

**PUBLIC SAFETY
COMMITTEE**

Wednesday, March 13, 2019

6:30 PM

McFarland Municipal Center
Conference Room A

AGENDA

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
 - a. Recognition of Police Explorers
3. APPROVAL OF MINUTES.
 - a. Motion to approve the minutes of the February 13, 2019 meeting.
4. BUSINESS.
 - a. Staff Reports
 - 1) Fire and Rescue Department
 - 2) Police Department
 - 3) Emergency Management
 - b. Discussion and recommendation on an application for Tourist Rooming House License for Elisabeth Pentony for the property located at 4711 Yahara Drive for the period ending June 30, 2019.
 - c. License Hearing -
 - 1) Conduct hearing on the recommendation from Chief Sherven to deny the issuance of an operator's license for Dion Bennett for the period ending June 30, 2019.
 - 2) Discussion and recommendation on the operator's license for Dion Bennett for the period ending June 30, 2019.
 - d. Discussion and possible recommendation on a Class B Liquor license for the McFarland House Cafe for the period ending June 30, 2019.
 - e. Discussion and recommendation on a request from the McFarland House Cafe to expand its licensed alcohol premise to include a 1,300 square foot outdoor drinking area for the licensing period of July 1, 2019 through June 30, 2020.
 - f. Discussion and recommendation on an ordinance amendment 2019-04: an ordinance amending parking restrictions.

- g. Discussion and action to make a recommendation to the Village Board regarding the position description and permission to fill the vacancy for the Administrative Captain position within the the Fire and Rescue Department.

5. SCHEDULE NEXT MEETING DATE.

- a. April 10, 2019

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, February 13, 2019 - 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: Jerry Adrian, Tyler Mortenson, Rich Staley, Ken Machtan, Carolyn Clow, Tom Mooney

Members not present: Sandy Bakk

Staff Present: Village Clerk/Treasurer Cassandra Suettinger, Chief Craig Sherven, Emergency Management Director Charles Di Piazza

2. PUBLIC APPEARANCES.

None.

3. APPROVAL OF MINUTES.

a. Motion to approve the minutes of the January 9, 2019 meeting.

Motion by Ken Machtan, second by Village Trustee Carolyn Clow, to approve the minutes of the January 9, 2019 meeting. Motion carries 6 - 0 - 0 by acclamation.

4. BUSINESS.

a. Staff Reports

1) Fire and Rescue Department

Chief Dennis was unable to attend the meeting. Members with questions on the report should contact Chief Dennis.

2) Police Department

Chief Sherven reviewed the monthly report.

3) Emergency Management

Director Di Piazza reviewed the monthly report.

- b. Discussion and action to make a recommendation to the Village Board regarding a street use permit application from Libby Pavelec for the Michael J. Fox Foundation run/walk to be held on April 20, 2019.

Libby Pavelec was present to provide information and answer questions.

Motion by Village Trustee Jerry Adrian, second by Ken Machtan, to recommend approval to the Village Board regarding a street use permit application from Libby Pavelec for the Michael J. Fox Foundation run/walk to be held on April 20, 2019 with the conditions outlined in Chief Sherven's letter dated February 7, 2019. Motion carries 6 - 0 - 0 by acclamation.

- d. Update on amendment to section 35 of the Village code of ordinances regarding parking heavy vehicles, boats, trailers, and recreation vehicles on public streets and private property.

Chief Sherven reported that a new draft would be presented at the next meeting, that would be a hybrid of some of the options discussed at past meetings.

- e. Discussion on establishing a one time event direct sellers permit.

The Committee discussed the option of establishing a one time event direct sellers permit and directed staff to proceed with drafting an ordinance.

- c. Discussion and recommendation on Ordinance Amendment 2019-02: An Ordinance consolidating the process for issuing permits for events on public property and streets.

The Committee reviewed the proposed changes and a draft application form.

Motion by Village Trustee Jerry Adrian, second by Ken Machtan, to recommend approval to the Village Board on Ordinance Amendment 2019-02: An Ordinance consolidating the process for issuing permits for events on public property and streets. Motion carries 6 - 0 - 0 by acclamation.

5. SCHEDULE NEXT MEETING DATE.

The next meeting will be held March 13, 2019.

6. ADJOURNMENT.

Motion by Tom Mooney, second by Village Trustee Carolyn Clow, to adjourn at 7:32 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

March 2019 Fire & Rescue Department Report For February 2019 Activity

- **General**

- Ambulance runs are down from 2018 and have been sporadic with occurrences. We don't have a particular reason, but speculation could be that during the severe cold we tend to have fewer incidents as individuals tend to remain indoors. Fire incidents are up. Some of the increase is directly related to the severe cold and weather. We have been requested to respond mutual aid to more structure fires in the County because of incident commanders ensuring adequate staff rotation occurs.
- We completed the majority of the AED project with a couple of items remaining. The library staff received training on the new AED, and the AED has been placed into service. The municipal center and public works facility staff need to be trained on the new AED and scheduling is being developed for April after elections to allow staff to attend. The AEDs have been mounted and placed into service for public access. In addition, we will be offering "Stop the Bleed" training to the Village staff. The program is funded and coordinated by the Southwest Regional Trauma Advisory Council. The program provides training in stopping life threatening bleeding and is the leading cause of trauma deaths that can be prevented with treatment.
- We have eleven members currently enrolled in Fire Officer I being offered by Madison College. Ten of the members are taking the course here in McFarland and one is taking the course in Fitchburg. We did have three individuals drop from the class because of the commitment to complete work outside of the class. We also have two members completing EMT-Basic and one member completing Firefighter II.
- We have begun drafting a proposed revision to the Village Fire prevention code to adopt the International Fire Code and eliminate some issues with conflicts between codes. FI/PES Mitch Sutter has drafted recommendations and is currently being reviewed by the Chief.
- We have received pricing from four ambulance builders with all four prices within 5% of each other and within budget. We are currently reviewing the packages and are hoping to make a selection in the coming weeks.
- The Fire Inspector and Chief met with the developer of property on Terminal Drive for possible future two apartment buildings and two office buildings. The site plan provided a limited access campus with limited ability of fire apparatus movement. The developer is having difficulty in meeting the requirements of the International Fire Code Appendix D for Fire Department Access. We reviewed the site and with modification of the access roads and

providing standpipe systems, a resolution was determined that will meet the code.

- We are currently reviewing a new online platform to replace two of our existing platforms used for scheduling, message, situational awareness and secondary incident notification. The platform is from a smaller company and evolving rapidly.
- We will be sending four members to the Fire Department Instructor's Conference in Indianapolis Indiana in April. The conference is one of the largest in the United States and possibly in the world. The group will be two Lieutenants, an acting officer and an EMT/Firefighter. The conference is in a prime location for new products and innovations to be unveiled for the EMS and Fire Service.
- Chief Dennis and the SSM Medical Direction team began completing CQI implementation. The first topic was chest pain incidents and completion of 12 lead procedures within the first five minutes of arrival and the administration of aspirin. We determined the ambulance crews have done a great job with completing 12 leads, but need improvement on administering aspirin. We are implementing additional training that focuses on the need. We believe with the implementation of emergency medical dispatch instructions, the instances of the patient having taken aspirin increased. The crews became accustomed to the patient self-administering before the crew arrived. We will be performing the review on a continual basis.

- **Staffing**

- Current Staffing Levels
 - Fulltime Fire Rescue Chief – 1
 - Fulltime Fire Inspector/Public Education Specialist – 1
 - Fulltime EMTs – 4 (1 vacant)
 - Fulltime Confidential Administrative Assistant (Shared w/Admin) - 1
 - Paid on Call – 57 (18 EMTs, 20 Firefighters (2 Active Retired), 10 EMR/Firefighter, & 13 EMT/Firefighters)
 - Total Staffing Level – 69
- We have been covering the vacant EMT shift with the Fire Inspector/Public Education Specialist. The situation allows for the majority of the shift to be covered, but leaves two additional hours for volunteers to cover beyond the Fire Inspector/Public Education Specialist.
- We have been reviewing the vacant EMT position and based on reviewing the position, along with the current and future needs of the Department, it is being recommended to fill the position as the Administrative Captain. The Administrative Captain was vacated in 2015 and was not filled.

- **Training Activity**

- The month of February training was completing a canceled training from January due to weather. The training was touring of the Conrad Primary School and Indian Mound Middle School. The tours were performed at night and during the day. Each group found the process important as both schools changed significantly.
- We have also completed our recertification for the department CPR and surface ice rescue certifications.
- We completed special medical needs patient training provided by SSM health care. It was beneficial to have an outside agency provide complete training with limited support from the department.

- We hosted an Ice Rescue Technician class on February 23rd. We have been hosting the class for several years and have experienced excellent response. We have several departments that send staff to attend from a considerable distance. The class provides additional funding to the Fire & Rescue Association and means to certify our staff at no charge.
- Chief Dennis attended Wisconsin Fire Chief's Education Association's spring conference. The Association is restricted to Career Fire Chief's that are members of Wisconsin Fire Chief's Association. The conference provides training on the executive issues facing fire chiefs and in particular management legal issues.
- March training will be on extrication, cardiac arrest and equipment location check out. The cardiac arrest training will be unique with four simulation manikins being used and two doctors leading the stations. The session will be bridging training resources from the department, SSM and Dane County EMS.

<u>Inspection/Prevention Activity</u>	<u>Completed</u>	<u>Year to Date Total</u>
Building Inspections	40	69
Fire Code Violations Identified	26	54
Re-Inspections	0	0
Corrections Noted	0	0
Plan Reviews	4	5
Acceptance Inspections/Test	0	0

<u>Public Instruction</u>	<u>Completed</u>	<u>Year to Date Total</u>
CPR Certifications	18	18
First Aid Training	0	0
High School CPR (Hands Only)	0	0
Baby Sitters First Aid	0	0
Public Education Tours	1	1

- **Apparatus & Equipment**

- The 2015 Ambulance (Rescue 84) had regular service completed with no issues noted at the time. Later in the month a holder to hold the rear door open failed and was replaced by the Village Mechanic.
- The 2005 Pumper (Engine 1) had the battery cable replaced that failed when a battery shorted last month. Additionally, while replacing the remaining batteries, another cable failed and the temporary cable had to be moved to the other set of batteries. During further testing, we determined issues with the battery charger and it was replaced with a rebuilt unit we had on hand. The charger has been sent to the manufacturer for repair.
- Engine 1 also had the heat tape on a pump discharge short and required replacement by a local vendor.
- The 2016 SUV (Car 3 – Chief's Car) received routine maintenance and no issues found.
- The 2018 Pumper (Engine 2) had an issue with the discharge tube on the oil dry hopper when it became plugged with wet oil dry. We had Reliant Fire Apparatus review the issue and they believe it was tied to the line failure last month. We are requesting modification to the bin to assist in the future.

Incidents of Note:

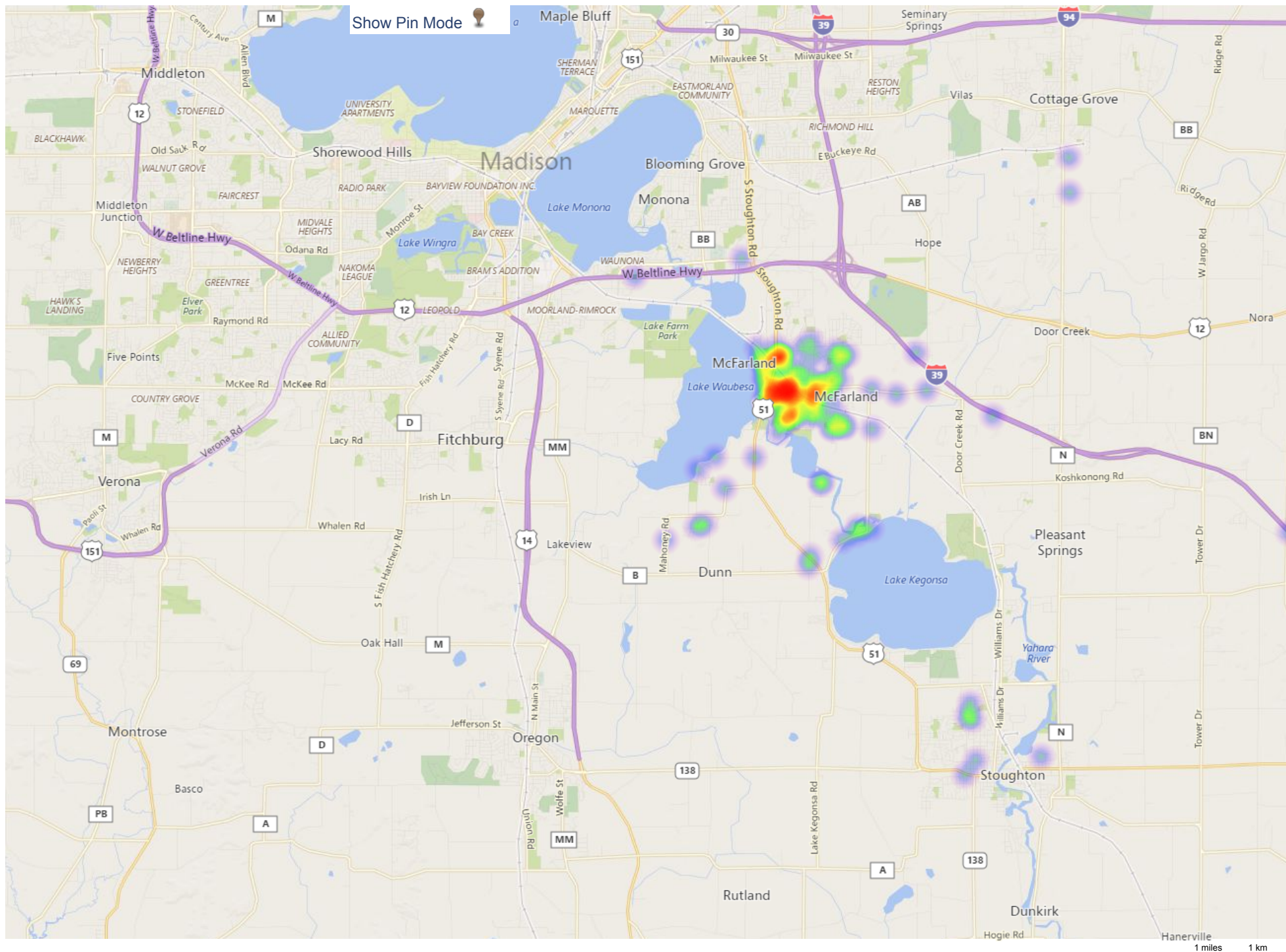
- February 2nd at 9:30 pm, Engine 2 was requested to staff Oregon fire station while they had a crew respond to a fire in Belleville. The Oregon fire department was light on staff due to their bowling tournament occurring that day.
- February 5th we had a series of incidents occur for the day. The first incident was a Delta level medical call with an ambulance and engine at 1:00 am. The next was at 8:30 am with a second medical call with third medical call occurring at 9:00. The 9:00 call was also a Delta level call requiring an engine assist. Then at 10:30 we had a car accident occur requiring both an ambulance and fire units. While the last fire unit was leaving the car accident another medical call occurred at 11:00. The 11:00 call required a mutual aid ambulance as we had no ambulances remaining. The next call occurred at 3:15 pm with a medical call and was followed by another medical call at 3:45 pm. The final medical for the day was at 4:00 pm which also required a mutual aid ambulance as we again had no ambulances remaining.
- February 7th at 8:40 am, Stoughton fire requested an engine and tender to assist with an attic fire that originally dispatched as a chimney fire. The fire was stopped with significant amount of the home saved. The family was grateful for the work of the departments.
- February 16th at 10:00 pm, Edgerton Fire Department requested an engine to staff their station while they were at a house fire. Typically, we would not be requested at the alarm level that the fire was at, but units had passed on providing mutual aid.
- February 28th at 1:00 am, Sun Prairie Fire Department requested a tender to staff their station while they were at a house fire. Twenty minutes later an engine was requested because other departments were unable to send an engine to cover.
- On March 6th at 7:30 pm, DeerGrove EMS and Cottage Grove Fire requested assistance with an ATV to assist with removing a snowmobiler from a crash a distance off the roadway. The Dane County Sheriff's office was responding with an ATV but the time delay was too great for the crews to wait. Our crews arrived on scene and assisted with moving the patient. As the patient was being loaded the Dane County Sheriff's ATV arrived on scene.

Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	02/01/2019 - 02/28/2019		02/01/2018 - 02/28/2018	
Abdominal Pain/Problems	2	3.17%	2	2.67%
Allergic Reaction/Stings	0	0.00%	0	0.00%
Animal Bite	0	0.00%	0	0.00%
Assault	0	0.00%	0	0.00%
Back Pain (Non-Traumatic)	1	1.59%	0	0.00%
Breathing Problem	2	3.17%	2	2.67%
Burns/Explosion	0	0.00%	0	0.00%
Carbon Monoxide/Hazmat/Inhalation/CBRN	2	3.17%	2	2.67%
Cardiac Arrest/Death	0	0.00%	1	1.33%
Chest Pain (Non-Traumatic)	6	9.52%	2	2.67%
Choking	2	3.17%	0	0.00%
Convulsions/Seizure	0	0.00%	5	6.67%
Diabetic Problem	2	3.17%	0	0.00%
Electrocution/Lightning	0	0.00%	0	0.00%
Eye Problem/Injury	0	0.00%	0	0.00%
Falls	14	22.22%	13	17.33%
Fire	2	3.17%	2	2.67%
Headache	0	0.00%	0	0.00%
Heart Problems/AICD	1	1.59%	3	4.00%
Heat/Cold Exposure	0	0.00%	0	0.00%
Hemorrhage/Laceration	2	3.17%	1	1.33%
Industrial Accident/Inaccessible Incident/Other				
Entrapments (Non-Vehicle)	0	0.00%	0	0.00%
Medical Alarm	0	0.00%	0	0.00%
No Other Appropriate Choice	0	0.00%	0	0.00%
Overdose/Poisoning/Ingestion	4	6.35%	2	2.67%
Pregnancy/Childbirth/Miscarriage	0	0.00%	0	0.00%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	0	0.00%	2	2.67%
Sick Person	9	14.29%	8	10.67%
Stab/Gunshot Wound/Penetrating Trauma	0	0.00%	0	0.00%
Standby	0	0.00%	0	0.00%
Stroke/CVA	2	3.17%	1	1.33%
Traffic/Transportation Incident	10	15.87%	20	26.67%
Transfer/Interfacility/Palliative Care	0	0.00%	0	0.00%
Traumatic Injury	0	0.00%	0	0.00%
Unconscious/Fainting/Near-Fainting	2	3.17%	8	10.67%
Unknown Problem/Person Down	0	0.00%	1	1.33%
Total	63		75	

Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	01/01/2019 - 02/28/2019		01/01/2018 - 02/28/2018	
Abdominal Pain/Problems	3	2.40%	3	1.82%
Allergic Reaction/Stings	0	0.00%	2	1.21%
Animal Bite	0	0.00%	0	0.00%
Assault	0	0.00%	0	0.00%
Back Pain (Non-Traumatic)	1	0.80%	1	0.61%
Breathing Problem	11	8.80%	8	4.85%
Burns/Explosion	0	0.00%	0	0.00%
Carbon Monoxide/Hazmat/Inhalation/CBRN	2	1.60%	2	1.21%
Cardiac Arrest/Death	0	0.00%	1	0.61%
Chest Pain (Non-Traumatic)	12	9.60%	3	1.82%
Choking	2	1.60%	0	0.00%
Convulsions/Seizure	0	0.00%	7	4.24%
Diabetic Problem	3	2.40%	2	1.21%
Electrocution/Lightning	0	0.00%	0	0.00%
Eye Problem/Injury	0	0.00%	0	0.00%
Falls	26	20.80%	34	20.61%
Fire	6	4.80%	7	4.24%
Headache	0	0.00%	0	0.00%
Heart Problems/AICD	1	0.80%	5	3.03%
Heat/Cold Exposure	1	0.80%	0	0.00%
Hemorrhage/Laceration	3	2.40%	2	1.21%
Industrial Accident/Inaccessible Incident/Other				
Entrapments (Non-Vehicle)	0	0.00%	0	0.00%
Medical Alarm	0	0.00%	0	0.00%
No Other Appropriate Choice	1	0.80%	1	0.61%
Overdose/Poisoning/Ingestion	6	4.80%	3	1.82%
Pregnancy/Childbirth/Miscarriage	0	0.00%	0	0.00%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	0	0.00%	2	1.21%
Sick Person	18	14.40%	26	15.76%
Stab/Gunshot Wound/Penetrating Trauma	0	0.00%	0	0.00%
Standby	0	0.00%	0	0.00%
Stroke/CVA	3	2.40%	3	1.82%
Traffic/Transportation Incident	14	11.20%	32	19.39%
Transfer/Interfacility/Palliative Care	0	0.00%	0	0.00%
Traumatic Injury	4	3.20%	0	0.00%
Unconscious/Fainting/Near-Fainting	8	6.40%	20	12.12%
Unknown Problem/Person Down	0	0.00%	1	0.61%
Total	125		165	



Village Of McFarland Fire EMS
Fire Incident Type Period Comparisons
Alarm Date Between {02/01/2019} and {02/28/2019}

Incident Type	02/01/2019 to 02/28/2019	02/01/2018 to 02/28/2018	02/01/2017 to 02/28/2017	02/01/2016 to 02/28/2016
111 Building fire	1	2	1	1
113 Cooking fire, confined to container	1	0	1	0
118 Trash or rubbish fire, contained	0	0	1	0
154 Dumpster or other outside trash receptacle fire	1	0	0	0
311 Medical assist, assist EMS crew	15	9	14	4
322 Motor vehicle accident with injuries	5	2	2	0
324 Motor Vehicle Accident with no injuries	0	2	2	0
412 Gas leak (natural gas or LPG)	0	1	0	0
413 Oil or other combustible liquid spill	1	0	0	0
424 Carbon monoxide incident	1	0	0	1
500 Service Call, other	0	0	0	1
521 Water evacuation	1	0	0	0
522 Water or steam leak	1	1	0	0
542 Animal rescue	0	0	1	0
553 Public service	1	0	0	0
571 Cover assignment, standby, moveup	3	1	0	0
611 Dispatched & cancelled en route	2	3	6	4
622 No Incident found on arrival at dispatch address	1	0	0	0
651 Smoke scare, odor of smoke	0	2	0	0
700 False alarm or false call, Other	0	1	0	0
731 Sprinkler activation due to malfunction	1	0	0	0
733 Smoke detector activation due to malfunction	2	0	0	2
736 CO detector activation due to malfunction	1	0	0	0
740 Unintentional transmission of alarm, Other	0	1	0	0
741 Sprinkler activation, no fire - unintentional	1	0	0	0
743 Smoke detector activation, no fire - unintentional	1	1	0	0
745 Alarm system activation, no fire - unintentional	1	0	0	1
746 Carbon monoxide detector activation, no CO	1	1	0	0
900 Special type of incident, Other	0	0	0	1
Totals	42	27	28	15

Village Of McFarland Fire EMS
Fire Incident Type Period Comparisons
Alarm Date Between {01/01/2019} and {02/28/2019}

Incident Type	01/01/2019 to 02/28/2019	01/01/2018 to 02/28/2018	01/01/2017 to 02/28/2017	01/01/2016 to 02/28/2016
111 Building fire	5	5	2	4
113 Cooking fire, confined to container	1	0	1	0
116 Fuel burner/boiler malfunction, fire confined	0	0	0	1
118 Trash or rubbish fire, contained	0	0	1	0
151 Outside rubbish, trash or waste fire	1	0	0	0
154 Dumpster or other outside trash receptacle fire	1	0	0	0
311 Medical assist, assist EMS crew	23	17	23	12
322 Motor vehicle accident with injuries	7	5	4	0
324 Motor Vehicle Accident with no injuries	0	4	2	1
381 Rescue or EMS standby	0	0	1	0
411 Gasoline or other flammable liquid spill	1	0	1	0
412 Gas leak (natural gas or LPG)	2	1	1	0
413 Oil or other combustible liquid spill	1	0	0	0
424 Carbon monoxide incident	1	0	0	2
463 Vehicle accident, general cleanup	1	0	0	0
500 Service Call, other	0	0	0	2
521 Water evacuation	1	0	0	0
522 Water or steam leak	2	1	1	0
542 Animal rescue	0	0	1	0
553 Public service	1	0	0	0
571 Cover assignment, standby, moveup	4	1	0	0
611 Dispatched & cancelled en route	5	10	13	10
622 No Incident found on arrival at dispatch address	1	0	0	0
631 Authorized controlled burning	0	2	0	0
650 Steam, Other gas mistaken for smoke, Other	0	0	1	0
651 Smoke scare, odor of smoke	2	2	0	0
652 Steam, vapor, fog or dust thought to be smoke	0	0	1	0
661 EMS call, party transported by non-fire agency	0	0	1	0
671 HazMat release investigation w/no HazMat	1	1	1	0
700 False alarm or false call, Other	0	1	0	0
710 Malicious, mischievous false call, Other	0	0	0	1
714 Central station, malicious false alarm	1	0	0	0
731 Sprinkler activation due to malfunction	2	1	0	0
733 Smoke detector activation due to malfunction	2	0	0	2
735 Alarm system sounded due to malfunction	2	1	1	0
736 CO detector activation due to malfunction	2	0	0	0
740 Unintentional transmission of alarm, Other	0	2	0	0
741 Sprinkler activation, no fire - unintentional	1	0	0	0
743 Smoke detector activation, no fire - unintentional	1	1	2	0
744 Detector activation, no fire - unintentional	0	1	0	0
745 Alarm system activation, no fire - unintentional	1	0	0	2
746 Carbon monoxide detector activation, no CO	2	3	1	1
900 Special type of incident, Other	0	0	0	1
Totals	75	59	59	39

MCFARLAND POLICE DEPARTMENT



February 2019 Monthly Report

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FEBRUARY 2019 MONTHLY REPORT

As observed on the attached Call Summary Report, the McFarland Police Department logged 698 cases in February. This is compared to 533 cases for the same time period in 2018. Cases of interest for the month were: six intoxicated drivers, three domestic disturbances, five disturbances, five juvenile complaints, three thefts, twenty-six traffic accidents, and thirty-three Fire/EMS assists. Officers also logged 202 traffic stops/complaints.

Cases of interest for the month are as follows:

02/24/2019 An Officer made contact with a subject passed out in a vehicle in the Kwik Trip parking lot. The Officer had a difficult time waking up the driver. Once in contact, the Officer could smell the odor of alcohol coming from the driver. The driver was asked to conduct field sobriety tests and probable cause was established to arrest him for operating a motor vehicle while under the influence-6th offense. The driver was also cited for possession of drug paraphernalia. The driver was out on parole from a previous OWI violation. The driver was booked into the Dane County Jail. Blood test results are still pending.

02/27/2019 An Officer stopped a vehicle for a routine traffic violation on Terminal Drive. The driver was found to be under the influence of alcohol and field sobriety tests were conducted. Probable cause was established to arrest the driver for operating a motor vehicle while under the influence-3rd offense. The driver was not cooperative during the entire incident and a blood draw search warrant was obtained. The driver was booked into the Dane County Jail. Blood test results are still pending.

Staffing Report

- Interviews and skill testing have been conducted for the Police Clerk III recruitment. An initial finalist has been identified, and we will be working through the process of making an offer of employment in early March.
- Retired Police Clerk Bonnie Evans continues to fill our front office vacancy on an LTE basis.
- We are currently operating at one officer short due to a shoulder injury received during an altercation with a suspect in the course of an arrest. We have learned that the officer will likely require surgery, and will be on light duty for 6-8 months.

Equipment Report

- The Department has scheduled staff training for the soon to be implemented TIP411 platform. Once the training is completed, we will then determine how best to serve the community with its features.
- The department is looking into purchasing a Morphident portable fingerprint scanner. This technology allows for officers to instantly identify individuals that may be attempting to conceal their identity.

Training Report

- Chief Sherven, Lt. Redman, Sgt. Maurer, and Sgt. Job attended the Wisconsin Chiefs of Police Conference in the Wisconsin Dells.
- Sgt. Maurer, Officer Onken, and Officer Miller attended an Active Threat Conference in Oshkosh.
- Administrative Assistance Reimer attended a three-day training in Appleton for WI Open Records Laws.
- Officer Schroeckenthaler attended Instructor Development Training at MATC in Madison.
- Officer Wallace attended Intoximeter Certification Training in Madison.
- Officer Craft attended Joint Threat Liaison Officer/Fusion Liaison Officer Training at the Milwaukee County Sheriff's Office.

Budget Report

- Our injured officer situation has put us slightly ahead of where we should be in terms of overtime expenditures. We will continue to monitor this as the year progresses.

Other Information

- Our department, along with several others, will be participating in a large-scale study on police use of force. Our participation entails submitting use of force documentation and related policies to the researcher, and we will be required to sign an MOU. This information is already available to the public on our website, and so we are really not releasing anything that would not be available to the public already. Participation in the program was voted on at a recent Dane County Chiefs of Police Association meeting.

- As was reported last month, the Police Explorers recently participated in the State Explorer Competition. They competed against 33 other teams from all over the state (including Madison). They placed 3rd in Crime Scene Investigation, 2nd in Burglary in Progress, 2nd and 1st in Shoot don't shoot, and 2nd in Overall scores. Once again they represented us well and made our Department proud.



Incident Analysis Report Summary By Incident Type

McFarland Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 03/05/2019 08:17
Login ID: mcbgr
Incident Type: All
Call Source: All

From Date: 02/01/2019 00:00
To Date: 02/28/2019 23:59

McFarland Police Department
ORI Number: W0137300

Officer ID: All
Location: All

Incident Type	Number of Incidents
911 Abandoned Call	5
911 Call Question	3
911 Call Silent	4
911 Call Unintentional	8
911 Disconnect	2
911 Misdialed Call	1
Accident Hit and Run	1
Accident Private Property	2
Accident Property Damage	15
Accident Unknown Injuries	2
Accident w/Injuries	6
Adult Arrested Person	2
Alarm	12
Animal Complaint/Disturbance	1
Animal Stray	4
Assist Citizen	35
Assist EMS/Fire	33
Assist K9	5
Assist Police	30
ATL Person	4
Check Person	26
Check Property	137
Disturbance	5
Domestic Disturbance	3
Drug Incident/Investigation	4
Follow-Up	11
Foot Patrol	1
Fraud	6
Information	21
Intoxicated Person	1
Juvenile Arrest	1
Juvenile Complaint	4
Neighbor Trouble	1
Noise Complaint	1
OMVWI Arrest/Intoxicated Driver	3
Parking Complaint On Street	38
Phone	11
Preserve the Peace	3



Incident Analysis Report Summary By Incident Type

McFarland Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 03/05/2019 08:17
Login ID: mcbgr
Incident Type: All
Call Source: All

From Date: 02/01/2019 00:00
To Date: 02/28/2019 23:59

McFarland Police Department
ORI Number: WI0137300
Officer ID: All
Location: All

Incident Type	Number of Incidents
Problem Solving Person	5
Property Found	3
Repo	2
Safety Hazard	19
Serving Legal Papers	1
Suspicious Person	2
Suspicious Vehicle	6
Theft	3
Threats Complaint	1
Traffic Complaint/Investigation	34
Traffic Stop	168
Weapons Offense	1
Weapons Offense Person w/Gun	1
Total:	698



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, March 13, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion and recommendation on an application for Tourist Rooming House License for Elisabeth Pentony for the property located at 4711 Yahara Drive for the period ending June 30, 2019.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

The Village received an application to license a tourist room house at 4711 Yahara Drive for the period ending June 30, 2019. The application is complete and forwarded on to the Public Safety Committee for review. All property owners within 300 feet were notified of the date and time of the meeting and noticed of their opportunity to provide input on the request. The ordinance provides if the PSC committee determines that the application meets the requirements of the article it shall be forwarded to the Village Board for approval.

FINANCIAL/BUDGET IMPACT:

Additional Permitting Revenues

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

Chapter 11, Article IX of the Village Code of Ordinances.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Staff has reviewed the applications and found it meets the standards provided in the ordinance. The license is recommended for approval.

ATTACHMENTS:

1. TRH Application - E Pentony
2. Nuisance Response Plan - 4711 Yahara
3. TRH Inspections
4. PD records Check
5. Records Check
6. Response Feedback - Gersbach

VILLAGE OF MCFARLAND APPLICATION FOR TOURIST ROOMING HOUSE PERMIT PURSUANT TO MUNICIPAL CODE CHAPTER 11

Please submit application and payment to:
Village of McFarland
PO Box 110
McFarland WI 53558

DUE BY MAY 1ST OF EACH YEAR

For the period from July 1, 2018 to June 30, 2019

Payment due with application:

Original Application Fee: (includes all required Village inspections)	\$500.00
Agent Permit Fee:	\$50.00
Renewal Application Fee:	\$100.00
Building Inspection Fee:	\$100.00
Fire Inspection Fee:	\$100.00

WI Seller's Permit Number: 456-1023423687-04

WI Dept of Health Services

Tourist Rooming House ID: 2019-00046

Name on above Permits: Elisabeth Pentony
Pentony Real Estate LLC

Mailing Address: 4711 YAHARA DR

City: McFarland State: WI Zip Code: 53558

Name of Property Owner: Elisabeth Pentony

Address of Property Owner: 4707 YAHARA DR City: McFarland State: WI Zip: 53558

Property Owner Telephone No. (608) 238-0298 Property Owners Email: MIKE R. HARDIMAN @ HOTMAIL.COM

Lodging Facility Physical Address: 4711 YAHARA DR, McFarland Property Zoning: Residential

Name of Responsible Agent (if applicable): _____

Telephone No. (____) _____ - _____ Email: _____ @ _____

The following must be attached to each application annually or no license will be issued:

- ☒ A nuisance response plan (see attached)
- ☒ State of WI Dept Agriculture, Trade and Consumer Protection Permit for a tourist rooming house issued under WI Stat. 97.605
- ☒ Copy of completed State Lodging Establishment Inspection form dated within one (1) year of the date of issuance or renewal.
- ☒ Proof of liability insurance (must be a commercial general liability, or hotel or short-term rental policy that specifically covers liabilities arising from rental of the tourist rooming house for short-term rentals. No less than \$1,000,000 per occurrence).
- ☒ Copy of seller's permit from the State of Wisconsin Department of Revenue.
- ☒ Copy of State Inspection Report F-47009.
- ☒ Copy of Inspection form from Village Fire Inspector or Village Building Inspector

☒ Completed application of resident agent (if applicable)

The following must be attached to each application only once as long as is current with renewals:

- ☒ Site Plan which includes location, number of units, number of people in each unit, dimensions of all rooms & common areas, laundry facilities, restroom facilities, onsite parking dimensions and distance to any nearing tourist rooming houses (if applicable).
- ☒ Proof of Village residency
- ☒ Authorization from Condominium Association (if applicable)

ALL ORIGINAL APPLICATIONS ARE SUBJECT TO THE APPROVAL OF THE PUBLIC SAFETY COMMITTEE. NO HOUSING LOCATION MAY BE OCCUPIED UNTIL PERMIT IS ISSUED.

Please turn over and complete and sign the second page.

BEDROOMS:#1 14.5 x 13.5 = 196 S.F.#2 14 x 8.5 = 119 S.F.

#3 _____ x _____ = _____ S.F.

#4 _____ x _____ = _____ S.F.

#5 _____ x _____ = _____ S.F.

#6 _____ x _____ = _____ S.F.

#7 _____ x _____ = _____ S.F.

#8 _____ x _____ = _____ S.F.

#9 _____ x _____ = _____ S.F.

#10 _____ x _____ = _____ S.F.

DINING ROOM10 x 11 = 110 S.F.**LIVING ROOM**14 x 12 = 168 S.F.**FAMILYROOM/DEN**17 x 11.5 = 196 S.F.**TOTAL HABITABLE AREA =** 789 S.F.**BATHROOMS**1 FULL 1 $\frac{3}{4}$ 1 $\frac{1}{2}$ **PARKING STALLS** (9'x18' stall per 4 occupants) 2 stalls**TOTAL OCCUPANTS ALLOWED PREVIOUS YEAR** N/A (if applicable)

To the Village of McFarland, Dane County, State of Wisconsin, that I the undersigned, understand that by applying for this housing license, that I am bound to all Municipal Codes including Chapter 11 and any other codes or regulations that may apply. I also grant that an inspection of this property be conducted by the Village Housing Inspector prior to approval of this license.

Signature: _____

Title: OWNERTelephone No. (608) 228-0298

Email: _____

@ _____

Dated: _____

_____/_____/_____

MIKE_R_HARDIMAN@HOTMAIL.COM

Nuisance Response Plan

Item (c) Manner of responding to a nuisance complaint:

The owner will immediately acknowledge any complaint in the manner requested by the person bringing a complaint, including text, e-mail, telephone, or personal visit. In no case will the response be later than 45 minutes after receipt of the complaint.

The owner will additionally take proactive steps to minimize any likelihood that a complaint will arise. This includes specific lodging rules that make clear:

1. No pets will be permitted to stay in the home.
2. No gatherings of groups outside of those staying in the home will be permitted.
3. Neighborhood quiet hours will be posted.
4. We will continue to have dialogue with the adjacent neighbors to ensure they are pleased with the operation.

Item (d) Manner of assuring timely corrective action:

The owner will immediately contact the primary person registered in the home to notify them of the complaint and to receive assurances that they will respond in a manner that alleviates the reason for complaint. Contact will usually be in person, but if this is not practical, the registered guest will be contacted by phone. Response will be as soon as possible, but never in excess of 45 minutes.



Tourist Room House Inspection

Per Village of McFarland Code of Ordinances

License Type:

- ☒ - New Application
☐ - Renewal Application

Information

Premises Address:
4711 Yahara Dr

Owner Name:
Pentony Real Estate LLC

Phone:
608-228-0298

Owner Address:
4711 Yahara Dr, McFarland WI 53558

Contact Name:
Elisabeth Pentony

Contact Phone:
608-228-0298

Agent/Contact Address:
4707 Yahara Dr, McFarland WI 53558

Inspection Information

Inspection Date:

Inspection Time:

An inspection of the above premises has disclosed the following:

Ord. Number	Code Section	Description of Violation	Must be completed by
☒ - No Violations Observed		☐ - Hold for Corrections	

Determination

RECOMMENDATION FROM:

- ☒ - Fire Department ☐ - Community Development Department
☒ - Grant License ☐ - Refuse License ☐ - Noncompliant: Order No.

Signature: _____

Date: 03-05-2019



Tourist Room House Inspection

Per Village of McFarland Code of Ordinances

License Type:

- ☒ - New Application
☐ - Renewal Application

Information

Premises Address:

4711 Yahara Dr

Owner Name:

Pentony Real Estate LLC

Phone:

608-228-0298

Owner Address:

4711 Yahara Dr, McFarland WI 53558

Contact Name:

Elisabeth Pentony

Contact Phone:

608-228-0298

Agent/Contact Address:

4707 Yahara Dr, McFarland WI 53558

Inspection Information

Inspection Date:

Inspection Time:

An inspection of the above premises has disclosed the following:

Ord. Number	Code Section	Description of Violation	Must be completed by
①		Replace GFCI receptacle on left side of kitchen sink	Completed 3.08.19
☐ - No Violations Observed		☐ - Hold for Corrections	

Determination

RECOMMENDATION FROM:

☐ - Fire Department

☒ - Community Development Department

☒ - Grant License

☐ - Refuse License

☐ - Noncompliant: Order No.

Signature: James J. Vito

Date: 3.08.19



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: March 4, 2019

TO: McFarland Village Board / Public Safety Committee

FROM: Craig J. Sherven, Chief of Police

REFERENCE: Tourist Rooming House Application – 4711 Yahara Dr.

Per the request of the Village Clerk's Office, on this date I conducted a records inquiry related to calls for service at the above address for the previous license year through today's date (07-01-17 to present).

In reviewing these records, I located no calls for service received by this department.

Respectfully,

Craig J. Sherven

Craig J. Sherven
Chief of Police



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: March 4, 2019

TO: McFarland Village Board / Public Safety Committee

FROM: Craig J. Sherven, Chief of Police

REFERENCE: Tourist Rooming House Application – 4711 Yahara Dr.

Per the request of the Village Clerk's Office, on this date I conducted a records inquiry related to calls for service at the above address for the previous license year through today's date (07-01-17 to present).

In reviewing these records, I located no calls for service received by this department.

Respectfully,

Craig J. Sherven

Craig J. Sherven
Chief of Police



DATE: March 8, 2019
TO: McFarland Village Board/ Public Safety Committee
FROM: Community Development Department/Building Inspector
RE: Tourist Rooming House Application -4711 Yahara Drive

Per the request of the Village Clerk's Office, I have conducted a records inquiry related to calls for service or action taken at the above address through today's date.

In reviewing these records, I have located no violations or calls for service by this department.

Respectfully,

James Trebian
Building Inspector

VILLAGE OF McFarland

www.mcfarland.wi.us | 5915 Milwaukee St, McFarland, WI 53558 | 608.838.3153

March 1, 2019

NOTICE TO NEIGHBORS OF PUBLIC SAFETY COMMITTEE MEETING REGARDING PROPOSED TOURIST ROOMING HOUSE

This letter is to notify you that Elisabeth Pentony has applied for a Tourist Rooming House permit for the property located at 4711 Yahara Dr. You are receiving this letter because your property is located within 300 feet of the proposed Tourist Rooming House.

The Public Safety Committee will review the application at their next meeting on March 13, 2019 at 6:30 p.m. in Conference Room A.

The full application regarding this request is available for viewing at the Village of McFarland, Administrative Department Office, 5915 Milwaukee St., McFarland, WI 53558 (Monday-Friday, 8:00 a.m. to 4 p.m.). An FAQ on Tourist Rooming Houses has been provided on the back of this letter for your convenience. Additionally, the full text of the Village ordinance regarding Tourist Rooming Houses may be viewed at:

www.mcfarland.wi.us/licensespermits

If you cannot attend the meeting, please submit your comments to the Public Safety Committee before March 13, 2019. Comments can be submitted by email to Cassandra.suettinger@mcfarland.wi, or by mail to Cassandra Suettinger, 5915 Milwaukee St., McFarland WI 53558.

Sincerely,
Cassandra Suettinger
Clerk/Treasurer

I AM OPPOSED TO THIS,
THIS IS A RESIDENTIAL AREA
AND THIS SOUNDS LIKE COMMERCIAL

Robert R. Gersbach
ROBERT R. GERSBACH 3/7/19

McFarland VILLAGE OF

www.mcfarland.wi.us | 5915 Milwaukee St, McFarland, WI 53558 | 608.838.3153

On March 13, 2017, the Village Board passed an ordinance regulating tourist rooming houses within the Village. **All Tourist Rooming Houses are required to obtain a tourist rooming house permit to operate within the Village as of July 1, 2017.**

FAQ

What is a Tourist Rooming House(TRH)?

Any dwelling unit where sleeping accommodations are offered for pay on a short term rental basis to tourists or transients **except:** Bed and breakfast establishments, Hotels, or any private boarding or rooming houses; ordinarily conducted as such, that do not accommodate tourists or transients.

What are the requirements to run a TRH and how do I apply?

All TRHs are required to obtain proper licensing and inspection from Public Health – Madison and Dane County, insurance with specific TRH coverage, and a variety of other occupancy/parking requirements. See the ordinance for a full list of requirements.

Additionally, every owner of a tourist rooming house shall appoint a local agent to manage the tourist rooming house if the owner resides outside a 30-mile radius from the tourist rooming house or if the owner will be absent while the property is being rented as a tourist rooming house.

Can I run more than one TRH in the Village?

No.

Is there a maximum number of days I can rent my TRH annually?

No.

What are the fees associated with the permit?

The initial application fee for a TRH is \$500(includes all inspections). The renewal application is \$200 which includes the inspection fee for the Building Inspector and Fire Inspector.

Am I required to charge a room tax?

Yes. Beginning January 1, 2018, the Village approved imposing an 8% room tax on rooms or lodging to transients. For details on the room tax, please contact the Clerk/Treasurer at 608-838-3153.

What do I do if a TRH in my neighborhood is causing nuisance problems?

Contact the Police Department at the following non-emergency number: 608-838-3151



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, March 13, 2019

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 Dion Bennett for the period ending June 30, 2019.

PREVIOUS ACTION:

ISSUE SUMMARY:

Chief Sherven has reviewed the new operator's license application from Dion Bennett 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 Dion Bennett.

ATTACHMENTS:

1. D Bennett - Oper Hearing
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



Fee Paid:



\$35.00 (1 yr)



\$50 (1 yr + Provisional @ \$15.00)



Check # _____

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 employer for which license is intended:

Spartan Bowl

Name of Applicant:

Drew
First

3
Middle

Bennett
Last

Home Phone: _____

Work Phone: _____

E-mail address: _____

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. ****

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?

Online 1360training.com

Have you held an Operator's License within the last 2 years?



yes*



no

If so, where and when?

Madison Provisional

*A copy of the certificate indicating course completion or a copy of the license or a letter from the Clerk of the municipality where a license is held must be attached to this application unless applicant is renewing an active McFarland Operator's License.

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

****If yes, please list all fines/arrests and/or convictions below. Any omissions will result in a rejection of this application and you will be required to complete a new application at an additional fee of \$35.**

(The following websites may provide information on your records: <https://recordcheck.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
5/28/14		Madison Mun. Court	operating while suspended
3/13/14	3/13/14	Eon Clark	disorderly conduct
4/19/09		Madison	Failure to wear seatbelt
4/19/09		Madison	Operating while suspended
6/15/06		Madison	Failure to wear seatbelt
5/28/06	5/28/06	Madison	disorderly conduct

Please add additional sheets as necessary.

Please continue by completing reverse side of this form.

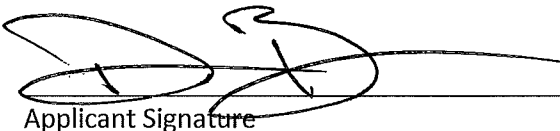
OVER > Page 33 of 88

1. 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 _____
2. Have you been hospitalized or treated in the last five years for drug abuse or alcoholism? ☐ Yes ☒ No
If yes, explain and give dates. _____
3. Since when have you been a resident of the State of Wisconsin? 2003
4. List addresses and dates of residency for the past 5 years. _____

This application must be completed in its entirety or it will be returned as incomplete. This application will be rejected for any omissions. The fee is not refundable should this application be denied or rejected. For rejected applications, you will be required to complete a new application at an additional fee of \$35.00.

You can review the Village of McFarland Operator License Approval Policy on the Village website at <https://www.mcfarland.wi.us/licensepermits> and select Alcohol Beverage Licenses for Operators.

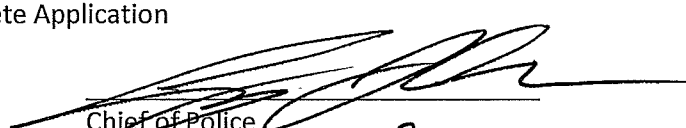
I certify that I am the applicant in the foregoing application; that I have read and made complete answers to each question, and that my answers in each instance are true and correct.


Applicant Signature

Date: 2/7/19

Recommendation by McFarland Police Department:

☐ Approval ☒ Denial ☐ Rejected – Incomplete Application


Chief of Police

Date: 02-15-19

McFarland

VILLAGE OF

www.mcfarland.wi.us | 5915 Milwaukee St, McFarland, WI 53558 | 608.838.3153

February 19, 2019

Dion Bennett
2313 Fish Hatchery Rd Apt B
Madison WI 53713

COPY

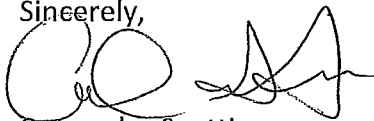
Dear Mr. Bennett,

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 from Police Chief Craig Sherven for denial pursuant to the Village's operator license approval policy. Attached is a copy of Chief Sherven's memo to the Public Safety Committee.

You have 30 days from receipt of this letter to exercise your right to request a hearing before the Public Safety Committee to discuss the matter. If a hearing is requested, the Public Safety Committee will review your record, along with the recommendation from Chief Sherven and you will have the opportunity to provide the Committee with substantial evidence in the form of credible documentation of rehabilitation. Attached is section 5 of the operator's license approval policy which outlines the process and acceptable forms of credible documentation. Please be advised the hearing will be held as part of a public meeting.

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.

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: February 15, 2019

TO: Public Safety Committee

FROM: Craig J. Sherven, Chief of Police

REFERENCE: Alcohol Operators License for Dion Bennett

On this date I reviewed a new application for an Alcohol Operator's License submitted by the above applicant. Having completed my review of his 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 (a), which states, in part:

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.*

Mr. Bennett's criminal history shows:

- a conviction for Disorderly Conduct on May 31, 2016
- Current charges pending for Battery and Disorderly Conduct stemming from a recent incident occurring on February 9, 2019.

Pursuant to Village Ordinance, Mr. Bennett is disqualified under both the five and ten year standards of the above ordinance language, as he has disqualifying convictions and pending charges in violation of both standards.

2. Village Ordinance 11-74 (c) (3), Guideline 3 (f), 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:

*(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.*

As previously stated, Mr. Bennett's criminal history shows:

- a conviction for Disorderly Conduct on May 31, 2016
- Current charges pending for Battery and Disorderly Conduct stemming from a recent incident occurring on February 9, 2019.

Pursuant to Village Ordinance, Mr. Bennett is disqualified under this section as he has a conviction and pending charges, arising from two separate incidents, within the five year period immediately preceding the date of application.

The ability to use sound judgement, to de-escalate volatile situations and to bring tense situations to a calm and safe resolution are critical skills for an individual entrusted with the responsibility of serving and overseeing the service of alcohol. Convictions and charges of these types bring the applicant's ability to exercise those skills into serious question, and thus are substantially related to the licensed activity.

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, March 13, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion and recommendation on the operator's license for Dion Bennett 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 Dion Bennett.

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, March 13, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion and possible recommendation on a Class B Liquor license for the McFarland House Cafe for the period ending June 30, 2019.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

The McFarland Cafe has submitted a request to add a class B liquor license for their current premise. Currently the McFarland House Cafe holds a a class C beer and class C wine license to serve and consume alcohol on the current premise of:

1st floor and basement of McFarland House Cafe.

FINANCIAL/BUDGET IMPACT:

Additional Revenue from Class B Alcohol license Revenues

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

Village Code of Ordinances Chapter 11, Article II.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

The Chief of Police has reviewed the request and discovered no information that would disqualify the applicant.

Staff recommends any recommendation for approval contain the following condition:

Motion to approve Class B Liquor license with the condition that the class c wine licensed be surrendered upon the issuance of the Class B combo license.

ATTACHMENTS:



1. Class B License Application
2. Chief Sherven Recomm

Original Alcohol Beverage Retail License Application

Submit to municipal clerk.

For the license period beginning 2019 20 19 ;
ending 20 20 20

TO THE GOVERNING BODY of the: ☐ Town of } McFarland
☒ Village of }
☐ City of }

County of Dane Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's WI Seller's Permit No.: FEIN Number:	
LICENSE REQUESTED ▶	
TYPE	FEE
☐ Class A beer	\$
☐ Class B beer	\$
☐ Class C wine	\$
☐ Class A liquor	\$
☐ Class A liquor (cider only)	\$ N/A
☒ Class B liquor	\$
☐ Reserve Class B liquor	\$
☐ Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

1. The named ☐ Individual ☐ Partnership ☐ Limited Liability Company
☒ Corporation / Nonprofit Organization

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): ▶ McFarland House Cafe Inc.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name (Last, First, M.I.)	Home Address	Post Office & Zip Code
President/Member			
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent ▶	<u>Owner, Sharon T</u>	<u>5705 Linden Pkwy</u>	<u>53558</u>
Directors/Managers			

3. Trade Name ▶ McFarland House Cafe Business Phone Number _____

4. Address of Premises ▶ 5923 Exchange Street Post Office & Zip Code ▶ 53558

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☐ Yes ☒ No

6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No

7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No

8. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No

(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or

agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1st Floor and Basement at McFarland House

10. Legal description (omit if street address is given above): _____

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No

(b) If yes, under what name was license issued? McFarland House Cafe Inc

12. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277]. ☒ Yes ☐ No

13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

[Signature]
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



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: January 21, 2019

TO: Public Safety Committee/Village Board

FROM: Craig J. Sherven, Chief of Police

REFERENCE: Original Alcohol Beverage License Application for Shaun O'Hearn, McFarland House Café.

This letter is to advise that I have conducted the necessary criminal records check in reference to this application. I have discovered no information that would disqualify the applicant.

Should you have any questions regarding this communication, feel free to contact me at 608-838-3151.

Respectfully,

Craig J. Sherven 

Craig J. Sherven
Chief of Police



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Wednesday, March 13, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer, Pauline Boness, Director, Chris Dennis, Chief, Craig Sherven, Chief

AGENDA ITEM: Discussion and recommendation on a request from the McFarland House Cafe to expand its licensed alcohol premise to include a 1,300 square foot outdoor drinking area for the licensing period of July 1, 2019 through June 30, 2020.

PREVIOUS ACTION:

The Plan Commission evaluated this application at its meeting on February 15th and provided a unanimous recommendation of approval. They did provide further direction that additional parking alternatives be "explored". The Village Engineer and Staff are working with the applicant to explore additional onsite parking improvements, and will share the results of this effort in the meeting on Wednesday.

ISSUE SUMMARY:

the McFarland House Cafe has applied to expand their liquor license premise. For alcohol licensing, the premise describes everywhere the storage, sales and consumption of alcohol are allowed. All expansions of that licensed premise must be approved by the Village Board. The proposal includes two parts:

1. Expanding the premise to now include the 2nd floor and 3rd floor of the cafe and the 1st floor and basement of the greenhouse.
2. A 1,300 sq. ft outdoor drinking area. Section 11-64(n) of the Village Code of Ordinances outlines the procedure and conditions for a liquor licensee to hold an outdoor consumption area within the Village. The process outlined in the ordinances provides a detailed set of conditions that must be met, along with the ability for the Village to impose any additional conditions deemed necessary as part of the review. Plan Commission shall review the submittal first and make a recommendation to the Public Safety Committee regarding the outdoor consumption area. The Public Safety Committee shall then make a recommendation to the Village Board. Attached is the Village ordinance regarding outdoor consumption and staff's review of compliance with the ordinance. Additionally comments are also attached from the Police Department, Fire & Rescue Department, and Community Development Department.

The current liquor license premise for the McFarland House Cafe is:
1st floor and basement

The proposed liquor license premise is:
Basement, 1st floor, 2nd floor, 3rd floor of the McFarland House Café, and basement and 1st floor of the



Greenhouse, and a 1,300 sf deck area

FINANCIAL/BUDGET IMPACT:

No additional Revenues

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

Outdoor consumption of alcohol is contained within Village Ordinance 11-64(n).

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

If the Village were to find the application for an expansion of premise agreeable, because the improvements do not exist, we need to provide conditional approval for expansion of the liquor license premise that is contingent upon specific requirements.

If the Village is agreeable, staff recommends conditional approval to include at a minimum the following(with any additional items and recommended by the review process to be added):

Motion to approve of the current licensed area for the period of July 1, 2019 through June 30, 2020, with the condition the Clerk/Treasurer being authorized and directed to amend the license to revise the description of the licensed premise to include the new areas of the 2nd and 3rd floor of the McFarland House Café the 1st floor and basement of the greenhouse, and the 1,300 square foot deck area as conceptually provided on the attached site plan dated November 20, 2018 upon satisfaction of the following requirements:

1. Approval of a detailed site plan
2. Inspection and approval from the McFarland Fire Department prior to the issuance of an occupancy permit
3. Issuance of an occupancy permit from the building Inspector

*Liquor licensing runs from July 1st each year to June 30th. This current application would be for the period between July 1, 2019 through June 30, 2020. After which, as with any other licensee, and new renewal application would be necessary for the next license period.

ATTACHMENTS:

1. McFarland House Cafe Expansion of Premise
2. Mcf House Expansion - Comm Dev Feedback
3. Mcf House Expansion - PD Feedback
4. Mcf House Expansion - Fire & Rescue Feedback
5. Mcf House Plans
6. MHC Background
7. Ford - Feedback

MEMORANDUM

To: Plan Commission

From: Cassandra Suettinger, Village Clerk/Treasurer

Date: February 6, 2019

RE: McFarland House Café Expansion of Licensed premise including outdoor Consumption

Background – Section 11-64(n) of the Village Code of Ordinances outlines the procedure and conditions for a liquor licensee to hold an outdoor consumption area within the Village. The process outlined in the ordinances provides a detailed set of conditions that must be met, along with the ability for the Village to impose any additional conditions deemed necessary as part of the review. Plan Commission shall review the submittal first and make a recommendation to the Public Safety Committee regarding the outdoor consumption area. The Public Safety Committee shall then make a recommendation to the Village Board. Attached is the Village ordinance regarding outdoor consumption and staff's review of compliance with the ordinance. Additionally comments are also attached from the Police Department, Fire & Rescue Department, and Community Development Department.

Compliance with Ordinance

(n)*Outdoor consumption.* Licensed premises under a "Class B," Class "B" or "Class C" license may include areas outside a fully enclosed building in accordance with the following:

(1) Any application for a new license, a renewal of an existing license or an application to expand the premises' description of an existing license which seeks to include an outdoor area within the licensed premises' description shall require notice to each person owning property within 500 feet of the proposed premises. The applicant shall prepay the cost of sending such notice before the notices are sent. The notice shall include a copy of the application and the date, time and location of any public hearings or other public meetings at which the application is scheduled to be considered.

Compliant – mailing sent on January 25, 2019 to all property owners within 500 feet of proposed license expansion.

(2) The Village Board, in addition to any general conditions or conditions set forth under subsection (n)(3), may impose conditions or stricter conditions upon the license specific to any outdoor areas within the premises' description to prevent undue adverse impact on neighboring property, the character of the surrounding neighborhood, traffic conditions, parking or any other matter affecting the public health, safety, welfare or convenience, including, but not limited to:

- a. Limiting the size and location of any outdoor premises;*
- b. Restricting the hours during which alcohol consumption may be permitted within the outdoor area;*
- c. Requiring additional parking to address increased capacity;*

d. Regulating lighting.

Community Development Director Boness has recommended review of any outdoor lighting plans.

(3) In addition to any conditions imposed at the Village Board's discretion, the following shall be minimum conditions of all licenses with respect to outdoor areas:

a. Outdoor areas are prohibited within 50 feet of the lot line of a parcel used for residential purposes whether as a primary use or in conjunction with commercial uses. This prohibition shall not apply to prohibit an outdoor area where an accessory apartment exists on the same parcel as the licensed premises.

Compliant.

b. The hours during which alcohol consumption may be permitted within the outdoor area is restricted to 11:00 a.m. to 9:00 p.m.

Compliant.

c. The perimeter of any outdoor portion of a licensed premises not bordered by a main building shall be enclosed by a permanent fence not less than four feet. Such fence shall be constructed of wood, plastic, or metal and erected and maintained in accordance with all applicable Village ordinances. If the outdoor portion of a licensed premises is an outdoor sports area, the enclosure may instead be made by temporary netting not less than ten feet high. Such netting shall not be installed sooner than 14 days prior to, and shall be removed no later than 14 days after, the season or the period established under [Section 11-69\(f\)\(6\)c.](#), whichever is shorter. The outdoor area shall comply with all applicable building code requirements including the provision of readily distinguishable means of egress for fire and emergency purposes.

Compliant.

d. The outdoor area may not be covered by a roof.

Compliant.

e. Amplified music, speakers, microphones, televisions or other audio or video devices are prohibited.

The Police Department has expressed concerns with compliance of this provision with the proposed use. See attached from Chief Sherven.

f. At no time shall unreasonable noise emanate from any outdoor area that tends to disturb the peace and quiet enjoyment of property in the vicinity contrary to [Section 20-58](#).

The Police Department has expressed concerns with compliance with this provision given the scale of the proposed expansion. See attached from Chief Sherven.

g. The outdoor area shall not have an undue adverse impact upon nearby property, the character of the neighborhood, traffic conditions, parking or other matter affecting the public health, safety, welfare, or convenience.

The Police Department has expressed concerns with compliance with this provision given the scale of the proposed expansion. See attached from Chief Sherven.

Additionally, Community Development Boness has reported according to Building Inspector Marty Pilgers calculations, 183 parking spaces are needed to accommodate all the improvements proposed at the café site. While the zoning code states the parking requirements are advisory in the CC zoning District, in order to satisfy item g, the owner should provide information as to how the parking needs of this project will be satisfied as this number of spaces is beyond the number of parking spaces in the downtown area.

h. The size of the outdoor area is restricted to 30 percent of the public usage area of the portion of the premises which is inside the building. Interior building capacity shall not be increased as a result of the addition of the outdoor area. The playing area of any outdoor sports area permitted under [Section 11-69](#) shall not be included for purposes of determining compliance with this subparagraph so long as the playing area is not permitted to be occupied by persons not participating in the sporting activity for which the playing area is designed.

The applicant owns the property which includes two disconnected above ground structures which both have basements that are connected. Prior to this application, the business has operated primarily out of the first floor of the main structure closest to Main Street (i.e. – McFarland House). If this application is approved, the property owner desires to make certain improvements to both structures to expand the business operations which in turn increases the area in which the public can access and use the space. The total area that is conceivable between both buildings for the public to access based on this plan was determined jointly between the applicant, Building Inspector, and Fire/Rescue Chief. From Village Staff's perspective, we feel his application is compliant with the 30% threshold only if he is able to make and maintain these improvements. If he is not able to or does not want to make these improvements, then the outdoor area will only be as large as the 30% allows based on what the public is able to use as part of the business.

i. The outdoor area shall have no entrance or exit, except for fire exits, other than to or from the interior of the main building of the licensed premises.

Compliant

j. A conspicuous notice shall be posted at each fire exit stating: "No Beer, Liquor or Wine May Be Carried in an Open Container Off the Premises."

Compliance would be ensured with final inspection.

k. No bar shall be permitted in outdoor areas, however, wait staff may serve in the outdoor area.

Compliant.

l. Except for outdoor sports activities permitted under [Section 11-69](#), the outdoor area shall not be used for any activities other than service and consumption of food and drink. Smoking may be permitted in accordance with applicable State and local regulations. Food service shall be available in the outdoor area at all times during which it is open to patrons for alcohol consumption.

Compliant.

m. Except for playing areas and other areas adjacent thereto that are primarily intended for use by participants in outdoor sports activities permitted under [Section 11-69](#), the outdoor area must be located on an paved surface or hard all-weather decking material.

Compliant.

n. The outdoor area shall be accessible to the disabled, and the license holder shall at all times comply with all applicable federal, state and village laws, ordinances and regulation concerning accessibility.

Compliant as proposed, and would be inspected as part of final review by Building Inspector and Fire Department.

o. The outdoor area cannot be within 300 feet of any property used for a school or church as measured from the edge of the outdoor area to the property line of the school or church.

Compliant.

p. Outdoor areas may not be placed on any rooftop.

Compliant.

q. Containers for refuse disposal and regular cleanup shall be placed inside of the outdoor area.

Compliant.

r. Improper control of the outdoor area could result in loss of the premises alcohol beverage license.

To be assessed on an ongoing basis by the Village.

s. Construction of an outdoor area shall not reduce the minimum number of parking stalls required of the establishment.

Compliant.

t. If the outdoor area is used for outdoor sports activities as permitted under [Section 11-69](#) and persons under the age of 21 are allowed to be present on the licensed premises, all persons 21 years of age or older who intend to consume

alcohol beverages in the outdoor area, shall be issued a wristband that is bright in color which shall be issued only upon showing valid identification proving the person is 21 years of age or older.

Not applicable.

(4) If the outdoor area is greater than 1,000 feet from any property line of a property in residential use, the conditions established in subsections (3)b., e., h., and m. may be modified by the Village Board.

Application not eligible, proposed expansion is NOT 1,000 from a residential use.

(5) The application shall be accompanied by detailed plans or drawings demonstrating the size and location of the outdoor area, location of required fencing and any other information necessary to determine compliance with this subsection. Plans and drawings shall be reviewed for a recommendation by the Plan Commission, followed by a review and recommendation on the application from the Public Safety Committee.

Compliant – detailed plans are attached and submitted.

Recommended Conditions– If the Village were to find the application for an expansion of premise agreeable, because the improvements do not exist, we would need to provide conditional approval for expansion of the liquor license that is contingent upon specific requirements.

Staff recommends any consideration for approval at least include the following, with any additional items and recommended by the review process:

Approval of the current licensed area for the period of July 1, 2019 through June 30, 2020, with the condition Clerk/Treasurer being authorized and directed to amend the license to revise the description of the licensed premise to include the new areas of the 2nd and 3rd floor of the McFarland House Café the 1st floor and basement of the greenhouse, and the 1,300 square foot deck area as conceptually provided on the attached site plan dated November 20, 2018 upon satisfaction of the following requirements:

- a. Approval of a detailed site plan
- b. Inspection and approval from the McFarland Fire Department prior to the issuance of an occupancy permit
- c. Issuance of an occupancy permit from the building Inspector

*Liquor licensing runs from July 1st each year to June 30st. This current application would be for the period between July 1, 2019 through June 30, 2020. After which, as with any other licensee, and new renewal application would be necessary for the next license period.

Community Development Feedback

In general, I have no objection to the proposal to expand the premises and provide outdoor consumption at the McFarland House Café. My opinion is predicated on the submission of and approval of acceptable code complying plans for the remodeling of the third floor space, the greenhouse space and construction of the deck. In regards to the parking situation Sec. 62-172(j)(1) requires space equal to 30% of the capacity in persons. Per the ordinance where seats are not fixed each seven square feet equals a seat. The plan shows 4274 as the total useable square footage. $4274/7 = 611$ seats $\times 30\% = 183$ parking spaces. Per the ordinance the parking regulations are only advisory in the C-C Zoning District.

Marty Pilger, Building Inspector

The only question I have is the adequacy of parking given whatever is the capacity and any outdoor lighting that might be planned. The plans also show cooking outdoors is this planned?

Pauline Boness
Comm. Dev. Dir.
Village of McFarland
608-838-3154

Cassandra – here are my comments.

The focus mainly on the below two sections of 11-64 as it pertains to this particular venue.

(2) The Village Board, in addition to any general conditions or conditions set forth under subsection (n)(3), may impose conditions or stricter conditions upon the license specific to any outdoor areas within the premises' description to prevent undue adverse impact on neighboring property, the character of the surrounding neighborhood, traffic conditions, parking or any other matter affecting the public health, safety, welfare or convenience, including, but not limited to:

f. At no time shall unreasonable noise emanate from any outdoor area that tends to disturb the peace and quiet enjoyment of property in the vicinity contrary to [Section 20-58](#).

g. The outdoor area shall not have an undue adverse impact upon nearby property, the character of the neighborhood, traffic conditions, parking or other matter affecting the public health, safety, welfare, or convenience.

I question whether an outdoor drinking area, especially as large as what is proposed, could exist in this particular location while complying with the two above ordinance subsections. Ordinance does not allow for the use of amplification equipment, yet one of the intended purposes is for weddings and wedding receptions. I can't see how those activities could be conducted without amplification, but even the noise that arises from such events without amplification could pose a noise problem given the close proximity of residences and the library, and thereby be in violation of this subsection. Under those circumstances, I would anticipate an increased or high level of noise complaints from neighbors and other residents who enjoy the amenities of the area. This could become an enforcement problem very quickly. The last thing we need is a situation (like we've had in the past with other venues) where officers have to stand at the lot line and measure noise levels several times a month. And, even absent a reading above the allowable threshold, technically by ordinance if the activity "disturbs" someone else, they could be in violation. The term "disturbs" is not well defined, and comes down to each individual's perception and tolerance. This could lead to a toxic neighborhood environment.

Craig J. Sherven
Chief of Police
McFarland Police Department
608-838-2352



McFarland Fire & Rescue Department

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

Emergency: 911

January 25, 2019

To: Village of McFarland Plan Commission
From: Chief Chris Dennis

Re: McFarland House Café Premise Expansion

We have received and reviewed the McFarland House Café premise expansion request and associated plans. We have met with Mr. O'Hearn to review the property. The renovation of the property will require coordination with Mr. O'Hearn, the building inspector, and our department, and is a normal process for the renovation of public space. We identified the usage of the third floor will require an additional exit to comply with the building code. Mr. O'Hearn had identified the need for an additional exit and has proposed an exterior to grade exit. We support the installation of an exterior dedicated stair exit to grade. The dedicated exit eliminates the compounding effects of shared exits between levels.

The "Greenhouse" building's estimated square footage and associated occupancy are near the threshold for requiring a fire sprinkler system. We will continue to work with Mr. O'Hearn to ensure the building complies with the building code if any modifications are made to the plan, we will advise Mr. O'hearn of the implications from the modification.

The outdoor deck is currently being provided with two dedicated exits and appear to be of code complaint size for the space being served. We will review the sizing in detail as the project progresses to ensure the exit width provides the required discharge for the outdoor deck.

Based on the information and general plans provided by Mr. O'Hearn, at this time we don't have any items that we have found to prevent from allowing the premise expansion.

Sincerely,

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



McFarland House

5923 Exchange St
McFarland, WI 53558

OWNERS:

Shaun and Jessica
O'Hearn
5205 Linden Pkwy
Mcfarland, WI

PROPERTY:

Lots 4 and 5
located in Block 29
refer to PLAT
SURVEY attached
page 2

DATE:

Jan 5, 2019

DESIGNER:

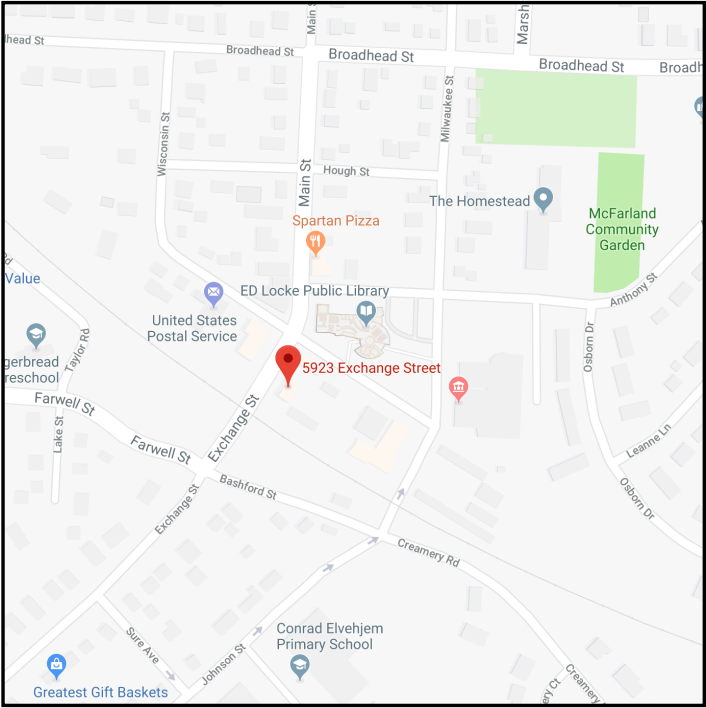
Eric Heid
Eric H Heid

PROJECT:

Outdoor Deck (not to exceed 1,282 sf*) connected to rear building for customers. Remodel of interior of rear building for private events and cafe use. Modify main house 2nd and 3rd floor for public flex use or short term rentable space.

***30% of Overall Square Footage of Public Interior space used to calculate the proposed deck area**

MAIN HOUSE	SQ. FT
1st Floor (Cafe)	1,172
2nd Floor	762
3rd Floor (ATTIC)	1,265
Basement	NA
GREENHOUSE	
1st Floor	1,075
Basement	NA
TOTAL	4,274
x 30%	1,282



New Deck not to exceed public space of 1,282 sf



**BIRRENKOTT
SURVEYING, INC.**

PLAT OF SURVEY

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

SURVEYOR'S CERTIFICATE:

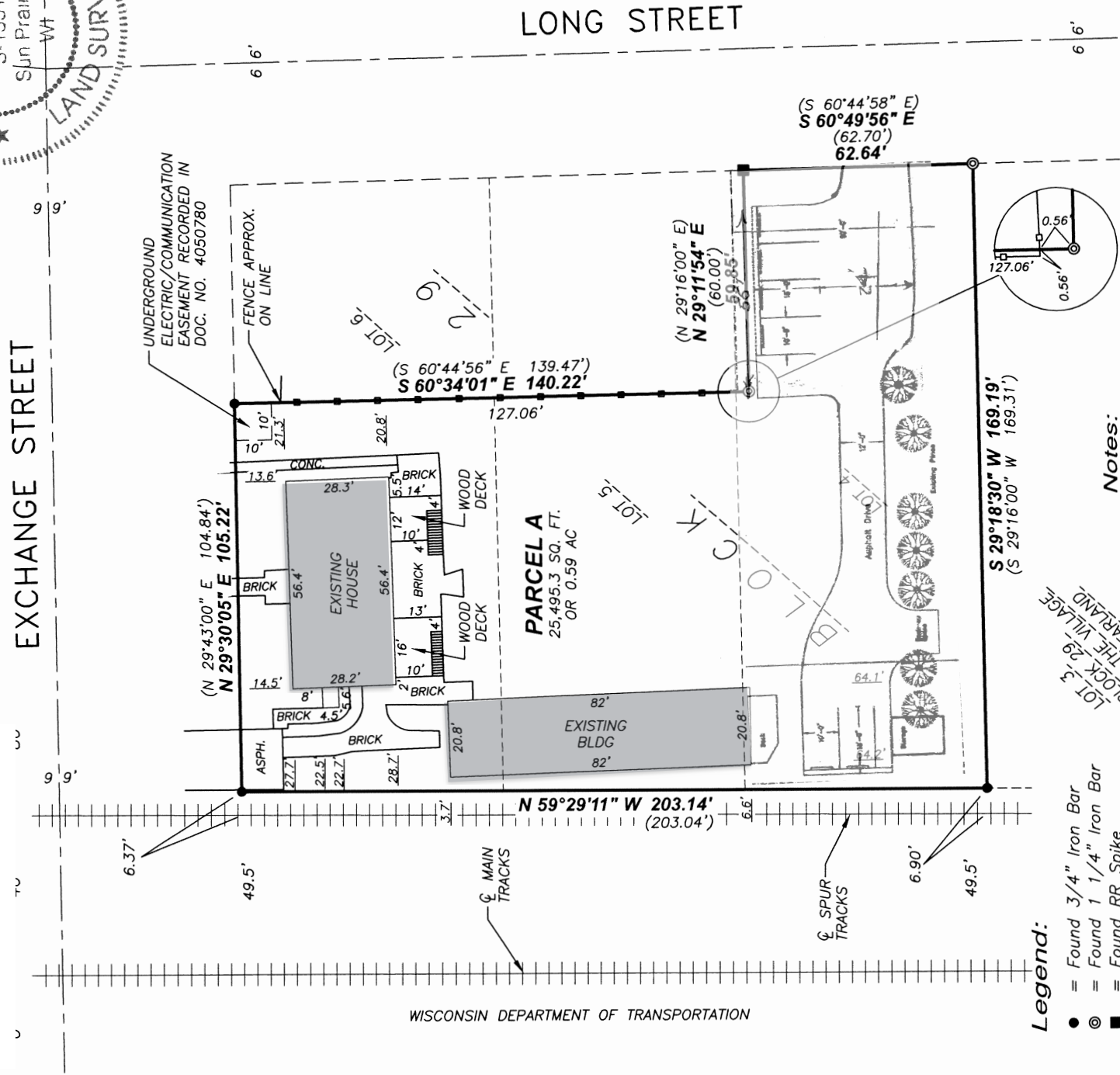
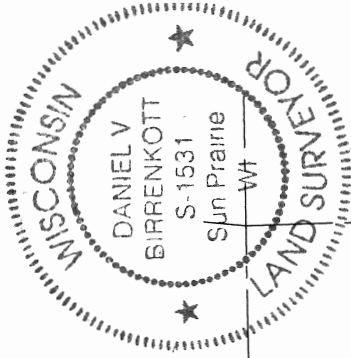
I, Daniel V. Birrenkott, hereby certify that this survey is in compliance with the Wisconsin Administrative Code, Chapter A-E7. I also certify that I have surveyed and mapped the lands described hereon and that the map is a correct representation in accordance with the information provided and is correct to the best of my knowledge and belief.

Description of Record:

Lots Four (4), Five (5) and Six (6), Block Twenty-nine (29), Village of McFarland, in the Village of McFarland, except that part of said Lots 4, 5 and 6, described as follows: Beginning at the North Northwest line of said lot 60 feet; thence Southeast parallel to the Northeast line of Block 29, 139 feet; thence Northeast to said Northeast line at a point 139 feet Southeast from the point of beginning; thence Northwest to the point of beginning.

Daniel V. Birrenkott
Wisconsin Professional Land Surveyor No. S-1531.

3-16-2018



Legend:

- = Found 3/4" Iron Bar
- ⊙ = Found 1 1/4" Iron Bar
- = Found RR Spike
- () = Recorded as data
- = Fence Line
- ASPH. = Asphalt Paving
- BRICK = Brick Pavers

Dated: March 16, 2018
Surveyed: T.A.S.
Drawn: B.S.S.
Checked: D.V.B.
Approved: D.V.B.
Field book: 369/34-35
Comp. File: J:\2018\CARLSON
Office Map No. 180176

Notes:

This survey is subject to any and all easements and agreements both recorded and unrecorded.

The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.

Wetlands, if present have not been delineated.

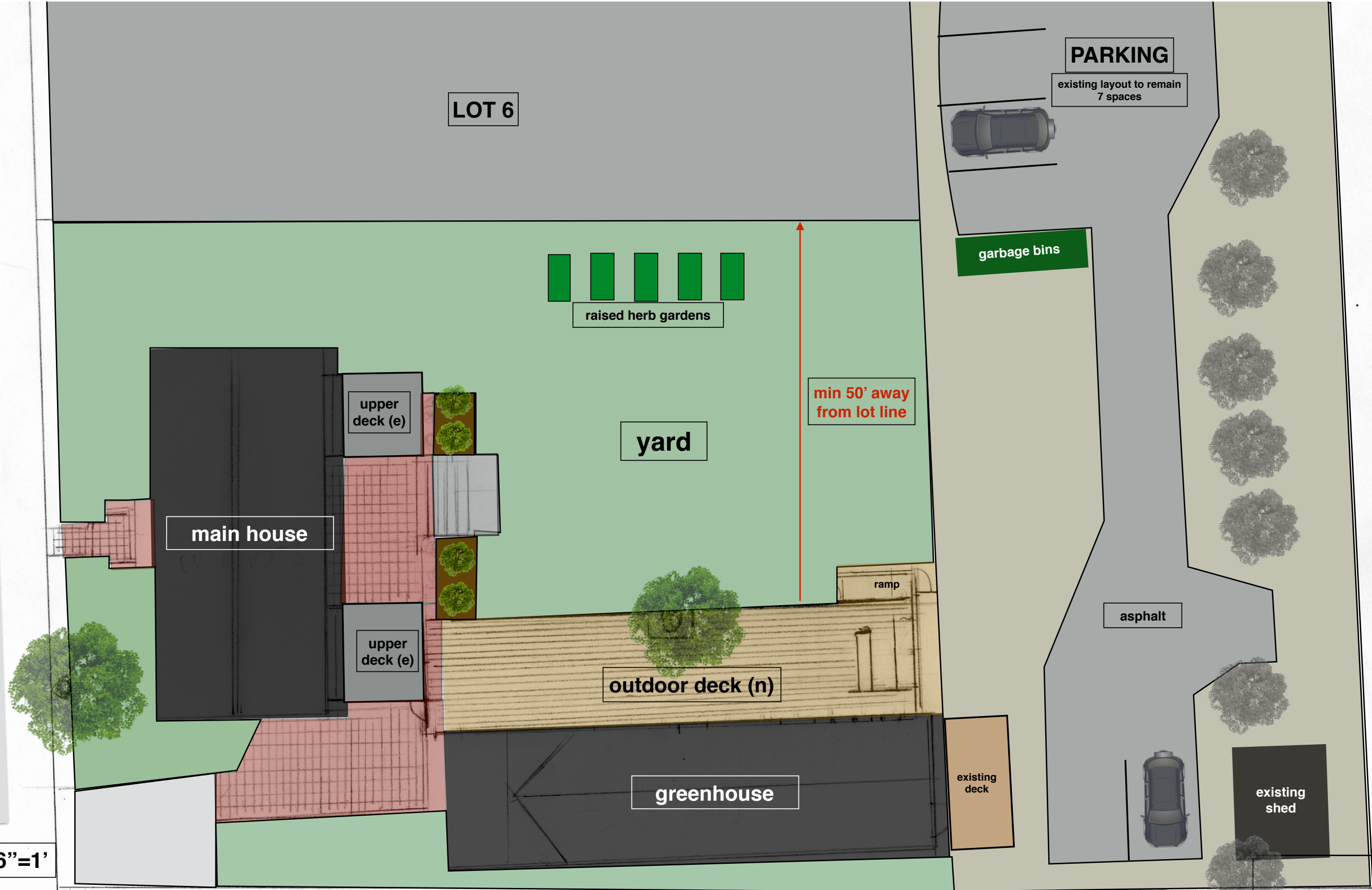
This survey shows visible, above-ground improvements only. No guarantee is made for below-ground structures.

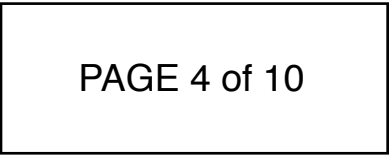
PLAT OF THE VILLAGE OF MCFARLAND
BLOCK 29
LOT 3
Bearing referenced to the South line of Lots 4, 5 & 6, bearing N 59°29'11" W 203.14'



Exchange st

scale 1/16"=1'







**proposed sketch of
exterior***

***not to scale/design and layout will be
modified per final approval of dimensions**





MAIN HOUSE

1st Floor

existing

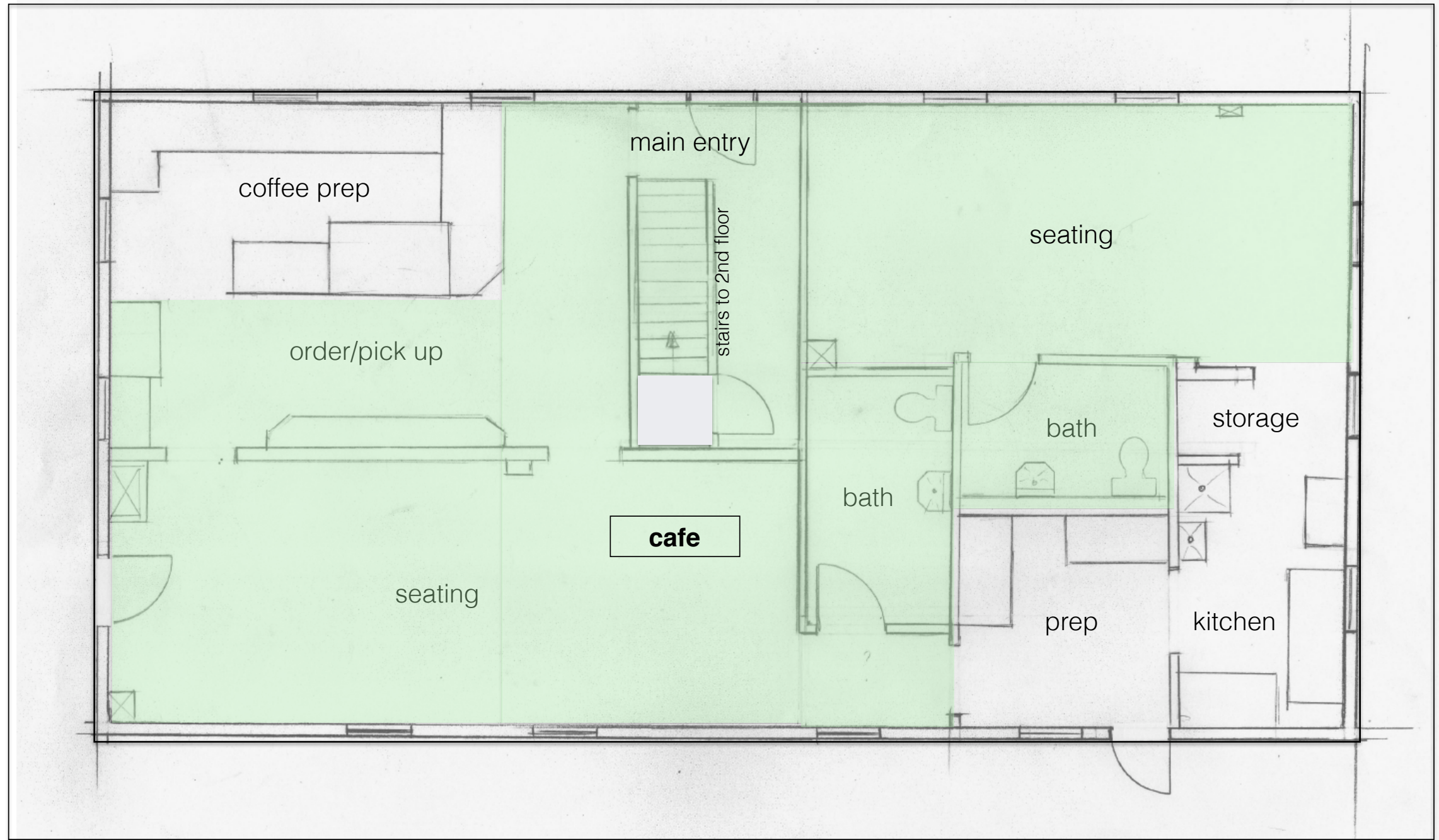
Estimated Public SF:

1,172

Ceiling HT:

8'6"

27' 2"



55' 8"

PAGE 6 of 10



MAIN HOUSE

2nd Floor

existing

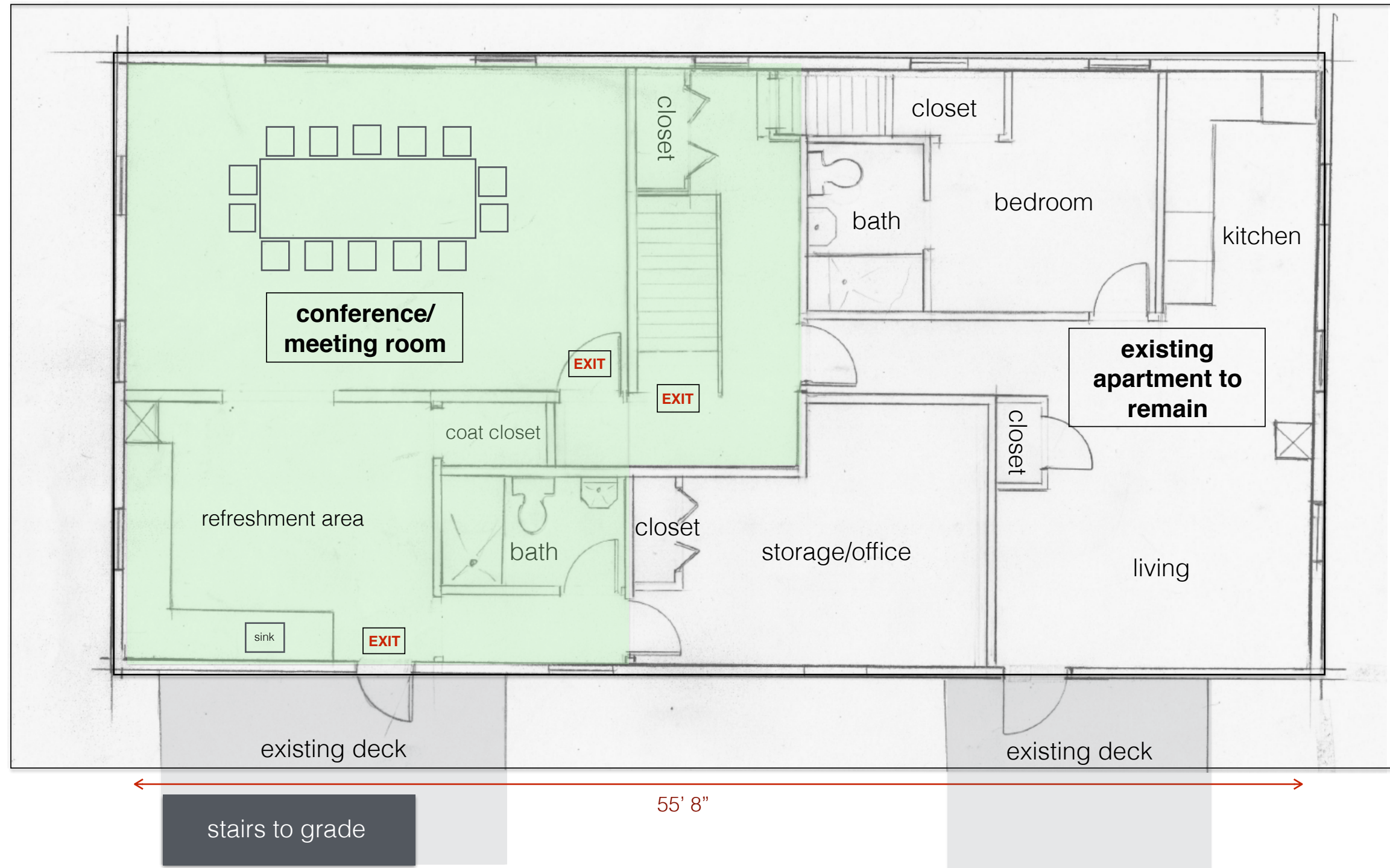
Estimated public SF:

762 sf

Ceiling HT:

7'10"

27' 2"





MAIN HOUSE

Attic

existing

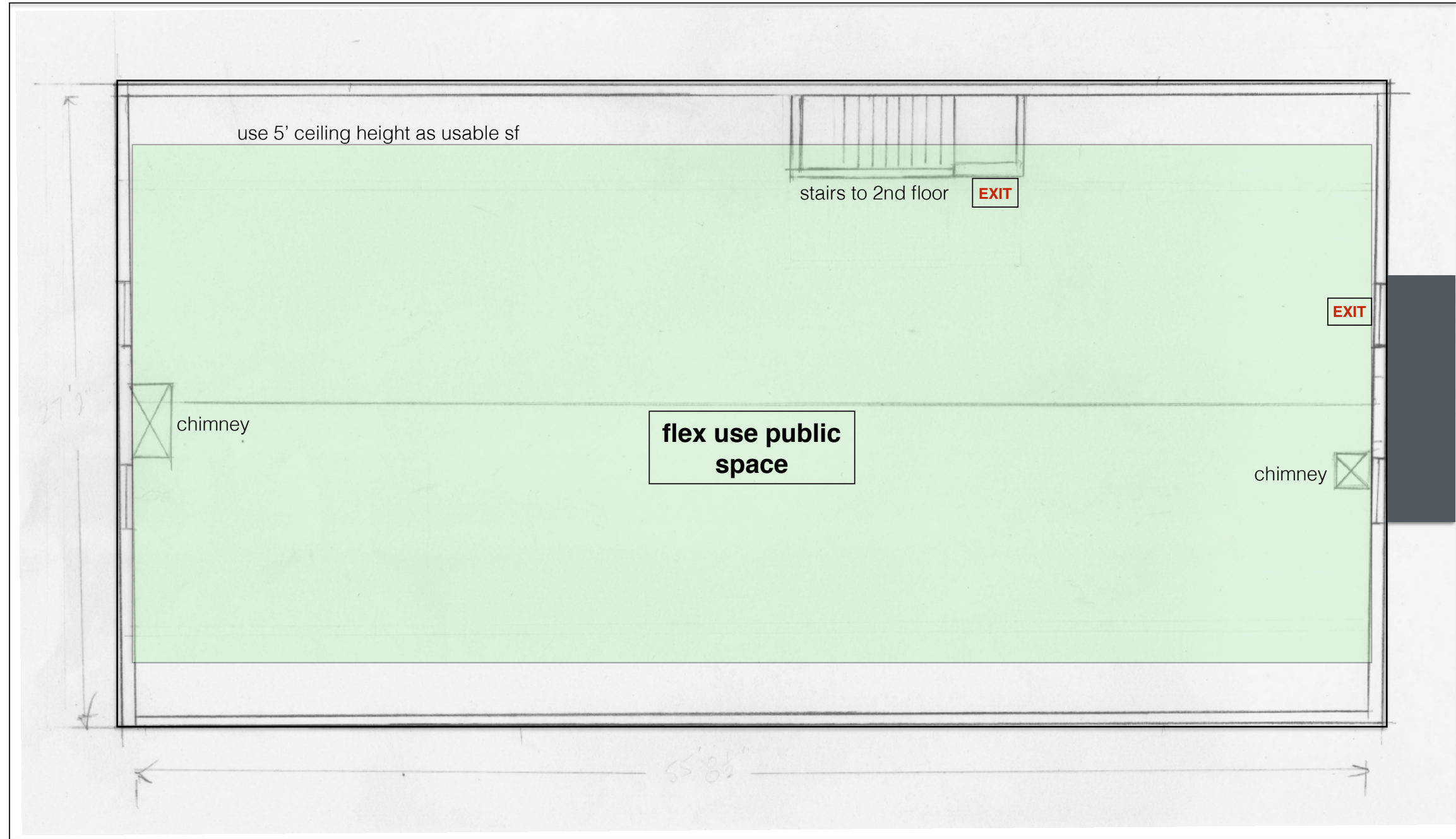
Estimated public SF:

1,265

Ceiling HT:

4' to 8'2"

27' 2"



55' 8"

PAGE 8 of 10



MAIN HOUSE
Basement

existing

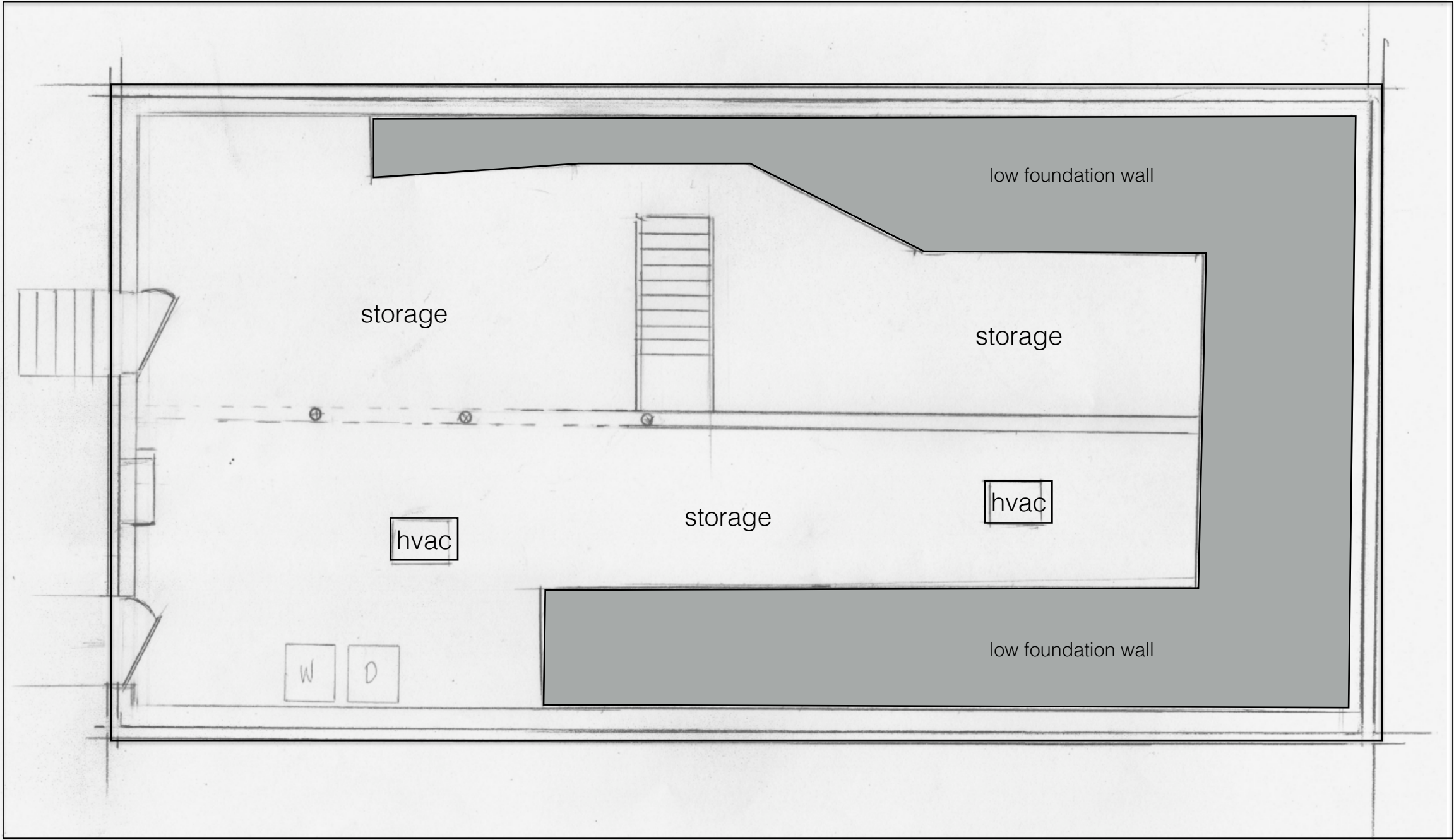
Estimated SF:

NA

Ceiling HT:

6'4"

27' 2"



55' 8"



GREENHOUSE

Basement

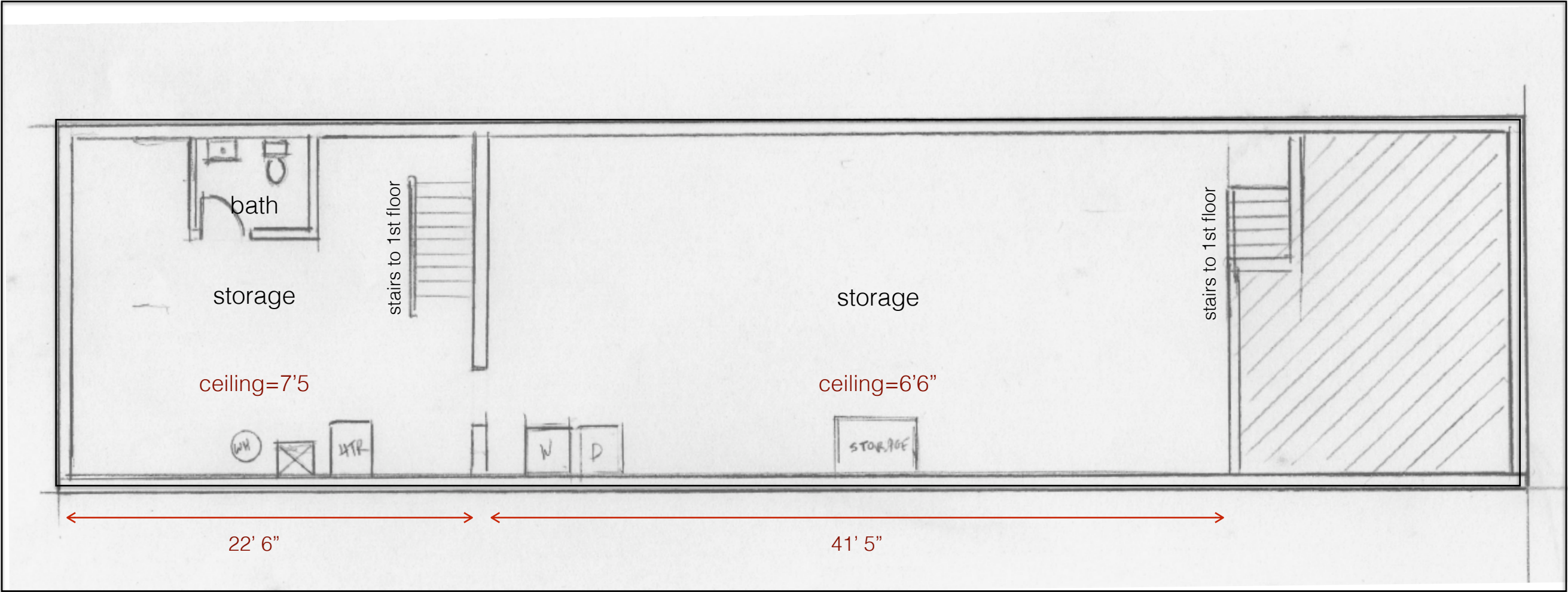
Estimated SF:

NA

Ceiling HT:

6'6" to 7'5"

18'10"



Cassandra Suettinger

From: Matt Schuenke
Sent: Monday, January 7, 2019 1:41 PM
To: Cassandra Suettinger
Subject: FW: MHC Project

From: Shaun O'Hearn <mcfarlandcafe@gmail.com>
Sent: Monday, January 07, 2019 1:23 PM
To: Matt Schuenke <Matt.Schuenke@mcfarland.wi.us>
Cc: eric@martinheid.com
Subject: MHC Project

Project:

Expansion of McFarland House Café into adjacent "Greenhouse" and additional flex use spaces within the McFarland House

Overview:

The McFarland House Café currently operates out of the first floor of 5923 Exchange Street with storage in the basement and third floor spaces. We have grown each and every year since we bought the business in 2015. In April of 2018, Steve Washa sold the property to O'Hearn Ventures LLC. This provided an opportunity for the business to expand into other areas of the building. During our busy season we routinely run out of space for guests and storage of product. We also have to turn away countless groups because we can not accommodate their space needs. The expansion of license to include additional spaces is needed for our business continue to grow and provide the community a gathering place. One of the largest needs this community has shown is in outdoor dinning.

Operations:

We are proposing the addition of public use space on the south end of the second floor and the entire third floor. The second floor currently has two apartments which would be reduced to one. The space would act as a meeting/conference room with the ability when no reserved for overflow seating or quiet workspace. There would be restroom access and a small area for us to house an office with storage for "banquet" supplies. The space is already equipped with a secondary fire exit. A second emergency exit would be added to the third floor and be brought down to grade or connected to the exiting fire exit off the second floor. This attic room would remain flexible public use space. While it may have the ability for a larger capacity, we feel the best use will be for smaller yoga classes and meeting a little too large for the second floor. The sale of any alcohol would remain on the first floor behind the current counter with storage being located in the basement.

The second addition of public use space we are proposing is into what has been referred to as the "Greenhouse" which is adjacent to the McFarland House. We have a unique situation in which both buildings are connected through a hallway in the basement. The Greenhouse would act as an extension of the Café with the majority of the kitchen prep, food storage, and alcohol storage being housed in its basement. A separate counter/bar area would be the only point of service of any/all alcohol for the Greenhouse. Guests would not be allowed to bring beverage between the two spaces. The space would act as an evening gathering place with the ability to host events as well. The hours of operation would be different from the café itself but cater to families just the same.

A wooden deck would be added to the Greenhouse to provide the community with additional outdoor dining options. The deck will remain 50' from the lot line with the McFarland Tavern and will not exceed hours of use before 11:00am or after 9:00pm. The area will be tiered down to grade with four foot metal fencing placed around the entire perimeter that would match the décor of the buildings. There would be no amplified music on the patio or mounted speaker system outdoors. We would like to make this a beautiful space for the neighborhood unlike the blighted façade it currently is. Based on the input from Chief Dennis and the building inspector, the space would not exceed 1282sf as the 30% rule allows. The deck would provide entrance and exit points only to and from the building with additional emergency exits available toward the rear of the building. Proper signage will be posted in and around those points of access stating that no beverage would be allowed past them. The bar area for service will not be located outside and food service will be available during all hours of the patio operation. Our current choice of material for the decking is wood planking that has been treated. The space will accommodate ADA access through its design and sits outside the 300' from church/school. There isn't anything linking this patio to the rooftop. We will provide a bus station for trash/recycling collection as well as water filling and dishes. Additional parking has been added to the property that was not currently accessed by the public before as shown on page 2 of the project plans.

We hope to have provided you all adequate information to help us improve our business as well as this site.

Shaun O'Hearn
McFarland House Café Inc.

Cassandra Suettinger

From: Ann Ford <Ann.Ford@wicourts.gov>
Sent: Wednesday, February 6, 2019 9:33 AM
To: Cassandra Suettinger
Subject: McFarland House Cafe

Good morning - I just wanted to submit my support for the expansion of the liquor licensed premise of McFarland House Cafe. I have been a resident of McFarland for over 40 years and my family has been here since the late 1950's. The McFarland House has been a fixture in the community - proudly standing and always a landmark when giving directions. Very little has changed to this site (ok the Greenhouse would be "newer") but the upgrades have always been thoughtfully done and this building and grounds have always maintained their charm. With the opening of the cafe and their expanded hours - there has been a steady customer base and the potential for increased business with the expansion of the bike trail. I have traveled extensively throughout Wisconsin in search of new winery's. It has become a favorite girls trip to go exploring for a wonderful glass of wine, some good food and maybe enjoy a local musician. Of course, the cafe is not opening a winery, but the location and grounds are very similar to places I have visited where you can sit outside, enjoy the weather and friends with a glass of wine or some other beverage. Why can't we have that here - at McFarland House?? I think it is a winner for the community and for the McFarland House. There is very little reason for "outsiders" to venture to the old main street of McFarland and I think this would definitely showcase an area that gets overshadowed for new business. I can't see the harm in providing the expansion - with the new parking lot abutting the business, the problem of parking has been solved. I think there is definitely potential to draw more people to the beautified 4-way and a reason to stay a little longer in the old downtown.

Ann M. Ford
Court Clerk, Branch 9
608-266-4010
608-267-4151 FAX



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, March 13, 2019

SECTION: Business

DEPARTMENT: Police

CONTACT: Craig Sherven, Chief

AGENDA ITEM: Discussion and recommendation on an ordinance amendment 2019-04: an ordinance amending parking restrictions.

PREVIOUS ACTION:

The Public Safety Committee has reviewed updates to the parking restrictions ordinance over the last several months.

ISSUE SUMMARY:

See attached memo from Chief Sherven.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

Village code of ordinances 35-149 and 35-159.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Chief Sherven recommends approval of Ordinance Amendment 2019-04 regarding parking restrictions.

ATTACHMENTS:

1. Chief Update on Updated Ordinance
2. Existing Parking Ordinance
3. ORDINANCE 2019-04 Parking Ordinance

Walk-through of Ordinance to Amend Parking Restrictions

- The new ordinance combines previous ordinance sections 35-149 (Restrictions of Parking) and 35-159 (Parking of Vehicles over 12,000 pounds or 18 ft. restricted).
- What the new ordinance fixes:
 - The previous ordinance section contained conflicting information as to how long a boat/trailer, etc. could be legally parked. One stated 24 hours, the other 72 hours.
 - The previous ordinance contained multiple references to trailers.
 - The new ordinance combines vehicle and trailer/heavy vehicle parking into one concise and consistent ordinance, one that treats vehicle and trailers consistently
 - For example, previously passenger vehicles were only allowed for 24 hours, while larger and arguably more problematic items such as boats, campers and trailers were allowed for 24 and 72 hours, depending upon which ordinance section you were looking at. The new ordinance treats them both the same.
 - A situation that existed in which a resident could not leave a vehicle on the street, go away on an overnight stay, and not be in violation of the ordinance.
 - The allowable length of a vehicle or trailer that triggers “heavy vehicle status” is increased from 18’ to 21’. There are some passenger vehicles, such as a Ford Excursion or Chevy Suburban, that are longer than 18’ and previously would have not been allowed to park. Also, even smaller fishing boats would have likely exceeded 18’ with the trailer tongue and outboard, making it almost impossible for even a small boat to legally park. The new ordinance will allow those with standard size fishing or pleasure boats or campers greater flexibility, especially in situations in which an owner travels back and forth from the lake several times throughout a weekend.
- Features of the new ordinance
 - Provides more flexibility for residents for both vehicle and small trailer owners, while still not allowing Village streets to become permanent storage areas for either.
 - Both vehicle and small trailer owners will now be allowed to park in front of their own residence, or a residence where they have permission from the home owner, for up to 72 hours, while any other areas remains at 24 hours.
 - This allows them more flexibility in parking, yet prevents a situation in which a person could leave their car or trailer in front of someone else’s home or other area of the Village for more than 24 hours.

- The parking of heavy vehicles remains largely the same as the previous version, with the exception of the increased allowable length from 18' to 21'.
- The new ordinance contains language that allows for special permission to be granted, under certain circumstances, for owners to park in situations normally precluded by ordinance. An example would be a relative visiting for a couple of days with a large vehicle...if the location would be safe to do so, special permission could be sought and granted by the Police Department. This is a practice that we have done in the past, however we will now have the backing and support of ordinance when making these decisions.

Existing Ordinance

Sec. 35-149. - Restrictions on parking; posted limitations.

(a) *Twenty-four-hour limitation.* No person, firm or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public street or public parking lot in the Village for a period of 24 or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established the more restrictive limits shall apply.

(b) *Posted limitations.*

(1) The Village Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Wis. Stats. § 349.13.

(2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code.

(3) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Wis. Stats. Ch. 346. The Director of Public Works shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.

(4) No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.

(5) After the parking limitations on any given street have expired, any change of location of not more than one stall following expiration of the parking period allowed shall be and constitute a violation of this Chapter.

(c) *Unregistered motor vehicles.* Pursuant to the authority granted under Wis. Stats. § 341.65(2)(a), no person, firm or corporation shall park or leave standing any motor vehicle on any public highway that is not displaying valid registration plates, a temporary operation plate or other evidence of valid registration as provided under Wis. Stats. § 341.18(1) for the vehicle's current registration period or for a registration period for the vehicle that expired within the immediately preceding 31 days.

Sec. 35-159. - Parking of vehicles over 12,000 pounds or 18 feet restricted; storage of heavy vehicles on private property.

(a) *Street parking.*

(1) No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle in excess of 12,000 pounds gross weight, or over 18 feet in length, or having an enclosed area of a height of more than eight feet from the roadway, shall park the same upon any street, avenue or public right-of-way in the Village zoned residential between the hours of 6:00 p.m. and 7:00 a.m. Two-hour parking will be allowed in residential areas between 7:00 a.m. and 6:00 p.m. The provisions of this Subsection shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue or public way in the Village for the actual loading or unloading of goods, ware or merchandise, providing, however, the loading and unloading, as used in this Section, shall be limited to the actual time consumed in such operation. The Village Board may, however, designate specific truck parking zones.

(2) Boats, boat trailers, animal trailers, snowmobiles, snowmobile trailers and other un-motorized trailers, or off-road motor vehicles shall not be parked upon any street, avenue, or public right-of-way for more than 72 hours.

(b) *Storage of truck tractors and road machinery on private property.* No person, firm or corporation shall park, keep or maintain on property in an urban residential district for residential use the following types of vehicles: trucks, truck tractors, tractor-trailers, semi-tractors, dump trucks, auto wreckers and road machinery in excess of 12,000 pounds gross weight, or over 18 feet in length, or having an enclosed area of a height of more than eight feet. Said vehicles may not be kept or parked on said premises whether or not they are in enclosed buildings, except temporarily for the purposes of unloading or servicing the premises.

(c) *Removal.* Any vehicle unlawfully parked under Subsection (a) or (b) of this Section may be removed from the street by order of a law enforcement officer, pursuant to [Section 35-163](#), and the expense of so moving and storing such vehicle shall be paid by the operator or owner of said vehicle as a forfeiture in addition to the penalties hereafter prescribed.

ORDINANCE 2019-04

AN ORDINANCE AMENDING PARKING RESTRICTIONS.

Purpose: To amend the parking regulations to consolidate certain parking restrictions, remove an inconsistency in the code, and authorize the Chief of Police to permit temporary parking of large vehicles.

Sponsor: Police Chief Craig Sherven

Recommended Referral: Public Safety Committee

Public Hearing: Not Required

WHEREAS, the Public Safety Committee has reviewed proposed changes to the McFarland Municipal Code affecting parking of vehicles on public streets, including removing an inconsistency between parking motor vehicles versus trailers and boats, consolidating parking restrictions currently set forth in different sections, and authorizing the Chief of Police to allow temporary parking of large vehicles on public streets; and,

WHEREAS, the Public Safety Committee and Chief of Police recommend that the proposed changes be approved; and,

WHEREAS, the Village Board accepts the recommendations of the Public Safety Committee and the Chief of Police and finds that it is in the public interest to amend the McFarland Municipal Code as proposed.

NOW THEREFORE, The Village Board of the Village of McFarland does hereby ordain as follows:

1. Section 35-149 of the McFarland Municipal Code is hereby amended to read as follows:

Sec. 35-149. - Restrictions on parking on public streets; posted limitations.

- (a) *General parking restrictions*. No person, firm or corporation shall park any motor vehicle, trailer, boat, semitrailer or mobile home on any Village street or Village parking lot for 24 or more consecutive hours, or for 72 or more consecutive hours in front of the owner's residence or with permission from the residence's owner, except that where more restrictive parking limits have been established the more restrictive limits shall apply.

- (b). *Parking of large vehicles restricted*.

- (1) Definition. For purposes of this Section, the term "large vehicle" means:

Any automobile, truck, trailer, truck power unit, bus, boat, recreational vehicle and/or combinations of vehicles weighing in excess of 12,000 pounds or over 21 feet in length (including accessories, racks or other physical extensions) or having a height of more than eight feet from the roadway.

(2) Restrictions on parking large vehicles.

- a. *Nighttime restrictions.* No person, firm or corporation shall park or leave standing any large vehicle upon any Village street between the hours of 6:00 p.m. and 6:00 a.m., unless otherwise lawfully parked and engaged in the continuous loading or unloading of goods, wares or merchandise.
- b. *Daytime restrictions.* No person, firm or corporation shall park or leave standing any large vehicle upon any Village street between the hours of 6:00 a.m. and 6:00 p.m. for more than two hours, unless otherwise lawfully parked and engaged in continuous loading or unloading of goods, wares or merchandise. The Village Board may designate specific truck parking zones.

(3) Temporary parking. Notwithstanding the restrictions set forth in Subsection (b)(2) of this Section, the Chief of Police, or his or her designee, may authorize the temporary parking of a large vehicle upon a public street after considering the following factors:

- a. Whether such permission has been given before for the same vehicle, and the frequency of such requests.
- b. The proposed duration of parking.
- c. The nature and size of the large vehicle.
- d. The proposed parking location, including the layout and width of the street, traffic volume, and impact on accessibility.
- e. The impact the proposed parking will have on the neighborhood with respect to safety and aesthetics.
- f. Any other relevant safety concerns identified by the Chief of Police, or his or her designee.

Temporary parking will only be authorized upon advanced notice and approval, and only for the duration of time so authorized and in compliance with any conditions imposed by the Chief of Police, or his or her designee.

- (c) *Removal.* Any vehicle or other item unlawfully parked under this Section may be removed from the street by order of a law enforcement officer, pursuant to Section 35-163, and the expense of so moving and storing such vehicle or other item shall be paid by the operator or owner of said vehicle or other item as a forfeiture in addition to the penalties prescribed.

- (d) *Posted limitations.*

(1) The Village Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and

may limit the hours in which the restrictions apply. The Village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Wis. Stats. § 349.13.

- (2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code.
 - (3) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Wis. Stats. Ch. 346. The Director of Public Works shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.
 - (4) No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.
 - (5) After the parking limitations on any given street have expired, any change of location of not more than one stall following expiration of the parking period allowed shall be and constitute a violation of this Chapter.
- (e) *Unregistered motor vehicles.* Pursuant to the authority granted under Wis. Stats. § 341.65(2)(a), no person, firm or corporation shall park or leave standing any motor vehicle on any public highway that is not displaying valid registration plates, a temporary operation plate or other evidence of valid registration as provided under Wis. Stats. § 341.18(1) for the vehicle's current registration period or for a registration period for the vehicle that expired within the immediately preceding 31 days.
 - (f) *Government and Emergency vehicles exempted.* The parking restrictions set forth in this Section do not apply to any vehicles owned by any governmental entity, utility service or emergency service while the vehicles are actively being used in conjunction with related services or official governmental business.

2. Section 35-159 of the McFarland Municipal Code is hereby amended to read as follows:

Sec. 35-159. - Restrictions on storage of heavy vehicles on private property.

No person, firm or corporation shall park, keep or maintain on property in an urban residential district for residential use the following types of vehicles: trucks, truck tractors, tractor-trailers, semi-tractors, dump trucks, auto wreckers and road machinery in excess of 12,000 pounds gross weight, or over 18 feet in length, or having an enclosed area of a height of more than eight

feet. Said vehicles may not be kept or parked on said premises whether or not they are in enclosed buildings, except temporarily for the purposes of unloading or servicing the premises.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the ____ day of _____, 2019.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Village Clerk-
Treasurer

ORDINANCE 2019 – 04	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian	Kolk
Brassington	Lytle
Clow	O'Hearn
Czebotar	
VOTING RESULTS	
Motion Carried	
Motion Defeated:	



PUBLIC SAFETY COMMITTEE SUMMARY SHEET

MEETING DATE: Wednesday, March 13, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Chris Dennis, Chief

AGENDA ITEM: Discussion and action to make a recommendation to the Village Board regarding the position description and permission to fill the vacancy for the Administrative Captain position within the the Fire and Rescue Department.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

In September of 2014, the Administrative Captain position was created within the Fire & Rescue Department. An individual was hired in the position, and unfortunately, the individual resigned in the spring of 2015 to pursue a chief position. The Interim Chief and Administrator in 2015 decided not to fill the position and fill a full-time EMT position instead. In December of 2015, the part-time Captain of the Department that was performing coordination of training requested to the duties of coordinating training for the department that was assumed from the vacant Administrative Captain position to be removed from his duties. A second Captain of the Department was and still is currently assisting in coordinating training, but is struggling with the time commitment. The Chief has been required to assume the majority of the duties for coordinating training. The Chief has recognized the need for supervisory support in the department as the majority of the supervisors of the sixty-five-plus members are part-time with other full-time careers and families. The Administrative Captain position would fill the training coordination duties and a portion of the supervisory need of the Department.

FINANCIAL/BUDGET IMPACT:

The Administrative Captain position is presently graded at Level 16 within our Wage Grid. For 2019, this has a range of \$58,011 to \$75,348 with a Market Rate of \$66,679. This will be evaluated further by the Personnel Committee as the position has been vacant for sometime. They will look at the classification which establishes the grade to ensure the proposed position duties are aligned with the appropriate grade level.

The funding for the position would come from not filling the current vacant Advanced 24 Hour EMT position. Both are full-time and would received a proportionately similar amount of benefits; however, there is a difference in salaries. The EMT position is a contracted position that in 2019 will start at \$41,893 and for employees with experience of 7 years or greater that would increase to \$47,484. The vacancy has existed since January of this year and would not likely be filled now until July or August of this year. The costs saved due to the vacancy would address the cost variance between the two positions and then the next year's budget would reset the wage allocations for the Department to account for the change.



VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

N/A

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Staff recommends the Committee to make a recommendation to approve position description and permission to fill the vacancy for the Administrative Captain position within the Fire and Rescue Department.

ATTACHMENTS:

1. 03.07.2019 - Administrative Captain Job Description mgs

Administrative Captain

POSITION DESCRIPTION

Position Title: Administrative Captain
Department: Fire and Rescue
Reports to: Fire and Rescue Chief

FLSA: Exempt
Represented: No
Employment Status: Full-Time

POSITION SUMMARY

Distinguishing Characteristics of the Class

Under the direction of the Fire ~~and Rescue~~ /EMS Chief, this position is responsible for planning, overseeing, and coordinating administrative and operational activities of the Fire and Rescue Department. The Administrative Captain also responds to emergency calls when available and covers the ambulance schedule as needed during normal working hours.

Supervision Received

~~Performs under the general supervision of the Fire and Rescue Chief. The Administrative Captain works under the general supervision of the Fire/EMS Chief~~ but exercises considerable independent judgment in planning, organizing, coordinating, and directing day to day administrative operations of the Department. ~~_wide activities. The Administrative Captain may act as the designee of the Fire and Rescue Chief in the absence of the Fire and Rescue Chief.~~

Supervision Exercised

Assists the Fire and Rescue Chief and Command Staff in the supervision of subordinate staff as assigned and necessary.~~paid on call and LTE/part time employees.~~

DESCRIPTION OF WORK

Essential Duties and Responsibilities

- Manages department training records, competencies, ~~and~~ certifications, and re-certifications as required by Statute.
- Plans, organizes, schedules, conducts, and evaluates the department's training programs.
- Develops, delivers, and evaluates basic and advanced training courses for members of the department.
- Collects and organizes training material and provides direction and objectives to training assistants.
- ~~• Coordinates and tracks certifications and/or re-certifications of staff as required by statute.~~

- Instructs classes in assigned subject areas.
- ~~Establishes and maintains effective working relationships with other firefighters, EMTs, public officials, and all members of the general public.~~
- Researches, drafts, ~~and recommends,~~ and enforces department policies and guidelines.
- Participates in emergency public safety functions up to and including commanding an emergency incident and other duties as assigned by the Fire and Rescue ~~/EMS~~ Chief.
- ~~Supervises subordinate paid on call officers, firefighters, and EMTs.~~
- ~~Assists with departmental accounts payable and accounts receivable.~~
- Manages and audits the payroll for paid on call ~~Fire & EMS~~ employees.
- Coordinates hiring process for paid on call ~~Fire & EMS~~ employees
- Manages the orientation, ~~of new Fire & EMS paid on call employees and the~~ progress evaluations of paid-on-call probationary employees.
- Conducts and/or coordinates yearly performance appraisals of paid on call employees ~~EMT's~~.
- Conducts and/or recommends disciplinary action as required for paid on call employees.
- Reviews EMS patient care reports, and coordinates with quality assurance program and the medical director.
- Reviews fire incident reports for quality assurance and compliance with National Fire Incident Reporting System.
- ~~Manages and coordinates EMS patient billings with billing company.~~
- Completes various Fire and EMS reports and statistical monitoring/documentation.
- ~~Manages infectious control program for department.~~
- Attends and participates in professional group meetings and committees at the county and local levels; stays abreast of new trends and innovations in the field of fire suppression, fire prevention, rescue operations, emergency medical practices, and safety.
- Coordinates drills with outside agencies and other outside events as assigned, including specialized drills such as hazardous materials, rescue, and emergency medical services.

• ~~Assists in other department administrative activities as assigned.~~

- Assists in developing plans for special assignments such as emergency preparedness, hazardous communications, training programs, firefighting, hazardous materials, or emergency aid activities.
- Performs other related duties as assigned.

Equipment Used

Fire and ambulance vehicles, motor vehicle, emergency medical equipment; fire pumps, hoses, nozzles, appliances, ladders, and other standard firefighting equipment and tools; mobile and portable radios, pager, personal computer/~~printer~~ with various software applications, ~~phone, copier, fax machine.~~ Also may use printer, copy/fax machine, calculator, and telephone.

Work Environment and Working Conditions

Works in a normal office setting with moderate noise levels; also works under uncontrolled field conditions; attendance at evening meetings and weekend work routinely required; subject to 24 hour emergency call in; work is sometimes performed in emergency and stressful situations; exposure to extreme weather conditions, smoke, fumes, noxious odors, toxic chemicals and hazardous substances can be encountered; requires heavy lifting and strenuous physical activity; exposure to dangers of smoke, fire and explosion, moving mechanical parts, bloodborne/airborne pathogens, risk of electrical shock, vibration, and high noise levels; may work in high or precarious places.

TECHNICAL REQUIREMENTS

Knowledge of

- Principles, practices, methods and techniques of fire suppression, prevention and safety.
- Considerable knowledge and proficiency in performing advance techniques of teaching methodologies.
- Management skills to analyze programs, policies and operational needs.
- Advanced knowledge of National Incident Management standards.
- Thorough and expert knowledge of emergency medical service practices and protocols.

• ~~Medical billing practices.~~

• Supervisory principles and practices. ~~Human resources laws and practices.~~

• General knowledge of municipal budget process.

• ~~Payroll calculation procedures.~~

- Considerable knowledge in computer applications including; Microsoft Office, Firehouse, Image Trend Elite, WebEOC, Aladtec Scheduler, E-Sponder, and iamresopnding various online programs used by the Department.
- Demonstrated skills in oral and communications and presentations.
- Applicable federal and state laws, regulatory codes, and municipal ordinances and the ability to interpret and apply them in different situations.

Ability to

- Lead, direct and supervise personnel effectively, to maintain discipline, to exercise sound judgment, and to cooperate in a professional manner with other municipal officers.
- Plan, schedule, direct, supervise, train, and review the performance of subordinates in a manner conducive to productivity and high morale.
- Maintain effective working relationships with the public, other fire/EMS departments and other local agencies; ability to communicate clearly and concisely, both orally and in writing.
- ~~Function as Incident Commander on wide variety of emergency incidents.~~
- ~~Plan, organize, direct and coordinate the work level of lower level staff.~~
- Respond to and act ~~Act~~ effectively in emergency and stressful situations.
- Follow verbal and written instructions.
- ~~Select, supervise and train members of the department.~~
- ~~Respond to emergency situations.~~
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- ~~Interpret and apply Federal, State and local policies, laws and regulations.~~
- Maintain confidentiality of sensitive records and materials.
- Maintain a valid WI driver's license.
- Maintain physical condition appropriate to the performance of assigned duties and responsibility.

GENERAL COMPETENCIES

While performing the duties of this job, the employee is frequently required to stand; walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms. The employee is occasionally required to sit; climb or balance; stoop, kneel, crouch, or crawl; talk or hear; and taste or smell. The employee must frequently lift and/or move up to 30 pounds and occasionally lift and/or move up to 100 pounds. The employee must possess specific vision abilities as per DMV requirements. In addition, the employee must be able to satisfy the following competency requirements.

- ◆ **ANALYTICAL SKILLS:** Identify problems and opportunities; review possible alternative courses of action before selecting one; utilize information resources available when making decisions.
- ◆ **COMMUNICATION SKILLS:** Communicate ideas and information effectively in both written and oral form.
- ◆ **PROBLEM-SOLVING SKILLS:** Develop feasible, realistic solutions to problems; recommend actions designed to prevent problems from occurring; refer problems to supervisor when necessary.
- ◆ **ORGANIZATIONAL SKILLS:** Establish systematic methods of accomplishing goals.
- ◆ **READING ABILITY:** Effectively read and understand information contained in memoranda, reports, ordinances, codes, regulations, technical manuals, bulletins.
- ◆ **TECHNICAL COMPREHENSION:** Ability to learn, adopt, and apply new technology, computer systems and software programs.
- ◆ **ABILITY TO COMPREHEND AND FOLLOW INSTRUCTIONS:** Effectively follow verbal or written instructions from supervisor.
- ◆ **MATHEMATICAL ABILITY:** Calculate basic arithmetic problems (addition, subtraction, multiplication, division) without aid of a calculator.
- ◆ **TIME MANAGEMENT SKILLS:** Set priorities in order to meet assignment deadlines.

REQUIRED MINIMUM QUALIFICATIONS

An associates degree in fire science, emergency medical management, public, or business administration, or related field. ~~Preferred candidates would have a~~ minimum of three (3) to five (5) years progressively responsible administrative management ~~rial~~ experience in either the Fire or EMS service, Fire or EMS training development, and/or with a minimum of three (3) years supervisory ~~or administrative~~ experience in both services which demonstrates leadership and managerial qualities. Must ~~;- prior experience in recruiting and managing both Fire and EMS paid on-call staff;~~ have current certifications in NIMS 100, 200, 300, 400, 700, and 800; ~~have current~~

Wisconsin certification as an -Advanced EMT with CEVO and CPR certifications with preference toward Wisconsin certification as an EMT-Paramedic; ~~have strong oral and written communication abilities; be able to meet established physical fitness standards; or any equivalent combination of training and experience which provides the required knowledge, skill, and abilities.~~ Any combination of education and experience which in the sole discretion of the Village would demonstrate the Employee's ability to meet the required knowledge, skills, and abilities for the position may also be considered. Must be able to possess or be able to obtain a valid WI driver's license.

NOTES

1. The job duties listed herein are intended only as illustrations of the types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.
2. The work environment characteristics and physical demands described herein are representative of those that the employee encounters or must meet while performing the essential functions of this job. In compliance with the Americans with Disabilities Act, the Village will provide reasonable accommodations to qualified individuals with disabilities. The Village is an Equal Opportunity Employer.
3. The job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer as the needs of the employer and requirements of the job change. The Village retains and reserves any and all rights to change, modify, amend, add to, or delete from any section of this position description.

I hereby acknowledge that I have received a copy of and do understand the requirements of this position description with the Village of McFarland.

Dated this ____ day of _____, 20__.

Employee Signature

Department Head Signature

Created: May 1, 2014

Amended: April 8, 2019