expires 06/12/2020



Recommendation by McFarland Police Department:



Approval



Denial

Date

10-17-18

Chief of Police



October 18, 2018

Michaela Reed
[REDACTED]

Dear Ms. Reed,

Your application for an alcohol operator's license for the period through June 30, 2019 was received. A review of your application criminal history, and arrest records, as maintained by the State of Wisconsin, has resulted in a recommendation by the Police Chief Craig Sherven for further review and possible denial of your application for an Operator's License. (Please see enclosed copy of Chief Sherven's memo to the Public Safety Committee).

You have 30 days from receipt of this letter to request a hearing before the Public Safety Committee to discuss the matter. During the hearing the committee will review your record, and you will be provided the opportunity to present any records of information you may have explaining the violation(s), present arguments on your own behalf, and/or bring a lawyer or other person to assist you.

Please contact me directly at 608-838-3153 or via email at Cassandra.suettinger@mcfarland.wi.us to request a hearing before the Public Safety Committee. Failure to request a hearing by the deadline will result in an automatic recommendation for denial of your operator's license.

Sincerely,

Cassandra Suettinger
Clerk/Treasurer



Village of McFarland Police Department

5915 Milwaukee St. • P.O. Box 110 • McFarland, WI 53558 • 608/838-3151 • Fax 608/838-7954

Craig J. Sherven • Chief of Police

DATE: October 17, 2018

TO: Public Safety Committee

FROM: Craig J. Sherven, Chief of Police

REFERENCE: Alcohol Operators License for Michaela Reed

On this date I reviewed a new application for an Alcohol Operator's License submitted by the above applicant. Having completed my review of her application, my recommendation is that of denial.

I base my decision on two sections of Village Ordinance and the McFarland Alcohol Licensure Policy, as follows.

1. Village Ordinance 11-74 (c) (3), Guideline 3 (a), (b) and (e) which states, in part:

An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender.

Provided the circumstances substantially relate to the circumstances of the job, any person who has been convicted of or has a current charge pending, for two (2) or more offenses, arising out of separate incidents, within the last five (5) years immediately preceding the license application in the following subcategories does not qualify for an operator's license:

(a) Alcohol beverage offenses (under Wis. Stat. Ch. 125 or McFarland Ordinance Ch. 11 - excluding administrative violations such as "failure to post license under glass").

(b) Operating a motor vehicle with a prohibited alcohol concentration (PAC) in excess of .08% by weight.

(e) Operating a motor vehicle while under the influence of intoxicants or drugs.

In reviewing Ms. Reed's driving history, three such convictions occurring in two separate incidents were observed over the prior 5 year period:

- Conviction on 11-27-14 for Operating a motor vehicle with a prohibited alcohol concentration (PAC)
- Conviction on 12-02-14 for Operating a motor vehicle while under the influence of intoxicants, arising from the incident above
- Conviction on 04-10-15 for Underage Alcohol

By ordinance, the PAC and OMVWI convictions stemmed from one incident, thus are considered to be one violation. The Underage Alcohol conviction arose from a separate incident, thus counted as a second violation. Both of these convictions are substantially related to the licensed activity, and both occurred within the five year period preceding the date of application, thus designating Ms. Reed as a habitual law offender for the purposes of alcohol licensure.

Village ordinance clearly states that such a person "does not qualify for an Operator's License".

Respectfully,

Craig J. Sherven

Craig J. Sherven
Chief of Police

Operator License Approval Policy – Approved 07/23/18

SECTION 1: Policy Purpose

In order to provide for an effective and consistent system of alcohol licensing that protects the public safety and is applied in a uniform and equitable manner, the Village Board has adopted the following written policy to govern the granting of operators' licenses pursuant to Chapter 125 of the Wisconsin Statutes, and Chapter 11, Article II of the Village ordinances.

SECTION 2: Acknowledgment of Duties.

The Village of McFarland acknowledges and recognizes the responsibility operators have to keep the public safe in their duties. An operator's license will enable operators to sell beer or liquor on a Class A premise (alcohol is carried off the premise. Examples include: a gas station, liquor store, or grocery store.) or a Class B premise (alcohol consumed on the property such as a tavern or bar). A liquor license holder, an agent, or a licensed operator must be on the premises at all times the business is open and alcohol is being sold. The licensed operator is in charge of the premise, and has certain responsibilities that include, but are not limited to:

- A. Preventing the sale of alcohol to minors. The legal drinking age is 21, and sales of alcohol to underage patrons is prohibited.
- B. Prohibiting the service or sale of alcohol to a person who is intoxicated. Operator's are legally entitled, and required, to refuse to serve any person whom they feel has had too much to drink.
- C. Ensuring open intoxicants do not leave the property.
- D. Class "B" premises must be closed between 2:00 am and 6:00 am Mon-Friday, and 2:30 am and 6:00 am Sat. & Sun (there are no closing hours on January 1). Everyone except employees on duty must be out of the store or bar by closing time. Private parties, friends or spouses are not allowed to stay on the premises while staff completes cleaning duties.
- E. Class "A" premises may not sell fermented malt beverages and intoxicating liquors between the hours of 9:00 p.m. and 6:00 a.m.

SECTION 3: Process.

- A. The Clerk's office shall take the application and fee. The office shall do an initial review of the application to ensure the application is complete pursuant to the requirements in 11-71(1)-(12) of the Village Code of ordinances. A notary is available in the Village's administration office if required. The fee collected is non-refundable. Incomplete applications will not be accepted.
- B. The Police Department will conduct a records check, including criminal and traffic, of all applicants for operators' licenses. If necessary, the records check may include an interview with the applicant or contact with other jurisdictions or third parties to verify or investigate information obtained in the records check. Applications with missing information or incomplete information regarding arrests or convictions shall be rejected. Rejected applications shall be re-assessed the application fee.

- C. The Chief of Police, or the Police Chief's designee, shall provide a recommendation for approval or denial using the criteria listed in section 4.
- D. All recommendations for approval will be placed on the next available Village Board meeting for approval. Licenses will be available for pickup by noon the day following Village Board approval.
- E. All recommendations for denial will be referred to the Public Safety Committee. The Clerk shall forward the license application and any related materials to the Committee. The Clerk shall provide notice to the applicant in writing that he or she should appear before the Committee for individual review of the application. The Public Safety Committee shall provide a review of the application as listed in Section 5.
- F. The committee shall, after interview of the applicant, make a recommendation to either grant or deny an operator's license to the Village Board.
- G. The Village Board shall review the application and recommendation from the Public Safety Committee and make a final determination of granting or denying the license.
- H. If the application is denied by the Village Board, the Village Clerk shall, in writing, inform the applicant of the denial, the reasons therefore, and provide an opportunity for the applicant to request a reconsideration of the application by the Village Board.
- I. If the application is denied again, the Village Clerk shall notify the applicant in writing of the reasons therefor. An applicant who is denied any license may apply to the Circuit Court pursuant to WI Statutes 125.12(2)(D).

SECTION 4: Criteria for Denial

The Chief of Police, or designee, shall provide a review of the criminal history of the applicant, and refer any of the following to the Public Safety Committee for further review and possible recommendation for denial. Due to the discretionary nature of the alcohol beverage license process, it is not possible to state every circumstance that may result in denial of a license application and what circumstances will result in approval of a license application. However, it is possible to enumerate what the PSC will consider in making its recommendation and what circumstances are more likely to result in a denial of a license application. It is also important to note denying an operator's license does not prohibit the employee from serving/selling alcohol; however, it does require that they serve/sell with a licensed operator on the premise.

Guideline 1: 11-74 (c) (1): Arrest and conviction record of the applicant, subject to the limitations imposed by Wis. Stats. §§ 111.321, 111.322, and 111.335, and Wis. Stats. § 125.12(1)(b).

- a) Convictions of two or more misdemeanor crimes in a five year period preceding the date of application.

- b) Conviction of one misdemeanor crime in combination with four ordinance violations egregious traffic violations of public safety concern in the five year period preceding the date of application.

Guideline 2: 11-74 (c) (2): If a licensee is convicted of an offense substantially related to the licensed activity.

Provided the circumstances of the offense substantially relate to the circumstances of the job or licensed activity, any person who has been convicted of or has a current charge pending, for (1) or more offenses within the last five (5) years or for two (2) or more offenses, arising out of separate incidents, within the last ten (10) years in the following subcategories, does not qualify for an operator's license:

- (a) Violent crimes against the person of another, including but not limited to battery, disorderly conduct, sexual assault, injury by negligent use of a vehicle, intimidation of victim or witness.
- (b) Crimes involving cooperation (or lack thereof) with law enforcement officials, including but not limited to, resisting or obstructing a police officer, bribery of public officers/employees, eluding police, bail jumping, hit and run, perjury, or acts/threats of terrorism.
- (c) Manufacturing, distributing, delivering a controlled substance or a controlled substance analog; maintaining a drug trafficking place; possessing with intent to manufacture, distribute, or deliver a controlled substance or a controlled substance analog. Sec. 111.335(1)(cs), Wis. Stats.

Guideline 3: 11-74 (c) (3): An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender.

Provided the circumstances substantially relate to the circumstances of the job, any person who has been convicted of or has a current charge pending, for two (2) or more offenses, arising out of separate incidents, within the last five (5) years immediately preceding the license application in the following subcategories does not qualify for an operator's license:

- (a) Alcohol beverage offenses (under Wis. Stat. Ch. 125 or McFarland Ordinance Ch. 11 - excluding administrative violations such as "failure to post license under glass").
- (b) Operating a motor vehicle with a prohibited alcohol concentration (PAC) in excess of .08% by weight.
- (c) Open intoxicants in public places or in a motor vehicle.

- (d) Possessing a controlled substance, controlled substance analog without a valid prescription, or possessing drug paraphernalia.
- (e) Operating a motor vehicle while under the influence of intoxicants or drugs.
- (f) Disorderly conduct, criminal damage to property, solicitation of prostitution or other prostitution related offenses, wherein the offense involves an incident at a place that is, or should have been licensed under Wis. Stat. Ch. 125.

Additionally, because a license is a privilege, the issuance of which is a right granted solely to the Village Board, the Village Board reserves the right to consider the severity, and facts and circumstances of the offense when making the determination to grant, deny or not renew a license. Further, the Village Board, at its discretion, may, based upon an arrest or conviction record of two or more offenses that are substantially related to the licensed activity within the five years immediately preceding, act to suspend such license for a period of one year or more.

Section 5: Public Safety Committee Review of Applications.

The Public Safety Committee shall be responsible for conducting further review of operator's license applications that have criteria from Section 4 as recommended for denial. The committee shall be expected to thoroughly and conscientiously review license applications and consistently apply pertinent laws and ordinances.

The Public Safety Committee may recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. Such evidence could include letters of recommendation from Alcohol and Other Drug ("AODA") counselors, probation agents, or other relevant service providers, other professional counselors, certificates and/or letters confirming satisfactory completion of an AODA or other relevant counseling program. Any such letters shall be on the letterhead of the agency offering the recommendation in order for the letter to be considered credible evidence of rehabilitation.

Pursuant to Wis. Stats. § 111.335(4)(d), competent evidence of rehabilitation and fitness to perform the licensed activity may be established by production of any of the following:

- (a) The individual's most recent certified copy of a federal department of defense form DD-214 showing the person's honorable discharge, or separation under honorable conditions, from the U.S. armed forces for military service rendered following conviction for any offense that would otherwise disqualify the individual from the license sought, except that the discharge form is not competent evidence of sufficient rehabilitation and fitness to perform the licensed activity if the individual was convicted of any misdemeanor or felony subsequent to the date of the honorable discharge or separation from military service.
- (b) A copy of the local, state, or federal release document; and either a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or other evidence that at least one year has elapsed since release

from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

In addition to the documentary evidence that may be provided above to show sufficient rehabilitation and fitness to perform the licensed activity, the Committee shall consider any of the following evidence presented by the applicant:

- (a) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (b) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (c) The age of the individual at the time the offense was committed.
- (d) The length of time that has elapsed since the offense was committed.
- (e) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (f) All other relevant evidence of rehabilitation and present fitness presented.

The Committee shall decide how much weight and credibility to assign to any evidence of rehabilitation, including but not limited to, whether a record is certified, whether evidence has been corroborated or verified, documentary proof of completion of any counseling or other relevant treatment, and the credibility of statements by the applicant or any witness. In determining the credibility of any statement made by the applicant or any witness, the Committee should consider, among other things, the reasonableness of the statement, possible motives for providing false statements or withholding information, the applicant or witness's conduct and demeanor, the clearness or lack of clearness of the statement, and the cooperation of the applicant or witness in answering any questions posed by the Committee or Village Staff.

For license renewals, a previous determination by the Committee that an applicant has been rehabilitated from certain offenses carries forward; however, these offenses may be re-considered if the applicant has also committed a new offense substantially related to the licensed activity during the current license period.

The Committee shall state reasons for approval or denial for the record.

Possible outcomes include but are not limited to:

1. Recommend approval of the license based on the applicant providing credible evidence of rehabilitation
2. Recommend conditional approval of the license based on the applicant providing substantial, credible evidence of rehabilitation with the following conditions:

- a. There be no more subsequent substantially related offenses for the remainder of the licensing period.
 - b. The applicant be required to pay \$15 dollars, to submit to quarterly background checks to ensure compliance.
3. Recommend application be tabled for a period of XX days. Committee will re-review application at that time. Applicant should be prepared to provide substantial evidence of rehabilitation.
4. Recommend application be denied based on violation of guideline (insert relevant guideline and corresponding ordinance reference).
5. If the applicant fails to appear: recommend the application be placed on file without prejudice (meaning the application can be brought back at any time before the expiration of the license period)



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, November 14, 2018

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion and recommendation on the operator's license for Michaela Reed for the period ending June 30, 2019.

PREVIOUS ACTION:

ISSUE SUMMARY:

This item is the second part of the license hearing process. After conducting the hearing on the recommendation for denial of the license, the Public Safety Committee will make an official recommendation to the Village Board on a new operator's license for Michaela Reed.

Pursuant to section 5 of the Village Operator's License approval policy the Committee may only recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. The committee shall state reasons for approval or denial for the record.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

Village Operator's License Review Policy

ORDINANCE REFERENCE:

11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

The Public Safety Committee will make a recommendation to Village Board based on the hearing held in the previous item.

ATTACHMENTS:

None



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, November 14, 2018

SECTION: Business

DEPARTMENT: Administration

CONTACT: Craig Sherven, Chief

AGENDA ITEM: Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Kristin Guimond for the period ending June 30, 2019.

PREVIOUS ACTION:

At it's October 10, 2018 meeting, the Public Safety Committee voted unanimously to recommend that the application for an Operator's License for Kristin Guimond for the period ending June 30, 2019 be placed on file without prejudice.

ISSUE SUMMARY:

Chief Sherven has reviewed the new operator's license application from Kristin Guimond and based on the Village's Operator License Approval policy has recommended denial. Attached is Chief Sherven's letter outlining his reasoning for recommending denial. Pursuant to Village policy, the application has been referred to the Public Safety Committee for further review and a recommendation to the Village Board. This item is to conduct a hearing on the issuance of the license. Once the hearing is concluded the Public Safety Committee will move on to the next agenda item to make their official recommendation to the Village Board.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

Village Operator's License Review Policy

ORDINANCE REFERENCE:

Village Ordinance 11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Chief Sherven has recommended denial of the new operator's license for Kristin Guimond.

ATTACHMENTS:

1. Guimond Exhibits
2. Operator License policy Version - UPDATE - 7-23-18

11853

Application for an Alcohol Beverage Operator's License

To Serve Fermented Malt Beverages and Intoxicating Liquors

☒ New ☐ Renewal

McFarland, WI AUGUST 31, 2018

Fee Paid: ☒ \$35.00 (1 yr) ☐ \$50.00 (1 yr plus Provisional @ \$15.00) ☒ Cash ☐ Check # _____
☐ \$35.00 additional application

Name of employer for which license is intended: Green Lantern Restaurant

I, the undersigned, make application to the Village Board of the Village of McFarland, County of Dane, Wisconsin for a License to serve, from date hereof to June 30, 2017, inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin Statutes; Chapter 11, Article II of the McFarland Municipal Code, and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of such beverages and liquors if a license be granted to me.

(PLEASE PRINT)

Name of Applicant: Kristin Ashley Guimond Home phone: [REDACTED]
first middle last Work phone: [REDACTED]

Complete Address: [REDACTED]

Date of Birth: [REDACTED] Gender: ☐ male ☒ female

Soc. Sec. # [REDACTED] D.L. # [REDACTED]

• • • • •

****This application must be completed in its entirety or it will be returned as incomplete and you will be required to complete a new application at an additional fee of \$35.00. ****

1. As required by Wis. Stats. Section 125.17 (6), have you completed a Responsible Beverage Server Training Course? ☒ yes ☐ no

If so, where and when? Madison Area Technical College April 5, 2001

(A copy of the certificate indicating course completion must be attached to this application unless applicant is renewing an active Operator's License.)

2. Have you held an Operator's License within the last 2 years? ☐ yes ☐ no

(If not in McFarland, attach a copy of the license or a letter from the Clerk of the municipality.)

3. Have you been fined/arrested for and/or convicted of violating any law of the State of Wisconsin or of the United States (including traffic violations)? ☒ yes ☐ no (The following websites provide

information on your records: www.dot.wisconsin.gov/drivers/drivers/points/abstract.htm www.wi-recordcheck.org)

Date of arrest	Date of conviction (if applicable)	Name of court	Nature of offense
* Please see attached documents			

Please continue by completing the reverse side of this form.

OVER →

4. Have you ever had a license to serve alcohol beverages suspended or revoked, or surrendered the license in lieu of suspension or revocation? ☐ yes ☒ no

If yes, provide the place and date _____

5. Have you been hospitalized or treated in the last five years for drug abuse or alcoholism? ☐ yes ☒ no

If yes, explain and give dates. _____

6. Are you a citizen of the United States? ☒ yes ☐ no

7. Since when have you been a resident of the State of Wisconsin? _____

8. List addresses and dates of residency for the past 5 years. _____

I understand that the fee is not refundable should this application be denied.

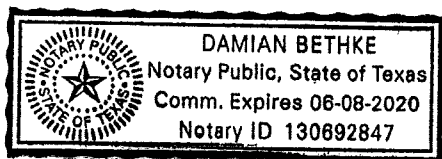
~~~~~

STATE OF WISCONSIN )  
 ) SS  
DANE COUNTY )

I, DAMIAN BETHKE, being first duly sworn on oath says that (s)he is the  
(printed name of Notary Public)  
person who made and signed the foregoing application for an operator's license; that all the statements made  
by the applicant in the foregoing application are true.

[Signature]  
(Applicant sign here)

Subscribed and sworn to before me this 30  
day of AUGUST, 2018



Notary Public, DANE County, Wisconsin

My commission ☐ is permanent

☒ expires 06-08-2020

[Signature]

~~~~~

Recommendation by McFarland Police Department:

Approval ☐ Denial ☐

Craig Sherven, Chief of Police

_____(Date)

To whom it may concern,

Attached is my criminal record to the best of my knowledge. I used the links provided on the application; [wi-record check.org](http://wi-record.check.org), dot.wisconsin.gov, and CCAP.

As you can see, I have a lengthy arrest record. All of my offenses were in direct relation to drug addiction. After being arrested July 16, 2012, I decided it was time to grow up and get my life together, and I have remained drug free since then. I also completed the Drug Court Program through Dane County (received 2 awards while doing so), completed 3 years of probation without any violations, paid all court costs and fees, and maintained full time employment. I also began, and continue to, see a therapist every two weeks and a psychiatrist every four weeks. Both of whom, if needed, are willing to convey their agreement for a license approval.

I generally feel that I have paid back my debt to society. Obtaining a license will enable me to work day shifts and more shifts altogether, thus a huge step forward. Bartending and waitressing are the only skill set I have that allow me to make a livable wage and support myself. I am asking you to please take into consideration the amount of time that I have clean and out of trouble.

Thank you for your time and consideration.

Sincerely,

Kristin Guimond

CCAP Records

8-22-01 Resisting or Obstructing an officer Party to a crime. Misdemeanor A. **Guilty/No contest**

10-15-2003 Possession of Cocaine. Misdemeanor U. **Dismissed**. Possess Drug Paraphernalia. Misdemeanor U. **Dismissed**.

2-12-04 Manufacture/Deliver Cocaine (<=1g). Felony G. **Guilty/No contest**. Bail Jumping. Misdemeanor A. **Guilty/No contest**. Bail Jumping. Misdemeanor A. **Dismissed**. Bail Jumping. Misdemeanor A. **Dismissed**.

6-18-04 Possess with intent Cocaine (>15-40g) Party to a crime. Felony D. **Guilty/No contest**. Bail Jumping. Felony H. **Guilty/No contest**. Possess with Intent THC (>=200g) Party to a crime. Felony I. **Dismissed**. Bail Jumping. Felony H. **Dismissed**. Possess with intent/deliver prescriptions Party to a crime. Felony H. **Dismissed**. Bail Jumping. Felony H. **Dismissed**.

8-3-04 Bail Jumping. Felony H. **Dismissed**.

8-18-04 Forgery- uttering Party to a crime. Felony H. **Guilty/No contest**. Bail Jumping. Felony H. **Guilty/No contest**. Bail Jumping. Felony H. **Dismissed**.

6-23-06 Harboring/Aiding a felon. Felony I. **Guilty/No contest**.

3-20-08 Possession of Cocaine. Misdemeanor U. **Guilty**. Possess drug paraphernalia. Misdemeanor U. **Dismissed**.

4-28-08 Operating after revocation (1st- rev due to OWI/PAC). Misdemeanor U. **Guilty/No contest**.

1-4-11 Resisting or Obstructing an officer. Misdemeanor A. **Guilty/No contest**.

6-16-11 Possession of Narcotic drugs. Felony I. **Dismissed**. Possess with intent THC (<=200g). Felony I. **Dismissed**. Possess Illegally obtained prescription. Misdemeanor U. **Dismissed**. Retail Theft- Intentionally take (<=\$2500). Misdemeanor A. **Dismissed**.

7-26-12 Manufacture/Deliver Heroin (<3g). Felony F. *Guilty*. Possession of Narcotic drugs. Felony I. **Dismissed**. Bail Jumping. Felony H. **Guilty**. Bail Jumping. Felony H. **Dismissed**.

6-11-13 (the actual date this occurred was in May 2012) Manufacture/Deliver Heroin (<3g). Felony F. **Dismissed**. Bail Jumping. Felony H. **Guilty**.



September 17, 2018

Kristin Guimond
[REDACTED]
[REDACTED]

Dear Ms. Guimond,

Your application for an alcohol operator's license for the period through June 30, 2019 was received. A review of your application criminal history, and arrest records, as maintained by the State of Wisconsin, has resulted in a recommendation by the Public Safety Committee and Police Chief Craig Sherven for further review and possible denial of your renewal application for an Operator's License. (Please see enclosed copy of Chief Sherven's memo to the Public Safety Committee).

You have 30 days from receipt of this letter to request a hearing before the Public Safety Committee to discuss the matter. During the hearing the committee will review your record, and you will be provided the opportunity to present any records of information you may have explaining the violation, present arguments on your own behalf, and/or bring a lawyer or other person to assist you.

Please contact me directly at 608-838-3153 or via email at Cassandra.suettinger@mcfarland.wi.us to request a hearing before the Public Safety Committee. Failure to request a hearing by the deadline, will result in an automatic recommendation for denial of your operator's license.

Sincerely,


Cassandra Suettinger
Clerk/Treasurer



Village of McFarland Police Department

5915 Milwaukee St. • P.O. Box 110 • McFarland, WI 53558 • 608/838-3151 • Fax 608/838-7954

Craig J. Sherven • Chief of Police

DATE: September 17, 2018

TO: Public Safety Committee

FROM: Craig J. Sherven, Chief of Police

REFERENCE: Alcohol Operators License for Kristin Guimond

On this date I reviewed a new application for an Alcohol Operator's License submitted by the above applicant. Having completed my review of her application, my recommendation is that of denial.

I base my decision on two sections of Village Ordinance and the McFarland Alcohol Licensure Policy, as follows.

1. Village Ordinance 11-74 (c) (2), Guideline 2 (b) and (c) which states, in part:

"Provided the circumstances of the offense substantially relate to the circumstances of the job or licensed activity, any person who has been convicted of or has a current charge pending, for (1) or more offenses within the last five (5) years or for two (2) or more offenses, arising out of separate incidents, within the last ten (10) years in the following subcategories, does not qualify for an operator's license:

(b) Crimes involving cooperation (or lack thereof) with law enforcement officials, including but not limited to, resisting or obstructing a police officer, bribery of public officers/employees, eluding police, bail jumping, hit and run, perjury, or acts/threats of terrorism.

(c) Manufacturing, distributing, delivering a controlled substance or a controlled substance analog; maintaining a drug trafficking place; possessing with intent to manufacture, distribute, or deliver a controlled substance or a controlled substance analog. Sec. 111.335(1)(cs), Wis. Stats."

In reviewing Ms. Guimond's criminal history, four such convictions were observed over the prior 10 year period:

- Conviction on 04-28-11 for Resisting or Obstructing a Police Officer, Misdemeanor

- Conviction on 09-10-13 for Bail Jumping, Felony
- Convictions on 01-18-13 for:
 - Manufacturing Heroin, Felony
 - Bail Jumping, Felony

2. Village Ordinance 11-74 (c) (3), Guideline 3 which states, in part:

“An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender.”

In reviewing Ms. Guimond’s criminal history, eight felony convictions were observed, as follows:

- Convicted of the following felonies on 10-20-04:
 - Forgery
 - Bail Jumping
 - Possession of Cocaine With Intent to Deliver
 - Manufacturing / Delivering Cocaine
- Convicted of Harboring a Felon on 08-29-06
- Convicted of the following (aforementioned) felonies on 01-18-13:
 - Manufacturing Heroin, Felony
 - Bail Jumping, Felony
- Convicted of Bail Jumping, felony (aforementioned) 09-10-13:

This is a very straightforward denial recommendation, in that Ms. Guimond has been convicted of four related violations, arising from three separate incidents, within a ten year period and therefore does not qualify for licensure as indicated by Village Ordinance.

Additionally, Ms. Guimond has been convicted of eight felony offenses arising from four separate incidents. The ordinance language provides clear guidance regarding the Village’s ability to deny the application for this reason, and requires only one felony conviction to do so.

Respectfully,

Craig J. Sherven

Craig J. Sherven
Chief of Police

Operator License Approval Policy – Approved 07/23/18

SECTION 1: Policy Purpose

In order to provide for an effective and consistent system of alcohol licensing that protects the public safety and is applied in a uniform and equitable manner, the Village Board has adopted the following written policy to govern the granting of operators' licenses pursuant to Chapter 125 of the Wisconsin Statutes, and Chapter 11, Article II of the Village ordinances.

SECTION 2: Acknowledgment of Duties.

The Village of McFarland acknowledges and recognizes the responsibility operators have to keep the public safe in their duties. An operator's license will enable operators to sell beer or liquor on a Class A premise (alcohol is carried off the premise. Examples include: a gas station, liquor store, or grocery store.) or a Class B premise (alcohol consumed on the property such as a tavern or bar). A liquor license holder, an agent, or a licensed operator must be on the premises at all times the business is open and alcohol is being sold. The licensed operator is in charge of the premise, and has certain responsibilities that include, but are not limited to:

- A. Preventing the sale of alcohol to minors. The legal drinking age is 21, and sales of alcohol to underage patrons is prohibited.
- B. Prohibiting the service or sale of alcohol to a person who is intoxicated. Operator's are legally entitled, and required, to refuse to serve any person whom they feel has had too much to drink.
- C. Ensuring open intoxicants do not leave the property.
- D. Class "B" premises must be closed between 2:00 am and 6:00 am Mon-Friday, and 2:30 am and 6:00 am Sat. & Sun (there are no closing hours on January 1). Everyone except employees on duty must be out of the store or bar by closing time. Private parties, friends or spouses are not allowed to stay on the premises while staff completes cleaning duties.
- E. Class "A" premises may not sell fermented malt beverages and intoxicating liquors between the hours of 9:00 p.m. and 6:00 a.m.

SECTION 3: Process.

- A. The Clerk's office shall take the application and fee. The office shall do an initial review of the application to ensure the application is complete pursuant to the requirements in 11-71(1)-(12) of the Village Code of ordinances. A notary is available in the Village's administration office if required. The fee collected is non-refundable. Incomplete applications will not be accepted.
- B. The Police Department will conduct a records check, including criminal and traffic, of all applicants for operators' licenses. If necessary, the records check may include an interview with the applicant or contact with other jurisdictions or third parties to verify or investigate information obtained in the records check. Applications with missing information or incomplete information regarding arrests or convictions shall be rejected. Rejected applications shall be re-assessed the application fee.

- C. The Chief of Police, or the Police Chief's designee, shall provide a recommendation for approval or denial using the criteria listed in section 4.
- D. All recommendations for approval will be placed on the next available Village Board meeting for approval. Licenses will be available for pickup by noon the day following Village Board approval.
- E. All recommendations for denial will be referred to the Public Safety Committee. The Clerk shall forward the license application and any related materials to the Committee. The Clerk shall provide notice to the applicant in writing that he or she should appear before the Committee for individual review of the application. The Public Safety Committee shall provide a review of the application as listed in Section 5.
- F. The committee shall, after interview of the applicant, make a recommendation to either grant or deny an operator's license to the Village Board.
- G. The Village Board shall review the application and recommendation from the Public Safety Committee and make a final determination of granting or denying the license.
- H. If the application is denied by the Village Board, the Village Clerk shall, in writing, inform the applicant of the denial, the reasons therefore, and provide an opportunity for the applicant to request a reconsideration of the application by the Village Board.
- I. If the application is denied again, the Village Clerk shall notify the applicant in writing of the reasons therefor. An applicant who is denied any license may apply to the Circuit Court pursuant to WI Statutes 125.12(2)(D).

SECTION 4: Criteria for Denial

The Chief of Police, or designee, shall provide a review of the criminal history of the applicant, and refer any of the following to the Public Safety Committee for further review and possible recommendation for denial. Due to the discretionary nature of the alcohol beverage license process, it is not possible to state every circumstance that may result in denial of a license application and what circumstances will result in approval of a license application. However, it is possible to enumerate what the PSC will consider in making its recommendation and what circumstances are more likely to result in a denial of a license application. It is also important to note denying an operator's license does not prohibit the employee from serving/selling alcohol; however, it does require that they serve/sell with a licensed operator on the premise.

Guideline 1: 11-74 (c) (1): Arrest and conviction record of the applicant, subject to the limitations imposed by Wis. Stats. §§ 111.321, 111.322, and 111.335, and Wis. Stats. § 125.12(1)(b).

- a) Convictions of two or more misdemeanor crimes in a five year period preceding the date of application.

- b) Conviction of one misdemeanor crime in combination with four ordinance violations egregious traffic violations of public safety concern in the five year period preceding the date of application.

Guideline 2: 11-74 (c) (2): If a licensee is convicted of an offense substantially related to the licensed activity.

Provided the circumstances of the offense substantially relate to the circumstances of the job or licensed activity, any person who has been convicted of or has a current charge pending, for (1) or more offenses within the last five (5) years or for two (2) or more offenses, arising out of separate incidents, within the last ten (10) years in the following subcategories, does not qualify for an operator's license:

- (a) Violent crimes against the person of another, including but not limited to battery, disorderly conduct, sexual assault, injury by negligent use of a vehicle, intimidation of victim or witness.
- (b) Crimes involving cooperation (or lack thereof) with law enforcement officials, including but not limited to, resisting or obstructing a police officer, bribery of public officers/employees, eluding police, bail jumping, hit and run, perjury, or acts/threats of terrorism.
- (c) Manufacturing, distributing, delivering a controlled substance or a controlled substance analog; maintaining a drug trafficking place; possessing with intent to manufacture, distribute, or deliver a controlled substance or a controlled substance analog. Sec. 111.335(1)(cs), Wis. Stats.

Guideline 3: 11-74 (c) (3): An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender.

Provided the circumstances substantially relate to the circumstances of the job, any person who has been convicted of or has a current charge pending, for two (2) or more offenses, arising out of separate incidents, within the last five (5) years immediately preceding the license application in the following subcategories does not qualify for an operator's license:

- (a) Alcohol beverage offenses (under Wis. Stat. Ch. 125 or McFarland Ordinance Ch. 11 - excluding administrative violations such as "failure to post license under glass").
- (b) Operating a motor vehicle with a prohibited alcohol concentration (PAC) in excess of .08% by weight.
- (c) Open intoxicants in public places or in a motor vehicle.

- (d) Possessing a controlled substance, controlled substance analog without a valid prescription, or possessing drug paraphernalia.
- (e) Operating a motor vehicle while under the influence of intoxicants or drugs.
- (f) Disorderly conduct, criminal damage to property, solicitation of prostitution or other prostitution related offenses, wherein the offense involves an incident at a place that is, or should have been licensed under Wis. Stat. Ch. 125.

Additionally, because a license is a privilege, the issuance of which is a right granted solely to the Village Board, the Village Board reserves the right to consider the severity, and facts and circumstances of the offense when making the determination to grant, deny or not renew a license. Further, the Village Board, at its discretion, may, based upon an arrest or conviction record of two or more offenses that are substantially related to the licensed activity within the five years immediately preceding, act to suspend such license for a period of one year or more.

Section 5: Public Safety Committee Review of Applications.

The Public Safety Committee shall be responsible for conducting further review of operator's license applications that have criteria from Section 4 as recommended for denial. The committee shall be expected to thoroughly and conscientiously review license applications and consistently apply pertinent laws and ordinances.

The Public Safety Committee may recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. Such evidence could include letters of recommendation from Alcohol and Other Drug ("AODA") counselors, probation agents, or other relevant service providers, other professional counselors, certificates and/or letters confirming satisfactory completion of an AODA or other relevant counseling program. Any such letters shall be on the letterhead of the agency offering the recommendation in order for the letter to be considered credible evidence of rehabilitation.

Pursuant to Wis. Stats. § 111.335(4)(d), competent evidence of rehabilitation and fitness to perform the licensed activity may be established by production of any of the following:

- (a) The individual's most recent certified copy of a federal department of defense form DD-214 showing the person's honorable discharge, or separation under honorable conditions, from the U.S. armed forces for military service rendered following conviction for any offense that would otherwise disqualify the individual from the license sought, except that the discharge form is not competent evidence of sufficient rehabilitation and fitness to perform the licensed activity if the individual was convicted of any misdemeanor or felony subsequent to the date of the honorable discharge or separation from military service.
- (b) A copy of the local, state, or federal release document; and either a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or other evidence that at least one year has elapsed since release

from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

In addition to the documentary evidence that may be provided above to show sufficient rehabilitation and fitness to perform the licensed activity, the Committee shall consider any of the following evidence presented by the applicant:

- (a) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (b) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (c) The age of the individual at the time the offense was committed.
- (d) The length of time that has elapsed since the offense was committed.
- (e) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (f) All other relevant evidence of rehabilitation and present fitness presented.

The Committee shall decide how much weight and credibility to assign to any evidence of rehabilitation, including but not limited to, whether a record is certified, whether evidence has been corroborated or verified, documentary proof of completion of any counseling or other relevant treatment, and the credibility of statements by the applicant or any witness. In determining the credibility of any statement made by the applicant or any witness, the Committee should consider, among other things, the reasonableness of the statement, possible motives for providing false statements or withholding information, the applicant or witness's conduct and demeanor, the clearness or lack of clearness of the statement, and the cooperation of the applicant or witness in answering any questions posed by the Committee or Village Staff.

For license renewals, a previous determination by the Committee that an applicant has been rehabilitated from certain offenses carries forward; however, these offenses may be re-considered if the applicant has also committed a new offense substantially related to the licensed activity during the current license period.

The Committee shall state reasons for approval or denial for the record.

Possible outcomes include but are not limited to:

1. Recommend approval of the license based on the applicant providing credible evidence of rehabilitation
2. Recommend conditional approval of the license based on the applicant providing substantial, credible evidence of rehabilitation with the following conditions:

- a. There be no more subsequent substantially related offenses for the remainder of the licensing period.
 - b. The applicant be required to pay \$15 dollars, to submit to quarterly background checks to ensure compliance.
3. Recommend application be tabled for a period of XX days. Committee will re-review application at that time. Applicant should be prepared to provide substantial evidence of rehabilitation.
4. Recommend application be denied based on violation of guideline (insert relevant guideline and corresponding ordinance reference).
5. If the applicant fails to appear: recommend the application be placed on file without prejudice (meaning the application can be brought back at any time before the expiration of the license period)



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, November 14, 2018

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion and recommendation on the operator's license for Kristin Guimond for the period ending June 30, 2019.

PREVIOUS ACTION:

ISSUE SUMMARY:

This item is the second part of the license hearing process. After conducting the hearing on the recommendation for denial of the license, the Public Safety Committee will make an official recommendation to the Village Board on a new operator's license for Kristin Guimond.

Pursuant to section 5 of the Village Operator's License approval policy the Committee may only recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. The committee shall state reasons for approval or denial for the record.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

Village Operator's License Review Policy

ORDINANCE REFERENCE:

11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

The Public Safety Committee will make a recommendation to Village Board based on the hearing held in the previous item.

ATTACHMENTS:

None



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, November 14, 2018

SECTION: Business

DEPARTMENT: Administration

CONTACT: Craig Sherven, Chief

AGENDA ITEM: Discussion and recommendation on the creation of a special event permit.

PREVIOUS ACTION:

ISSUE SUMMARY:

Previously the Parks, Recreation, and Natural Resources Committee along with the Public Safety Committee reviewed a request from Chief Sherven for the Village to consider implementing a special events license as a way to help provide the Village notification for when there will be large group events in the Village. Current ordinances only require a special event permit when a temporary Class B license is sought. Both committee expressed concern with a permit that would attempt to regulate events on private property.

Based on this feedback staff has submitted a draft ordinance for review. The attached ordinance attempts accomplishes two items:

1. The ordinance creates a definition for a special event permit to be used in the Village. It is important to note, based on the feedback from committees, this special event permitted has been limited to only public property
2. The ordinance combines a lot of our permits into one as a way to streamline and simplify the process for resident/event organizers and Village staff. This combines parade, street use, and special events into on permit. Neighborhood events are still left freestanding with its own staff approval process as approved in the summer of 2018.

If the Committee is agreeable staff will work with the Attorney to put forward a draft for review for the Public Safety Committee.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

Specials events are briefly mentioned in section 11-66 as being tied to a temporary class b license.



BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Staff recommends approval of the creation of a special event permit. If agreeable, staff would like to work with the Village Attorney to formalize an ordinance amendment to bring forward for review.

ATTACHMENTS:

1. McFarland Special Event_Separate (Draft) 11.08.18

Sec. ??-?? – Events Requiring a Special Permit

(a) Purpose. This Chapter is enacted to regulate and control the use of streets and public property to insure that the health, safety and general welfare of the public and the good order of the Village is protected and maintained. The Village's authority to regulate streets and public property is contained in the Wisconsin Statutes, including, but not limited to, Sec. 349.185, Wis. Stats.

(b) Permit Required. Subject to and in accordance with section (c)(1-8), "Definitions", no person may hold an event or gathering on a highway, roadway, street or cul-de-sac in the Village of McFarland, or on property owned by the Village of McFarland without first obtaining an Event Permit from the Village.

(c) Definitions . As used in this Chapter:

(1) Processions, parades, runs, walks, marathons, bicycle races, block parties, and similar activities have their usual and customary usage.

(2) "Event Permit" A permit granted by the Village of McFarland for the purposes of approving a Street Use Event, Neighborhood Event, Parade or Special Event occurring on or in any portion of a Village Owned street, roadway or cul-de-sac, or off-street property owned by the Village of McFarland.

(3) "Street Use" A planned event or situation in which any portion of a Village Owned street, roadway or cul-de-sac will be utilized, for events including, but not limited to: estate sales or auctions, run/walk events, car shows, community event, or public demonstration.

(4) "Neighborhood Event" A planned gathering in which any portion of a Village Owned street, roadway or cul-de-sac will be utilized. Examples: a neighborhood block party, graduation party.

(5) "Parade" Any parade or procession taking place in which any portion of a Village owned street, roadway or cul-de-sac will be utilized.

Note: A permit is not required for assembling or movement of a funeral procession, or for any parade sponsored by an agency of the federal or state government, acting in its governmental capacity within the scope of its authority. Federal and state authorities, and organizers of funeral processions are requested to coordinate preparations with the Chief of Police or his/her designee.

(6) "Special Event" Any other planned event on off-street property owned by the Village of McFarland in which any of the following apply, including, but not limited to:

- festivals or celebrations
- estate sales, auctions or other sales activities
- political gatherings or events
- events involving the sale or distribution of alcoholic beverages
- Concerts
- Events in which in 200 or more attendees are anticipated
- Events involving the use of amplified music, sound or public address
- Events in which tents or other temporary structures will be erected and require stakes to be driven into the ground
- Runs, walks, marathons not on roadways

(7) "Highways" and "streets" have the meanings set forth in Wis. Stats. § 340.01, and also include alleys (as defined in Sec. 340.01, Wis. Stats.) and areas owned by the Village of McFarland which are used primarily for pedestrian or vehicular traffic.

(8) "Person" means any natural individual, group, entity, organization, partnership, association, corporation, or limited liability company.

(d) Application A person seeking to hold an event shall file an application with the Village Clerk on the form provided by the Village Clerk. The application shall be filed at least forty-five (45) days before the event. The application shall contain but is not limited to the following information:

(1) The name, address, email address and telephone number of the applicant or applicants.

(2) If the Event is to be conducted for, on behalf of, or by an organization or company, the name, address, email address and telephone number of the organization's or company's headquarters and of individual(s) authorized to act on behalf of the organization or company.

(3) The name, address, email address and telephone number of the person or persons who will be responsible for operating the Event.

(4) The proposed use, described in detail, for which the Event License is requested. Applicants shall select all event types that are applicable to their event.

(5) The date(s) and duration of time during which the Event is to occur, including a detailed schedule of events.

- (6) A detailed security plan, including how many individuals will be designated to this function, how they will be identified, and how they will communicate with one another.
- (7) The applicant shall indicate if the Event requires complete, partial, or no closure of any streets.
- (8) A map of the Event, including any street(s)/property to be used, the placement of any tents, facilities, equipment, fencing, alcohol sale and carding areas (if applicable). The Public Works Director shall have final decision on placement of tents or any place the applicant wishes to break ground.
- (9) The approximate number of persons who will attend the Event.
- (10) A detailed plan for mitigating severe weather (if applicable).
- (11) A detailed fire evacuation plan (if applicable).
- (12) If the event involves the sale or distribution of alcoholic beverages, a detailed plan for identifying and refusing service to those under the legal drinking age shall be included. NOTE: Requires the application for and issuance of a Temporary Class "B" alcohol license, in addition to the Special Event License.
- (13) A detailed plan describing what cleanup activities will take place at the conclusion of the event.
- (14) Events that are anticipated to allow for the presence of minors where alcohol is served shall require a variance to ordinance approved by the Village Board. It shall be the event organizer's responsibility to request this variance on the application form.
- (15) Events that are anticipated to require the use of amplified sound, or to in some manner generate excessive noise, beyond 10:00 pm shall require a variance to ordinance approved by the Village Board. It shall be the event organizer's responsibility to request this variance on the application form.
- (16) Any other information that the Village deems necessary or appropriate.

(e) Special Requirements.

- (1) Regarding Parade Requests

(a) Drivers to stay near right-hand edge of roadway. Each driver in any procession except a procession permitted by the Chief of Police under this Article shall drive as near to the right-hand edge of the roadway as practical, except upon one-way streets or when otherwise directed by a police officer, and shall follow the vehicle ahead as close as is practical and safe.

(b) No person who leads or participates in a parade shall disobey, or encourage others to disobey, this Section after a police officer has directly and presently informed such person of any of the provisions of this Section or the terms of the parade permit that the person is violating.

(c) Sponsors or organizers shall obtain any county or state permits that may be required for use of any roadway under the jurisdiction of the county or state.

(2) Regarding Street Use and Neighborhood Event Requests

(a) Petition Required. The permit application shall be accompanied by a petition designating the proposed area of the street to be used and time for said proposed use, said petition to be signed by not less than 75 percent of the residents over 18 years of age residing along that portion of the street designated for the proposed use, with the exception of the following:

(b) Said petition shall be verified and shall be submitted in substantially the following form:

PETITION FOR STREET USE PERMIT

We, the undersigned residents of the _____ hundred block of _____ Street in the Village of McFarland, hereby consent to the _____ recreational use of this street between the hours of _____ and _____ on _____ / _____ / _____, the _____ day of _____ / _____ / _____, 20 _____, for the purpose of _____ and do hereby petition the McFarland Village Board to grant a street use permit for us to use the said portion of said street for said purpose and do hereby agree to abide by such conditions of such use as the McFarland Village Board shall attach to the granting of the requested street use permit. We designate _____ as the responsible person or persons who shall sign an application for a street use permit on our behalf.

(Code 1998, § 7-7-1(h))

(Code 1998, § 7-7-1(i); Ord. No. 2003-02, § 128, 1-27-2002; Ord. No. 2017-12, § 158, 6-26-2017)

(f) Events occurring of Public Parks.

- a. Events occurring in public parks are subject to all regulations and requirements as set forth in Chapter 44 (Parks and Recreation) of Village Ordinance.
- b. Events occurring in public parks which qualify under this section that include the operation or use of any amplifying system, public address systems or equipment shall generally be approved or denied by the Public Safety Committee, pursuant to Section 44-20 (b) of Village Ordinance. The Public Safety Committee reserves the right to require the approval of the Parks and Recreation Committee.
- c. Events occurring in public parks which qualify under this section that include the disturbance of soil by utilization of tent poles, tent stakes or any other activity likely to penetrate the grass and or soil bed shall require Village approval. It is the sole responsibility of the organizer to contact digger's hotline three (3) business days before such structure will be erected. Any costs for locates and/or damages will be bore by the organizer.

(g) Application Review. If the Village Clerk-Treasurer determines that the Event License application is complete, the Village Clerk-Treasurer shall immediately forward copies of the same to the Director of Public Works, the Chief of Police, and the Fire/EMS Chief who shall consider the same and make recommendation thereon to the Village Board and/or Public Safety Committee. The Village Clerk may require the applicant to provide additional information in support of the application if deemed necessary for review purposes.

(h) Issuance or denial of Special Event Permit

1. All Special Event applications shall be forwarded to the Public Safety Committee for review and recommendation to the Village Board except for section (a) and (b) below.
 - a. Annual, recurring Special Events that propose no major changes from the previous years shall not require review by the Public Safety Committee. These Special Events shall be reviewed by the Chief of Police, who shall make a recommendation of approval or denial

directly to the Village Board. The Village Board will ultimately approve or deny the application.

- b. The Village reserves the authority, under its sole discretion, to refer any event permit application to the Public Safety Committee and/or any other pertinent committee for review.

- 2. If the Village Board determines that the applicant has complied with all of the provisions of this Chapter, they shall instruct the Village Clerk-Treasurer to issue the Special Event Permit. Upon issuance of said permit, the applicant shall comply with all requirements as set forth in this chapter. The applicant shall meet the requirements of Section 11-1.

(i) Issuance If the Village Board or other approval authority determines that the applicant has complied with all of the provisions of this Chapter, they shall instruct the Village Clerk-Treasurer to issue the Event Permit. Upon issuance of said permit, the applicant shall comply with all requirements as set forth by the approving authority. The applicant shall meet the requirements of Section 11-1.

(j) Denial of an Event Permit. An application for an Event Permit may be denied if:

- (1) The proposed use is primarily for private or commercial gain. (possibly delete)
- (2) The proposed use would violate any federal or state law or any ordinance of the Village.
- (3) The proposed use will substantially hinder the movement of police, fire or emergency vehicles, constituting a risk to persons or property.
- (4) The application for the Event Permit does not contain the information required above.
- (5) The application requests a period for the use of the street in excess of five days.
- (6) The proposed use could equally be held in a public park or other location. In addition to the requirement that the application for a street use permit shall be denied, as hereinabove set forth, the Village Board may deny a permit for any other reason if it concludes that the health, safety and general welfare of the public cannot adequately be protected and maintained if the permit is granted.

(7) The granting of the Event Permit would conflict with another Event Permit already granted or for which application is already pending.

(8) The reasonably anticipated utilization of public services, including police and fire protection, by the proposed street use will require so large a number of persons and vehicles, including ambulances, as to prevent adequate service of the needs of the rest of the Village.

(9) It appears that the proposed Event is so poorly organized that participants therein are likely to engage in aggressive, destructive, or otherwise unlawful activity.

(10) Any part of the area described in the said Event Permit application includes a through intersection such that the highways cross each other.

(11) It is for a parade that is to be held between the hours of 10:00 p.m. and 6:00 a.m.; or *possibly combine with #15

(12) Sufficient parade marshals are not provided as to reasonably assure the orderly conduct of the parade.

(13) The application is not accompanied by an application fee as required by subsection (a) of this Section or if the applicant does not comply with any additional conditions or requirements as determined under Sections 35-446 including the payment of any amounts to cover increased costs to the Village for services.

(14) Vehicular traffic, public parking availability, construction projects or other scheduled events in and around the Village may be negatively impacted by the Special Event.

(15) The Event is scheduled to be held between the hours of 9:00 p.m. and 7:00 a.m, or the duration of the event is unreasonable.

(16) Sufficient supervision and event security will not be provided to reasonably assure orderly conduct by the attendees.

(17) The application was not filed within the required time period.

(18) Specifically for Street Use requests, If less than 75 percent of the persons over 18 years of age residing adjacent to that portion of the street for which the proposed street use permit is requested do not sign the petition. (is this for parking trailers, etc? Possibly delete or change to EVENT

(19) The Event is primarily for private or commercial economic gain, unless the event is an estate sale or auction. (possibly delete)

(20) The Event will negatively affect the health, safety or general welfare of the public, including, but not limited to, the movement of police, fire, or emergency vehicles within the Village, the overall impact to the neighborhood, including noise levels, and the effectiveness of hazard mitigation plans as submitted by the organizer(s).

(21) The event organizer(s) refuses to cooperate with, meet with or communicate with Village Officials regarding event planning and related requirements, and/or fails to or has demonstrated a past history of failing to comply with conditions set forth for this or past Event Permits.

(22) The approving authority, the Public Safety Committee, or the Village Board may deny a Special Event License application if, in their discretion, it is determined that one or more of the factors identified above warrant denial of the application. Further, the approving authority, the Public Safety Committee, or the Village Board may place conditions on the approval of a Special Event Permit application. If a Special Event License is granted, the permittee shall comply with all conditions placed on the Permit, if any, and with all applicable federal and state laws and City ordinances and regulations.

(k) Appeal of Permit Denials. If a Special Event License application is denied by the approval authority, the applicant may appeal the denial to the Public Safety Committee. If a Special Event License application is denied by the Public Safety Committee, the applicant may appeal the denial to the Village Board. In each instance, the applicant shall file its appeal request with the Village Clerk within five (5) days after the application is denied. If a Special Event License application is denied by the Common Council, there is no appeal.

(l) Termination of Event Permit and Event. An Event may be immediately terminated, and the Event Permit revoked, while the event is in progress, if the Chief of Police (change to approving authority) or his or her designee determine that the health, safety or general welfare of the public, including participants at the event, is endangered by activities generated as a result of the event, or if the Event has violated any conditions placed on the event in the License, or if the Event has violated any Village ordinances, State laws or other statutes.

(m) Emergency Revocation. The Chief of Police (change to approving authority) or his or her designee may revoke an Event License that has already been issued if the Chief of Police (approving authority) or his or her designee determine that revocation is justified by an actual or potential emergency due to weather, fire, riot, other

catastrophe or likelihood of a breach of the peace, or by a major change in the conditions forming the basis for the issuance of the License.

(n) Penalties. Any person who violates any provisions of this Chapter shall be subject to a penalty as provided in Section 1-16 of this Code. Additionally, failure to comply with any provisions of this Chapter may result in the withholding of approval on any subsequent permit applications for this or other permits required by the Village.

(o) Security/Village Staffing Requirements. If the Chief of Police, Fire Chief or Public Works Director determines that members of the Police Department, other Law Enforcement, private Security Officers, Fire Department, Emergency Medical Services or Public Works personnel must be available to staff the Event, the applicant shall pay all associated costs incurred by the Village or other provider to staff the event. When utilizing Village of McFarland Employees, the event organizer shall reimburse the Village at each employee's full overtime rate, and the Village shall subsequently reimburse each employee through standard payroll practices.

(p) Representative at meeting. It is recommended tThe event organizer(s) making application for an event be present when the Village Board gives consideration to the granting of said street use permit to provide any additional information that is reasonably necessary to make a fair determination as to whether a permit should be granted. Failure to be present could result in denial of the application in the event additional information or input from the organizer(s) is needed, but is not available due to lack of attendance of the meeting. It is the event organizer's responsibility to make themselves aware of when the Village Board will consider the application.

(q) Fee. Each application for an Event License shall be accompanied by a fee per the Village Fee Schedule, _____. Applications that are filed less than forty-five (45) days before the Special Event are subject to a double application fee, which shall be paid before the application is considered. The fees referenced in the preceding sentence are intended to cover costs the Village incurs relating to the Special Event.

(r) Neighborhood Events. Applicants shall apply for a block party permit on a form provided by the Village Clerk/Treasurer, no less than two weeks prior to the event. The Director of Public Works or designee is given the authorization to approve or deny street use permits for block parties in coordinate with recommendations from the Police Department and Fire/EMS Department. If approved, the Clerk/Treasurer shall issue a permit. If denied, the applicant may appeal to the Village Board by filing a notice of appeal with the Village Clerk/Treasurer within ten days of notification of denial. The applicant must state the basis of appeal. The Village Board may by majority vote to reverse or modify the decision.

(s) Insurance. The applicant for a street use permit *shall* indemnify, defend and hold the Village and its employees and agent harmless against all claims, liability, loss, damage or expense incurred on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. The applicant *shall* furnish a certificate with the Village *demonstrating* that applicant has in force and will maintain during the time the permit is in effect public liability insurance of not less than \$500,000.00 per one person, \$500,000.00 [amounts may change] for one accident and property damage coverage of not less than \$500,000.00 *naming the Village as an additional insured. If the certificate references any policy language, endorsement or other requirement as being necessary for the additional insured coverage to take effect, the applicant shall provide all such required documentation. The required coverage for the Village shall be written on a primary, non-contributory basis, and include a waiver of subrogation rights.*

(t) Indemnification. The applicant shall indemnify, defend and hold harmless the Village of McFarland and its officers, officials, agents, and employees against all loss or expense (including liability costs and reasonable attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the Village or its officers, officials, agents or employees, for damages because of injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damages to property, including loss of use thereof, arising from, in connection with, caused by or resulting from the Special Event.

(u) Cleanup Requirements. The applicant shall return the site to the condition that existed before the Special Event occurred within twenty-four (24) hours of the completion of the event. The Village may require the applicant to provide a deposit in an amount to be determined by the Village to insure that the site is adequately restored.



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, November 14, 2018

SECTION: Business

DEPARTMENT: Administration

CONTACT:

AGENDA ITEM: Discussion and recommendation to authorize the use of State of Wisconsin Funding Assistance Escrow Funds for the purchase of an automated CPR compression device.

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. Lucas purchase request



Mcfarland Fire & Rescue Department

5915 Milwaukee Street • PO Box 110 • McFarland, WI 53558-0110
(608) 838-3278 • Fax: (608) 838-3619

Emergency: 911

Date: November 9, 2018

To: McFarland Village Board / Public Safety Committee

From: Chris Dennis, Fire & Rescue Chief

Reference: Purchase of Automated CPR Compression Devices

In the 2018 capital budget for the Fire & Rescue Department, the Village Board approved the purchase of automated compression devices with an offsetting revenue from the Assistance to Firefighters Grant (AFG). We received notification from the Federal Emergency Management Agency (FEMA) that our request from the AFG was denied. The next cycle was opened and closed in a short period of time that would prevent us from developing the required submission and approvals for the grant. Additionally, the likelihood of the request being funded is minimal after two un-funded attempts. The members of the Fire & Rescue Department have been working on obtaining donations and funding for the devices. Originally, the members through the Fire & Rescue Association pledged to provide funding of the matching funds for the grant and make the acquisition not impact the tax levy. The members determined to provide increased funding to cover the cost of one unit.

I am requesting the usage of escrowed funds from the State of Wisconsin Funding Assistance Program (FAP) in the amount of \$15,805.93. Each year the Village receives between \$5,000 and \$6,000 from the FAP that has a portion required to be spent on EMT-Basic training and the remainder is required to be spent on emergency medical equipment and training for the emergency medical service. The funds can not be used to reduce, decrease or replace the existing budgeted monies provided to the emergency medical service. The restrictions placed on the funds does result in some funds being escrowed in accordance with the program requirements. The current cost of two devices on the State of Wisconsin contracted pricing is \$31,611.86. The Fire & Rescue Association will provide 50% with the concept of purchasing one unit.

The use of FAP for purchase in this manner is consistent with the intent of the program and provides the revenue that was budgeted from a different source while maintaining the purchase doesn't impact the tax levy.

Sincerely,

Christopher C. Dennis, Chief
Fire & Rescue Department
Village of McFarland

NEW LUCAS® 3

Chest Compression System, version 3.1

Data Sheet

Setting the standard for mechanical CPR

We continue to innovate the LUCAS platform with Wi-Fi® connection to the LIFENET® System and integration into CODE-STAT™ Data Review Software. The new LUCAS 3, v3.1, allows for tailored rates to meet your protocols, alerts configured to improve compliance, Post-Event Reports to your inbox, and asset notifications by e-mail.



Device configuration via the LIFENET System

Wirelessly set device presets to align with your protocols

- Adjustable rate: 102, 111, 120 $\pm$ 2 compressions per minute – fixed or variable during operation
- Adjustable depth: 1.8 to 2.1 $\pm$ 0.1 inches/45 to 53 $\pm$ 2mm – fixed during operation
- Audible CPR timer: 1-15 minutes (in 1 minute increments)
- Adjustable ventilation alerts, pause length and count
- Auto-lowering of the piston (AutoFit or QuickFit)
- Pressure pad release to allow for chest rise during ventilation

Post-Event reporting

- Receive device Post-Event Report (PDF) via e-mail after device check-in over Wi-Fi
- Transmit reports wirelessly to any predetermined e-mail addresses (configurable in LIFENET)
- Integration with CODE-STAT 11*

Asset management via LIFENET

- Asset dashboard for fleet status at latest device check-in
- Notifications of expiring and expired LUCAS batteries
- Notifications of upcoming or missed service

The world's most used mechanical CPR device

- Over 15 years of experience, over 24,000 devices deployed, and 200+ publications**
- Unique device design: piston with suction cup designed to stabilize the compression point and follow the chest
- Used in the field all the way into the cardiac cath lab

Proven safe and effective, quick and easy

- Highest level of evidence showing safety and efficacy¹
- Simple 1-2-3 step user interface
- Quick: A median 7 sec. interruption at transition from manual to mechanical CPR in clinical use²

Proven to perform. Reliably.

- Easy to maintain and own
- Compact and lightweight
- >99% operational reliability in clinical use¹

*Commercially available mid-2018

**As of April 2018

Specifications

Device and Therapy

Type of chest compression

- Piston with suction cup designed to stabilize the compression point
- Factory default settings consistent with AHA and ERC Guidelines 2015

Compression rate

- Configurable to 102 – 111 – 120 compressions per minute, fixed, or variable during use
- Factory default setting: 102 ± 2 compressions per minute

Compression depth

- Configurable to a fixed value between 1.8 to 2.1 ± 0.1 inches / 45 to 53 ± 2 mm
- Factory default setting: 2.1 ± 0.1 inches / 53 ± 2 mm for nominal patients
Note: 1.5 to 2.1 inches / 40 to 53 mm for chest height < 7.3 inches / 185 mm

Pressure pad during ventilation

- To allow for chest rise during ventilation the pressure pad can be configured to move up 0.4 inch / 10 mm above start position during pauses or during continuous compressions
- Factory default setting: pressure pad remains in start position

Compression duty cycle: $50 \pm 5\%$

Compression modes (operator selectable)

- ACTIVE 30:2 mode: 30:2 (factory default setting) or 50:2 (setup option) compression to ventilation ratio
- ACTIVE Continuous mode

Ventilation alerts

- ACTIVE 30:2 mode: LED blinks and audible alert signals before ventilation pause
- ACTIVE Continuous mode: LED blink. Configurable to 6 to 10 alerts per minute (factory default setting: 10 alerts per minute). Audible alert configurable ON/OFF (factory default setting: OFF)

Ventilation pause duration

- ACTIVE 30:2 mode: configurable to 3 to 5 sec. (factory default setting: 3 sec.)
- ACTIVE Continuous mode: configurable to 0.3 to 2 sec. (factory default setting: 0.3 sec.)

Device and Therapy (cont.)

Suction cup start position

- Configurable:
 - QuickFit (factory default setting): Manual lowering of the suction cup. Automatic fine-tuning will occur when locking the start position
 - AutoFit: Automatic lowering of the suction cup from its upper position down to the chest
 - Manual: Manual lowering of the suction cup to the chest. No automatic fine-tuning will occur when locking the start position

Suction cup in ADJUST mode: The device can be setup so that the suction cup automatically returns up from the chest when the operator pushes the ADJUST key coming from PAUSE or ACTIVE (30:2 or Continuous) modes (factory default setting: OFF)

Audible timers

- 1 to 15 minutes, in 1 minute increments (factory default setting: OFF)
- The timer can be setup as either CPR Timer or Continuous Timer
 - CPR Timer: the device only measures the time in uninterrupted ACTIVE (30:2 or Continuous) modes
 - Continuous Timer: the device measures the time continuously, independent of what mode the device is in

Safety system controls

- Automatic self-test at each Power ON
- Advanced control of delivered compression depth, rate and duty cycle, with safety alarm
- Soft Start at beginning of compressions
- Automatic adjustment of compression force to reach the set compression depth in individual chests

Patients eligible for treatment

- 6.7 to 11.9 inches / 17.0 to 30.3 cm chest height
- 17.7 inches / 44.9 cm maximum chest width
- No patient weight limitation

Device post-event data and connectivity

Connectivity

- Wireless connectivity: Device can communicate via Bluetooth™ (factory default setting ON) and connect to configured Wi-Fi networks to receive and transmit data when not in clinical use.
- Local Bluetooth connection for setting up local Wi-Fi network, and for Post-Event Report generation and software updates (if Wi-Fi cannot be used)
- Ability to disable Bluetooth and/or Wi-Fi

Wi-Fi and LIFENET capabilities

- Manual or automatic data transmission (configurable): push the TRANSMIT key in range of known network (factory default setting), or setup option for automatic data transmission whenever the device is off, charging and in range of known network
- Setup options: Device functionality can be configured with setup options via secure, online platform (LIFENET) and be transmitted to the device wirelessly. A single setup profile can be applied to entire fleet or individual setup options for each device
- Post-Event Reports: Device can transmit Post-Event Reports (PDF) wirelessly and send to any predetermined e-mail addresses.
- Device readiness status: Device can transmit device readiness and battery notifications wirelessly to any predetermined e-mail addresses

Post-Event Report contents: Easy to read Post-Event Report (PDF) showing:

- Summary of device use: compression time, ratio, rate, count, number of pauses > 10 sec. and duration of longest compression pause
- Visual timeline showing device compressions, rate and pauses
- Event log showing user interactions, battery alerts and alarms
- Full display of device setup for quick reference
- Comprehensive post-event review in CODE-STAT 11 Data Review Software (optional)

Device post-event data and connectivity (cont.)

Device readiness data: Configurable in LIFENET to send e-mail notifications on latest device check-in status including:

- Battery nearing expiration
- Battery expired
- Failed device self-test

Reporting software over Bluetooth

- Report Generator software (DTX, included with device purchase for download online) with ability to download, print, save and share device reports of each use (PDF format)
- The Report Generator (DTX) can be downloaded on a pc with Windows® 7, 8.1 or 10

Device data storage: 4GB (estimated to store more than two uses per day over the lifetime of the device, 8 years)

Device physical specifications

Device dimensions when assembled (HxWxD): 22.0 x 20.5 x 9.4 inches / 56 x 52 x 24 cm

Device dimensions while stored in carrying case (HxWxD): 22.8 x 13.0 x 10.2 inches / 58 x 33 x 26 cm

Battery dimensions (HxWxD): 5.1 x 3.5 x 2.2 inches / 13.0 x 8.8 x 5.7 cm

Weight of the device with Battery (no straps): 17.7 lbs / 8.0 kg

Battery weight: 1.3 lbs / 0.6 kg

Back plate: Thin and lightweight back plate (0.6 inches / 15mm and 2.5 lbs / 1.1 kg)

Device environmental specifications

Operating temperature

- +32°F to +104°F / +0°C to +40°C
- -4°F / -20°C for 1 hour after storage at room temperature

Storage temperature: -4°F to +158°F / -20°C to +70°C

Relative humidity: 5% to 98%, non-condensing

Device IP classification (IEC60529): IP43

Operating input voltage: 12-28 V DC

Atmospheric pressure: 62-107 kPa -1253 to 13000 ft (-382 to 4000 m)

Power specifications

Power source: Proprietary battery alone or with external power supply or car power cable

Power supply input: 100-240VAC, 50/60Hz, 2.3A, Class II

Power supply output: 24VDC, 4.2A

Car power cable: 12-28VDC/0-10A

Battery type: Rechargeable Lithium-ion Polymer (LiPo)

Battery capacity: 3300 mAh (typical), 86 Wh

Battery voltage (nominal): 25.9 V

Battery run time (nominal patient): Battery run time 45 minutes (typical)
Extended run time connecting to external power supply

Power specifications (cont.)

Maximum Battery charge time:

Charged in the device using external power supply:

- Less than two hours at room temperature (+72°F / +22°C)

Charged in the external battery charger:

- Less than four hours at room temperature (+72°F / +22°C)

Battery service life (interval for recommended replacement)

- Recommendation to replace the battery every 3 to 4 years or after 200 uses (of more than 10 minutes each time)
- End of Battery service life will be indicated by a constant yellow LED to the far right on the Battery charge indicator

Battery IP classification (IEC60529): IP44

Battery charge temperature

- +32°F to +104°F / +0°C to +40°C
- (+68°F to +77°F / +20°C to +25°C preferred)

Battery storage temperature

- -4°F to +104°F / -20°C to +40°C
- +105°F to +158°F / +41°C to +70°C ambient for less than a month

References

1. Rubertsson S, Lindgren E, Smekal D, et al. Mechanical chest compressions and simultaneous defibrillation vs conventional cardiopulmonary resuscitation in out-of-hospital cardiac arrest. The LINC randomized trial. *JAMA*. 2013;311(1):53-61.
2. Levy M, Yost D, Walker R, et al. A quality improvement initiative to optimize use of a mechanical chest compression device within a high-performance CPR approach to out-of-hospital cardiac arrest. *Resuscitation*. 2015;92:32-37.

The LUCAS 3 device is for use as an adjunct to manual CPR when effective manual CPR is not possible (e.g., transport, extended CPR, fatigue, insufficient personnel).

Physio-Control is now part of Stryker.

For further information, please contact your Stryker or Physio-Control representative or visit our website at www.physio-control.com

Physio-Control Headquarters

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L9H 7L8
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Toll free 800 895 5896
Fax 866 430 6115



Jolife AB, Scheelevägen 17, Ideon Science Park, SE-223 70 LUND, Sweden

LUCAS®

Chest Compression System

PHYSIO
CONTROL

By The Numbers

Proven Partner

With over **21,000** devices in the market, a patient is treated approximately every **2 minutes**.^{1,2}

Consistent CPR. Every Time.

LUCAS delivers Guidelines-consistent depth of **2.1 inches** and rate of **102** per minute.³

Vital Perfusion

+60% increased blood flow to the brain vs. manual CPR. **>99%** good neurological outcomes.^{4,5}

Provider Safety

CPR causes back pain in more than **60%** of ambulance officers.⁶



CPR In Motion

Unrestrained occupants are **6.5** times more likely to be severely injured and **3.8** times more likely to be killed in the **4,500** ambulance crashes each year. LUCAS provides safe and consistent compressions during transport.^{7,8}

Quick Application

A median **7 second** interruption when transitioning from manual to LUCAS compressions during routine BLS/ALS use.⁹

Endurance

A successful 2 hour 45 minute resuscitation with **16,830** Guidelines-consistent compressions.¹⁰

Makes lifesaving easier in EMS

References:

1. Based on internal and external marketing and financial data. (As of April 2017).
2. If each device is conservatively used 1/month
3. Typical patients with sternum height over 7.3 inches. For more details on eligible patients and compression parameters, please see LUCAS instructions for use 100925-01
4. Carmona Jiménez F, Padró PP, García AS, Martín RC, Venegas JCR, Naval EC. Cerebral flow improvement during CPR with LUCAS, measured by Doppler. *Resuscitation*. 2011; 82S1:30,AP090. [This study is also published in a longer version, in Spanish language with English abstract, in *Emergencias*. 2012;24:47-49].
5. Rubertsson S, Lindgren E, Smekal D, et al. Mechanical chest compressions and simultaneous defibrillation vs conventional cardiopulmonary resuscitation in out-of-hospital cardiac arrest. The LINC randomized trial. *JAMA*. 2013;311(1):53-61
6. Jones A, Lee R. Cardiopulmonary resuscitation and back injury in ambulance officers. *International Archives of Occupational and Environmental Health*. 2005 May; 78 (4); 332-336.
7. Becker L, Zaloshnja E, Levick N, et al. Relative risk of injury and death in ambulances and other emergency vehicles. *Accident Analysis & Prevention* 2003; 35(6): 941-948.
8. <http://www.ems.gov/pdf/GroundAmbulanceCrashesPresentation.pdf>. NHTSA's Fatality Analysis Reporting System (FARS) 1992-2010 Final and 2011 Annual Report File (ARF) and National Automotive Sampling System (NASS) General Estimates System (GES), 1992-2011.
9. Levy M, Yost D, Walker R, et al. A quality improvement initiative to optimize use of a mechanical chest compression device within a high-performance CPR approach to out-of-hospital cardiac arrest. *Resuscitation*. 2015;92:32-37.
10. Case study Regions Hospital St. Paul GDR 3318844_A

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For further information, please contact Physio-Control at 800.442.1142 (U.S.), 800.895.5896 (Canada) or visit our website at www.physio-control.com

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Fax 866 430 6115



Jolife AB, Scheelevägen 17, SE-223 70 LUND, Sweden

LUCAS® Chest Compression System

Safe and effective chest compressions during ambulance transport

Some patients will require ongoing chest compressions during transportation in an ambulance. As many as 30-40% of patients who have achieved return of spontaneous circulation on the scene will re-arrest prior to hospital arrival, some during the transport.^{1,2} However, it is well known that it's nearly impossible to provide effective CPR with minimal interruptions in a moving ambulance. In addition, performing manual chest compressions during ambulance transport puts the rescuer's safety at risk.



"Restrained ambulance occupants involved in a crash had 3.77 times lower risk of fatality and 6.49 times lower risk of incapacitating injury than unrestrained occupants."³

Becker R, et al. *Accident Analysis & Prevention*. 2003;35:941-948.

The LUCAS chest compression system allows rescuers to remain seated and safely belted in the ambulance while the device performs effective, guidelines-consistent chest compressions with minimal interruptions. This helps ensure chest compressions that are both safe for the patient and for the rescuers during ambulance transport.

"Some patients may need to be transported in cardiac arrest if hospital treatment is necessary to treat the cause of the cardiac arrest. Examples include patients in refractory ventricular fibrillation that may benefit from percutaneous coronary intervention and cardiac arrest secondary to hypothermia. In these patients, the use of mechanical chest compression devices seems reasonable."⁴

Couper K, et al. *Curr Opin Crit Care*. 2015;21:188-194.

"Our consensus is that mechanical CPR is a safer alternative to manual CPR in the ambulance."

"Mechanical devices can constitute a useful alternative to manual CPR, in terms of safety for the ambulance crew."⁵

Ong M, et al. *Prehosp Emerg Care*. 2013;17:491-500.

"The two patients admitted to hospital with on-going LUCAS CPR and who were treated with cardiopulmonary support were resuscitated during a particularly long time; regardless of this, both patients were alive after 30 days with minimal neurological sequelae. We believe that it is unlikely that these patients would have survived if transported and treated with manual CPR only."

Tranberg T, et al. *Scand J Trauma Resusc Emerg Med*. 2015;23:37



Manual CPR Simulation During Crash Test

The LUCAS device confirmed as safe in 10g and 16g crash tests

In crash tests performed by an independent company the LUCAS device was found to be safe for rescuers and patients during both 10g and 16g deceleration tests.

- The crash test was performed with the LUCAS 2 chest compression system at Klippan Safety, an independent company performing crash tests. Klippan Safety also performs truck safety tests for major truck manufacturers.
- A 74 kg (163 lb) crash test manikin (type hybride 2) was used. This is the same type of manikin used to test car safety belts.
- The manikin was secured to a stretcher using standard ambulance transportation practices. The stretcher was then fixed to the crash test sled.
- The LUCAS device was applied on the manikin with the Stabilization Strap attached, and tested with and without hands strapped to the device using the Patient Straps. (There was no difference in results.)
- Deceleration forces of 10g (in accordance with European Ambulance Standard EN 1789) and up to 16g were tested. The LUCAS device was found to be safe. The LUCAS device was confirmed as safe for both rescuers and patients.

The LUCAS upper part may be secured using additional straps applied from the device support legs to the transportation stretcher side rails. This combination has been shown to meet the required 20 G static test performance criteria according to AS/NZS 4535:1999.

REFERENCES

1. Salcido DD, Stephenson AM, Conde JP, Callaway CW, Menegazzi JJ. Incidence of rearrest after return of spontaneous circulation in out-of-hospital cardiac arrest. *Prehosp Emerg Care*. 2010;14(4):413-8.
2. Lerner EB, O'Connell M, Pirrallo RG. Rearrest after prehospital resuscitation. *Prehosp Emerg Care*. 2011 Jan-Mar;15(1):50-4.
3. Becker L, Zaloshnja E, Levick N, et al. Relative risk of injury and death in ambulances and other emergency vehicles. *Accident Analysis and Prevention*. 2003;35(6):941-948.
4. Couper K, Smyth M, Perkins G. Mechanical devices for chest compression: to use or not to use? *Curr Opin Crit Care*. 2015;21:188-194.
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