

**PUBLIC SAFETY
COMMITTEE**

Wednesday, April 14, 2021

6:30 PM

McFarland Municipal Center
Community Room

AGENDA

You are invited to this meeting through a Zoom webinar. The Public is strongly encouraged to watch and participate in these meetings remotely through either the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/84239647667>

Or by Telephone: +1 (312) 626-6799
Webinar ID: 842 3964 7667

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
3. APPROVAL OF MINUTES.
 - a. Motion to approve the minutes from the 1/13/2021 Public Safety Committee meeting.
4. BUSINESS.
 - a. Staff Reports
 - 1) Fire and Rescue Department
 - 2) Police Department
 - b. Discussion and recommendation on an expansion of licensed premise for the American Legion Post 534, 4911 Burma Road, for an approximately 576 square foot outdoor consumption area.
 - c. Discussion and recommendation on Ordinance 2021-03: an Ordinance amending regulations concerning Tourist Rooming Houses.
 - d. Discussion and possible recommendation to the Village Board for an update to Appendix A Chapter 17 of the Village Ordinance in regard to ambulance fees.
 - e. Update on recent State Law changes proposals regarding alcohol regulation.
5. SCHEDULE NEXT MEETING DATE.

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, January 13, 2021 - 6:30 PM

1. CALL TO ORDER, ROLL CALL.

Chairperson Eric Kryzenske called the regular meeting of the Public Safety Committee to order at 6:30 PM in the Community Room.

2. PUBLIC APPEARANCES.

Art Luetke was present to support the Green Lantern and their effort to expand the outdoor consumption area.

3. APPROVAL OF MINUTES.

a. Approve minutes from October 2020 PSC Meeting.

Motion by Village Trustee Eric Kryzenske, second by Sandy Bakk, to approve minutes from October 2020 PSC Meeting. Motion carries 6 - 0 - 0 by acclamation.

4. BUSINESS.

a. Staff Reports

1) Fire and Rescue Department

Fire Chief Chris Dennis reviewed the monthly reports.

2) Police Department

Interim Police Chief Brian Redman reviewed the monthly report.

b. Discussion and action regarding Ordinance #2021-02: an ordinance regarding the requirement to clear snow around fire hydrants.

Chief Dennis gave overview on the ordinance and snow removal around fire hydrants.

The committee discussed the changes to the ordinance and fees attached.

Motion by Village Trustee Eric Kryzenske, second by Village Trustee Stephanie Brassington, to recommend the Village Board approve Ordinance #2021-02: an ordinance regarding the requirement to clear snow around fire hydrants. Motion carries 7 - 0 - 0 by acclamation.

e. Conduct listening session with recruiter for the Police Chief position.

The recruiter went over their backgrounds and went through the "Listening Session Questions to Think About" with each committee member.

c. Discussion and action on an expansion of licensed premise for the Green Lantern Restaraunt Inc., 4412 Siggelkow Road, for an approximately 1,600 square foot outdoor consumption area.

Village Clerk Cassandra Suettinger reviewed the application and important points regarding the Green Lantern's expansion of their outdoor dining area. Joy Wheeler introduced herself and gave additional background regarding the expansion. The committee discussed the expansion and operating hours of the consumption area.

Motion by Village Trustee Eric Kryzenske, second by Member Shannon Morrison, to

recommend to the Village Board an expansion of the licensed premise for the Green Lantern Restaurant Inc., 4412 Siggelkow Road, for an approximately 1600 square foot outdoor consumption area with a variance to allow outdoor consumption beginning at 8 a.m. and to meet staff recommendations on lighting, security cameras, posting of max occupancy, and a limited liability agreement. Freight and loading would also be moved to the north side of the building, two parking spaces would be added in the current loading zone, and protective bollards or masonry columns would be added to the perimeter along Siggelkow Road. By unanimous consent, the motion was amended to indicate that bollards/columns should be spaced about four feet apart.

Motion carries 7 - 0 - 0 by acclamation.

d. Review Police Department Use of Force Protocols

Interim Chief Brian Redman reviewed the revisions made to the "McFarland Police Department Action Step Response Report."

5. SCHEDULE NEXT MEETING DATE.

The next Public Safety Committee Meeting is scheduled for February 10, 2021, at 6:30 p.m.

6. ADJOURNMENT.

Motion by Village Trustee Stephanie Brassington, second by Member Shannon Morrison, to adjourn at 9:30 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,
Tricia Reimer
Administrative Assistant



McFarland Fire & Rescue Department

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

Emergency: 911

March 2021 Fire & Rescue Department Report For February 2021 Activity

- **Operations**

- The month of February saw a return to typical call volume. We have now experienced some of the increased fire activity that other departments have during COVID-19. We had three structure fires during February. Two fires were associated with accidental stove usage, and the third resulted from a discarded cigarette on a patio. All the fires were able to be extinguished before significant damage occurred. A fire sprinkler extinguished the first kitchen fire, and the second was by our firefighters within minutes of arrival. The patio was controlled by occupants using water but was nearing extension into the attic of the building. The building is not protected by fire sprinklers and could have spread once it was in the attic.
- We had an incident where an individual working in a commercial building obtained medical attention at a hospital emergency room. The doctor contacted 911 because the individual reported an issue related to the mixing of chemicals. We arrived and investigated the building and found levels of flammable gas and carbon monoxide. We were able to find a furnace vent on the roof blocked by ice. The building did not have a carbon monoxide alarm installed, and the building owner agreed to place alarms to prevent future issues.
- The usage of Personal Protective Equipment or precautions against COVID-19 will not be eliminated for some time. The CDC is not reducing their requirements due to not knowing if the vaccine will prevent individuals from being carriers.
- The CDC, Wisconsin Department of Health Services, and Madison and Dane County Public issued new guidelines for employees that have been vaccinated for returning to work after exposure to COVID-19. The

new guidance reduces the need to quarantine after exposure, but there are still some concerns, and we will review each case as they occur.

- We have completed CPR recertification for the Department in small groups with precautions in place to protect staff. The process took a considerable time longer and more sessions.
- We completed our annual ice rescue recertification for members in small groups with precautions in place. We were able to complete the initial certification for six members also. We usually offer initial training for other agencies and have a class of 50 students.
- We are continually reviewing our operations and staffing to ensure we are utilizing minimal staffing as needed. We are finding that we have to continue to send a Duty Officer to assist ambulance crews. In February, the Duty Officer assisted on 44 incidents.
- We have been working with Bray Architects on the new Public Safety Center. We presented the current floor plans to a public forum. We received some concerns about the sirens in the neighborhood. We did express that we intend to be good neighbors and minimize siren usage as needed, especially during the typical sleeping hours. The design is progressing and does require significant work.

- **COVID-19 Precautions**

- The following initiatives were implemented and continue:
 - We have closed the Fire & Rescue area to non-essential people, including village and department staff.
 - Daily cleaning within the Fire & Rescue area for high contact and high traffic areas.
 - Shift changes are performed with social distancing and are required to be completed in ten minutes or less.
 - The Engines, Squad, and Ladder are only staffed with four firefighters.
 - Increased the cleaning and disinfecting of the vehicles in the fleet and then leaving the vehicles open to allow air circulation.
 - Department training and meetings are primarily remaining online with the limited group in-person trainings.
 - Social distancing is used among staff during the day.
 - N95 masks and safety glasses are utilized on every medical call. Surgical masks or face coverings are used during training, performing fire inspections, and interacting with the public.

- Face coverings or masks are used in the building except when members are in a private bedroom for sleeping.
- N95 masks, isolation gowns, and safety glasses are used on any patient contact tested positive, suspected of COVID-19, or a higher risk procedure is performed (nebulizer, high flow oxygen, CPAP, CPR, etc.).
- The career staff is conducting weekly equipment checks usually performed by the paid-on-call staff.
- Our PPE supplies remain sufficient with fit-tested N-95 masks becoming limited, but we should maintain with re-use.
- The Battelle Critical Care Decontamination System for decontaminating N-95 respirators will be taking the last shipment on March 18, 2021. We had about 100 N-95 respirators decontaminated through Battelle. We currently have an ample supply of N-95 respirators to last the remainder of the year.

Staffing

- Current Staffing Levels
 - Full-time Fire Rescue Chief – 1
 - Full-time Administrative Captain – 1
 - Full-time Fire Inspector/Public Education Specialist – 1
 - Full-time EMTs – 4 (2 vacancies)
 - Full-time Confidential Administrative Assistant - 1
 - Paid-On-Call – 54 (11 EMTs (1 on medical leave), 24 Firefighters (1 Active Retired), 7 EMR/Firefighter, & 12 EMT/Firefighters
 - Total Staffing Level – 64
- 24 Hour EMT Margit Frisch resigned this month. She had found the 24/48 work schedule was too difficult for her to maintain with her home life.
- EMTs Danielle Bartz and Alyx Ribble have resigned from the department. Both of which had difficulty meeting requirements and the pandemic made the situation more complicated. Both came to terms that the situation would not improve for them even after the pandemic came to an end.
- We currently have three individuals completing the background process. One individual just completed EMT Basic, and the other two will require completion of entry-level firefighter.

<u>Inspection/Prevention Activity</u>	<u>Completed</u>	<u>Year to Date Total</u>
Building Inspections	0	0
Fire Code Violations Identified	0	0
Re-inspections Completed	0	1
Corrections Noted	0	2
Building Plan Reviews	4	5
Development Reviews	3	3
Acceptance Test/site visits	1	3
Fire Drills	0	0
AHA-CPR Classes	2	11
AHA Attendance Total	10	46
Public Education	0	1
Public Education Attendance	0	0
Home Prevention Installations	0	0

Many fire prevention activities are suspended due to COVID-19, and reduced career EMT staffing has required the inspector to be detailed to the ambulance.

Based on social media and a high school parent, we were notified of a concern with an improvised isolation chamber in the high school. We performed an inspection and confirmed it had been removed.

Apparatus & Equipment

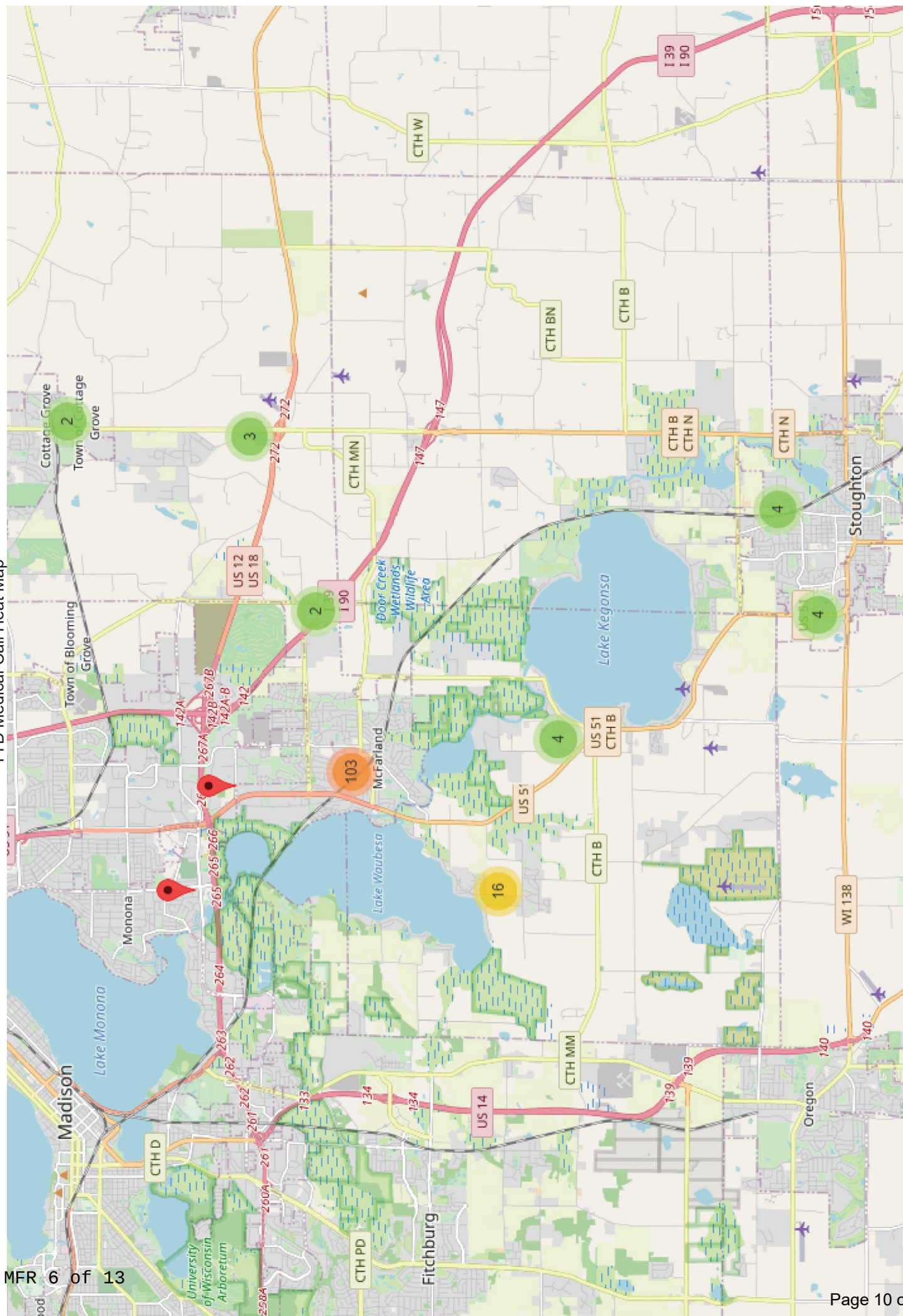
- 2015 Tanker (Tender 6) had the pump heater fail and resulted in two valves freezing and leaking. We had the valves repaired by a fire apparatus repair vendor, and the Village Mechanic will be replacing the pump heater. The rear tank dump valve is experiencing issues again, and the manufacturer is being contacted to determine the cause of the issue.
- 2019 Pumper (Engine 2) is experiencing an issue with the Compressed Air Foam (CAF) system's air compressor. The compressor will overheat within a few minutes of operations. A new thermostat has been ordered through one of our apparatus repair vendors.
- 2005 Pumper (Engine 1) has the pump packing (center seal) leaking water. It was replaced last year, and a common need after the replacement is an adjustment after a break-in period and periodic adjustment throughout the life of packing. The vendor that replaced the packing last year will be performing the repair.
- 1997 Aerial (Ladder 8) had an intake valve and aerial discharge valve

leaking and is being repaired by a local vendor.

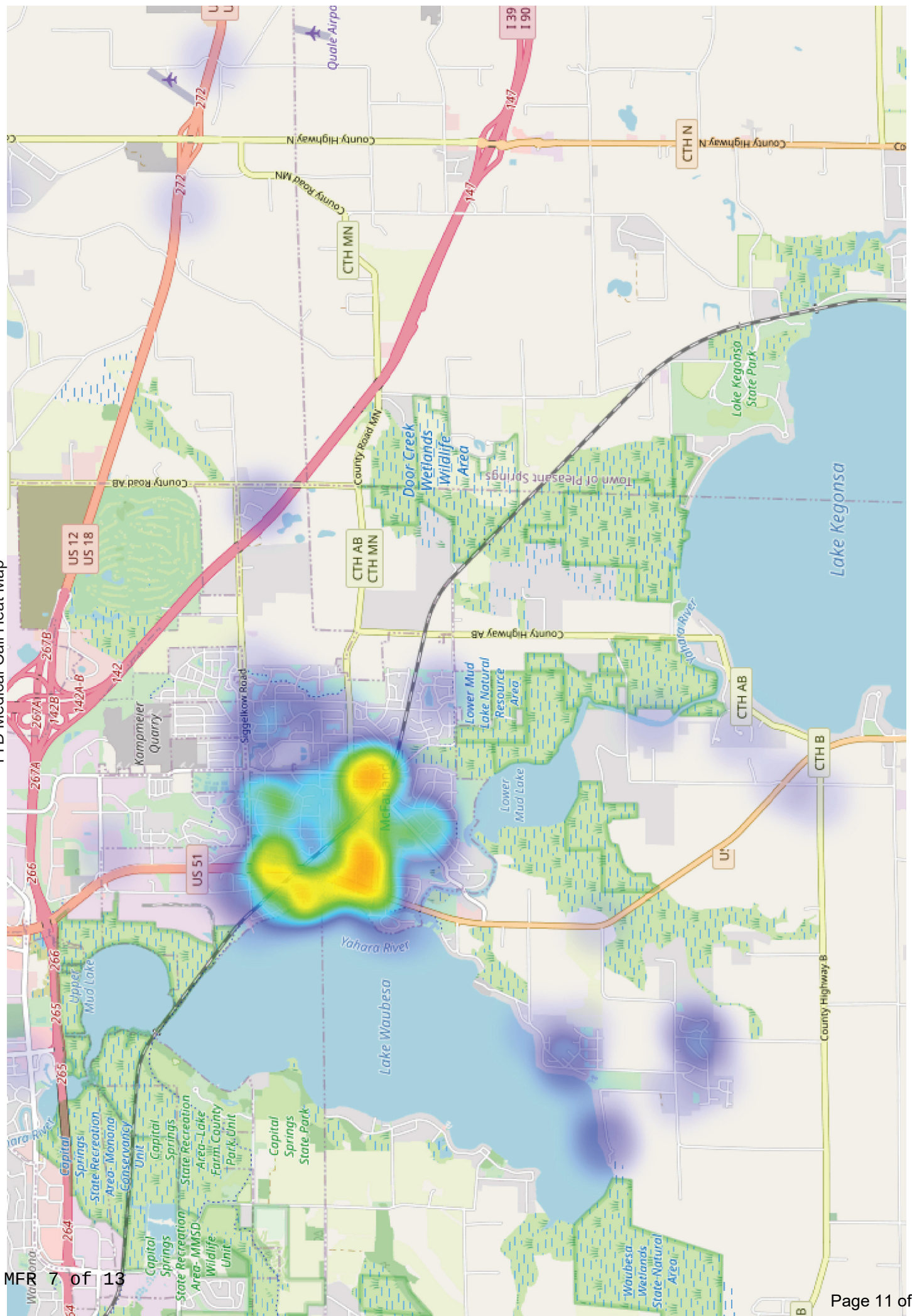
- The utility graphic design and engineering are completed. The manufacturer has received the chassis. Due to the truck being manufactured in Florida, we will be receiving updates from an independent inspection agency once manufacturing proceeds.
- The replacement aerial has been placed on order with the idle reduction option as recommended by the sustainability committee. We are waiting to have an updated build and delivery schedule.

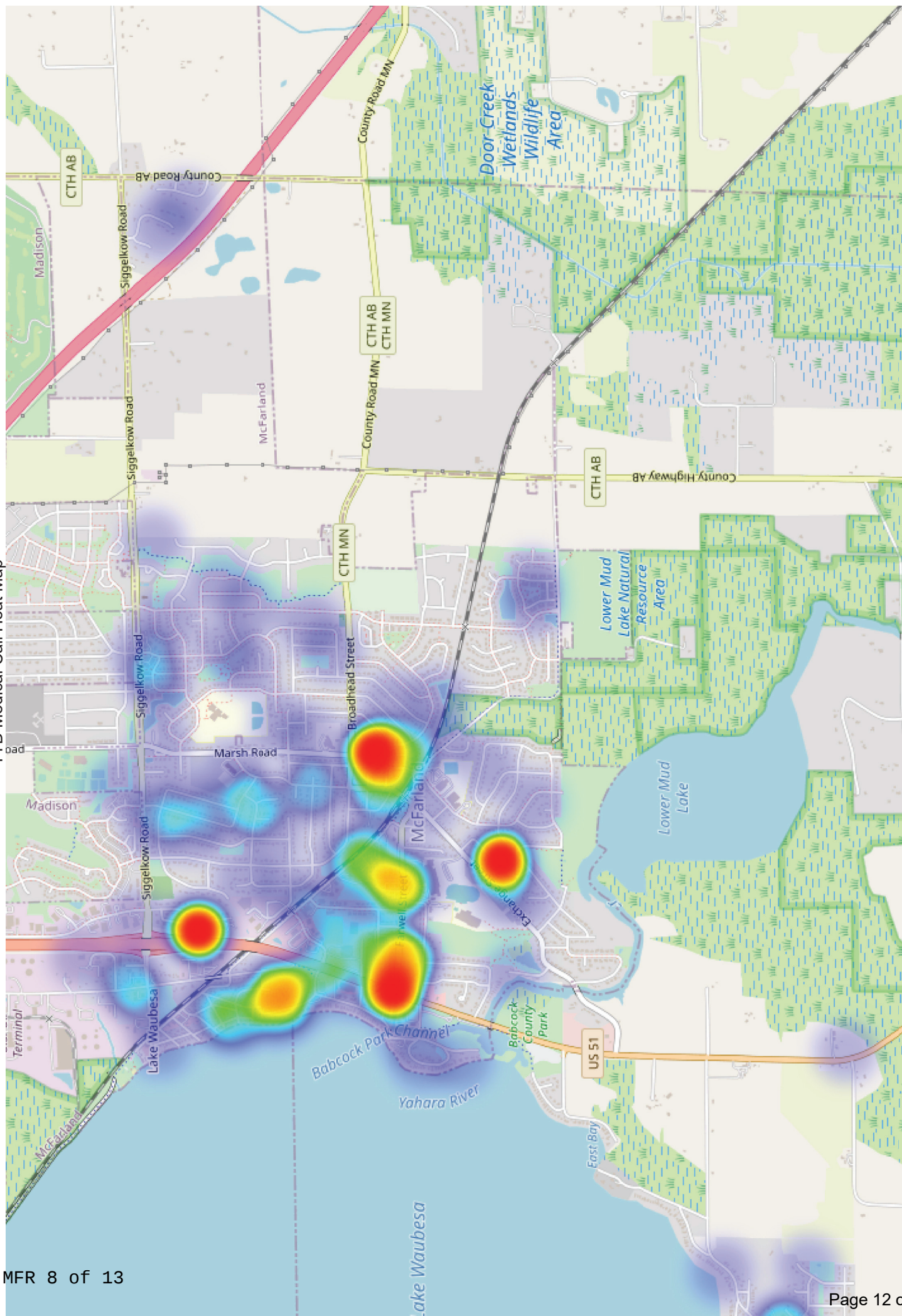
- **Budget**

- 2021 Budget capital purchasing has not been started beyond the ladder truck.
- We have received notification that we were awarded an Assistance to Firefighters Grant to purchase additional PPE for COVID-19. We have purchased the PPE and will be submitting it for payment.
- We are working with the Terminal Coop on attempting to purchase PFAS free foam.



YTD Medical Call Heat Map





Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	02/01 - 02/29/21		02/01 - 02/29/20		02/01 - 02/28/19		02/01 - 02/28/18	
Abdominal Pain/Problems	0	0.00%	0	0.00%	2	3.17%	2	2.67%
Allergic Reaction/Stings	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Animal Bite	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Assault	1	1.19%	1	1.45%	0	0.00%	0	0.00%
Automated Crash Notification	1	1.19%	0	0.00%	0	0.00%	0	0.00%
Back Pain (Non-Traumatic)	1	1.19%	0	0.00%	1	1.59%	0	0.00%
Breathing Problem	6	7.14%	10	14.49%	2	3.17%	2	2.67%
Burns/Explosion	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Carbon Monoxide/Hazmat/Inhalation/CBRN	2	2.38%	0	0.00%	2	3.17%	2	2.67%
Cardiac Arrest/Death	3	3.57%	1	1.45%	0	0.00%	1	1.33%
Chest Pain (Non-Traumatic)	5	5.95%	3	4.35%	6	9.52%	2	2.67%
Choking	2	2.38%	1	1.45%	2	3.17%	0	0.00%
Convulsions/Seizure	3	3.57%	2	2.90%	0	0.00%	5	6.67%
Diabetic Problem	1	1.19%	0	0.00%	2	3.17%	0	0.00%
Electrocution/Lightning	0	0.00%	1	1.45%	0	0.00%	0	0.00%
Eye Problem/Injury	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Falls	16	19.05%	12	17.39%	14	22.22%	13	17.33%
Fire	11	13.10%	5	7.25%	2	3.17%	2	2.67%
Headache	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Heart Problems/AICD	3	3.57%	3	4.35%	1	1.59%	3	4.00%
Heat/Cold Exposure	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Hemorrhage/Laceration	3	3.57%	3	4.35%	2	3.17%	1	1.33%
Industrial Accident/Inaccessible Incident/Other Entrapments (Non-Vehicle)	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Medical Alarm	0	0.00%	0	0.00%	0	0.00%	0	0.00%
No Other Appropriate Choice	1	1.19%	0	0.00%	0	0.00%	0	0.00%
Overdose/Poisoning/Ingestion	0	0.00%	1	1.45%	4	6.35%	2	2.67%
Pregnancy/Childbirth/Miscarriage	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	0	0.00%	1	1.45%	0	0.00%	2	2.67%
Sick Person	9	10.71%	13	18.84%	9	14.29%	8	10.67%
Stab/Gunshot Wound/Penetrating Trauma	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Standby	3	3.57%	0	0.00%	0	0.00%	0	0.00%
Stroke/CVA	2	2.38%	0	0.00%	2	3.17%	1	1.33%
Traffic/Transportation Incident	3	3.57%	1	1.45%	10	15.87%	20	26.67%
Transfer/Interfacility/Palliative Care	1	1.19%	0	0.00%	0	0.00%	0	0.00%
Traumatic Injury	0	0.00%	1	1.45%	0	0.00%	0	0.00%
Unconscious/Fainting/Near-Fainting	7	8.33%	10	14.49%	2	3.17%	8	10.67%
Unknown Problem/Person Down	0	0.00%	0	0.00%	0	0.00%	1	1.33%
Total	84		69		63		75	

Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	01/01 - 02/29/21		01/01 - 02/29/20		01/01 - 02/28/19		01/01 - 02/28/18	
Abdominal Pain/Problems	2	1.27%	8	4.91%	3	2.40%	3	1.82%
Allergic Reaction/Stings	0	0.00%	0	0.00%	0	0.00%	2	1.21%
Animal Bite	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Assault	2	1.27%	1	0.61%	0	0.00%	0	0.00%
Automated Crash Notification	1	0.63%	0	0.00%	0	0.00%	0	0.00%
Back Pain (Non-Traumatic)	2	1.27%	0	0.00%	1	0.80%	1	0.61%
Breathing Problem	8	5.06%	19	11.66%	11	8.80%	8	4.85%
Burns/Explosion	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Carbon Monoxide/Hazmat/Inhalation/CBRN	4	2.53%	0	0.00%	2	1.60%	2	1.21%
Cardiac Arrest/Death	4	2.53%	2	1.23%	0	0.00%	1	0.61%
Chest Pain (Non-Traumatic)	11	6.96%	6	3.68%	12	9.60%	3	1.82%
Choking	2	1.27%	1	0.61%	2	1.60%	0	0.00%
Convulsions/Seizure	5	3.16%	2	1.23%	0	0.00%	7	4.24%
Diabetic Problem	4	2.53%	0	0.00%	3	2.40%	2	1.21%
Electrocution/Lightning	0	0.00%	1	0.61%	0	0.00%	0	0.00%
Eye Problem/Injury	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Falls	33	20.89%	34	20.86%	26	20.80%	34	20.61%
Fire	18	11.39%	8	4.91%	6	4.80%	7	4.24%
Headache	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Heart Problems/AICD	4	2.53%	3	1.84%	1	0.80%	5	3.03%
Heat/Cold Exposure	0	0.00%	0	0.00%	1	0.80%	0	0.00%
Hemorrhage/Laceration	3	1.90%	5	3.07%	3	2.40%	2	1.21%
Industrial Accident/Inaccessible Incident/Other Entrapments (Non-Vehicle)	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Medical Alarm	0	0.00%	0	0.00%	0	0.00%	0	0.00%
No Other Appropriate Choice	1	0.63%	0	0.00%	1	0.80%	1	0.61%
Overdose/Poisoning/Ingestion	2	1.27%	4	2.45%	6	4.80%	3	1.82%
Pregnancy/Childbirth/Miscarriage	0	0.00%	1	0.61%	0	0.00%	0	0.00%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	0	0.00%	3	1.84%	0	0.00%	2	1.21%
Sick Person	21	13.29%	30	18.40%	18	14.40%	26	15.76%
Stab/Gunshot Wound/Penetrating Trauma	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Standby	4	2.53%	0	0.00%	0	0.00%	0	0.00%
Stroke/CVA	4	2.53%	2	1.23%	3	2.40%	3	1.82%
Traffic/Transportation Incident	7	4.43%	8	4.91%	14	11.20%	32	19.39%
Transfer/Interfacility/Palliative Care	1	0.63%	0	0.00%	0	0.00%	0	0.00%
Traumatic Injury	3	1.90%	3	1.84%	4	3.20%	0	0.00%
Unconscious/Fainting/Near-Fainting	12	7.59%	21	12.88%	8	6.40%	20	12.12%
Unknown Problem/Person Down	0	0.00%	0	0.00%	0	0.00%	1	0.61%
Well Person Check	0	0.00%	1	0.61%	0	0.00%	0	0.00%
Total	158		163		125		165	

McFarland Fire Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {02/01/2021} and {02/28/2021}

Incident Type	02/01/2021	02/01/2020	02/01/2019	02/01/2018
	to 02/28/2021	to 02/28/2020	to 02/28/2019	to 02/28/2018
111 Building fire	4	3	1	2
113 Cooking fire, confined to container	1	0	1	0
132 Road freight or transport vehicle fire	1	0	0	0
154 Dumpster or other outside trash receptacle fire	0	0	1	0
311 Medical assist, assist EMS crew	9	13	15	9
322 Motor vehicle accident with injuries	0	0	5	2
324 Motor Vehicle Accident with no injuries	1	0	0	2
411 Gasoline or other flammable liquid spill	1	0	0	0
412 Gas leak (natural gas or LPG)	2	0	0	1
413 Oil or other combustibile liquid spill	0	0	1	0
422 Chemical spill or leak	2	0	0	0
424 Carbon monoxide incident	0	0	1	0
521 Water evacuation	0	0	1	0
522 Water or steam leak	0	0	1	1
553 Public service	0	0	1	0
571 Cover assignment, standby, moveup	0	0	3	1
611 Dispatched & cancelled en route	0	8	2	3
6111Cancelled en route - Auto Aid Fire	1	0	0	0
6112Dispatched & cancelled en route - EMS Assist	1	0	0	0
6113Dispatched & cancelled en route - Mutual Aid	4	0	0	0
622 No Incident found on arrival at dispatch address	0	3	1	0
651 Smoke scare, odor of smoke	0	0	0	2
700 False alarm or false call, Other	0	0	0	1
731 Sprinkler activation due to malfunction	1	0	1	0
733 Smoke detector activation due to malfunction	0	0	2	0
735 Alarm system sounded due to malfunction	0	2	0	0
736 CO detector activation due to malfunction	2	0	1	0
740 Unintentional transmission of alarm, Other	0	0	0	1
741 Sprinkler activation, no fire - unintentional	0	0	1	0
743 Smoke detector activation, no fire - unintentional	1	0	1	1
744 Detector activation, no fire - unintentional	2	0	0	0
745 Alarm system activation, no fire - unintentional	0	0	1	0
746 Carbon monoxide detector activation, no CO	2	0	1	1
Totals	35	29	42	27

McFarland Fire Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {01/01/2021} and {02/28/2021}

Incident Type	01/01/2021	01/01/2020	01/01/2019	01/01/2018
	to 02/28/2021	to 02/28/2020	to 02/28/2019	to 02/28/2018
111 Building fire	4	3	5	5
113 Cooking fire, confined to container	1	0	1	0
131 Passenger vehicle fire	0	1	0	0
132 Road freight or transport vehicle fire	1	0	0	0
151 Outside rubbish, trash or waste fire	0	0	1	0
154 Dumpster or other outside trash receptacle fire	0	0	1	0
311 Medical assist, assist EMS crew	16	30	23	17
322 Motor vehicle accident with injuries	1	2	7	5
324 Motor Vehicle Accident with no injuries	1	1	0	4
362 Ice rescue	1	0	0	0
411 Gasoline or other flammable liquid spill	2	2	1	0
412 Gas leak (natural gas or LPG)	3	0	2	1
413 Oil or other combustible liquid spill	0	0	1	0
422 Chemical spill or leak	2	0	0	0
424 Carbon monoxide incident	1	0	1	0
442 Overheated motor	0	1	0	0
463 Vehicle accident, general cleanup	2	0	1	0
521 Water evacuation	0	0	1	0
522 Water or steam leak	0	0	2	1
531 Smoke or odor removal	0	1	0	0
553 Public service	0	1	1	0
555 Defective elevator, no occupants	0	1	0	0
571 Cover assignment, standby, moveup	1	0	4	1
611 Dispatched & cancelled en route	1	11	5	10
6111Cancelled en route - Auto Aid Fire	2	0	0	0
6112Dispatched & cancelled en route - EMS Assist	2	0	0	0
6113Dispatched & cancelled en route - Mutual Aid	5	0	0	0
622 No Incident found on arrival at dispatch address	0	3	1	0
631 Authorized controlled burning	0	0	0	2
651 Smoke scare, odor of smoke	0	0	2	2
652 Steam, vapor, fog or dust thought to be smoke	1	0	0	0
671 HazMat release investigation w/no HazMat	0	0	1	1
700 False alarm or false call, Other	0	0	0	1
714 Central station, malicious false alarm	0	0	1	0
731 Sprinkler activation due to malfunction	1	0	2	1
733 Smoke detector activation due to malfunction	1	0	2	0
735 Alarm system sounded due to malfunction	0	2	2	1
736 CO detector activation due to malfunction	2	1	2	0
740 Unintentional transmission of alarm, Other	0	0	0	2
741 Sprinkler activation, no fire - unintentional	1	1	1	0
743 Smoke detector activation, no fire - unintentional	2	0	1	1
744 Detector activation, no fire - unintentional	2	0	0	1

McFarland Fire Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {01/01/2021} and {02/28/2021}

Incident Type	01/01/2021 to 02/28/2021	01/01/2020 to 02/28/2020	01/01/2019 to 02/28/2019	01/01/2018 to 02/28/2018
745 Alarm system activation, no fire - unintentional	0	1	1	0
746 Carbon monoxide detector activation, no CO	3	1	2	3
Totals	59	63	75	59



McFarland Fire & Rescue Department

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

Emergency: 911

Department Report For March 2021 Activity

- **Operations**

- We responded to a building fire on Lexington Street in the Village of McFarland controlled by an exterior sprinkler. The fire was contained to an apartment deck, and no injuries occurred. The cause of the fire is believed to be discarded smoking materials.
- We received a call about a deer stuck in the melting ice on Lake Waubesa west of the Lower Yahara River Trail boardwalk. We found a deer was struggling to make it out of broken ice. We requested assistance from the City of Madison with their airboat. The City Madison airboat was able to lasso the deer and bring it near shore.
- We were requested to assist the Oregon Fire and EMS with a barn fire at a nursery as part of a MABAS Box Alarm. We assisted with an engine company and chief officer.
- The usage of Personal Protective Equipment or precautions against COVID-19 will not be eliminated for some time. The CDC is not reducing their requirements due to not knowing if the vaccine will prevent individuals from being carriers.
- The CDC, Wisconsin Department of Health Services, Madison, and Dane County Public issued new guidelines for employees that have been vaccinated for returning to work after exposure to COVID-19. The new guidance reduces the need to quarantine after exposure, but there are still some concerns, and we will review each case as they occur.
- We are continually reviewing our operations and staffing to ensure we are utilizing minimal staffing as needed. We are finding that we have to continue to send a Duty Officer to assist ambulance crews. In March, the Duty Officer assisted on 42 incidents.

- **COVID-19 Precautions**

- The following initiatives were implemented and continue:
 - We have closed the Fire & Rescue area to non-essential people, including village and department staff.
 - Daily cleaning within the Fire & Rescue area for high contact and high traffic areas.
 - Shift changes are performed with social distancing and are required to be completed in ten minutes or less.
 - The Engines, Squad, and Ladder are only staffed with four firefighters.
 - Increased the cleaning and disinfecting of the vehicles in the fleet and then leaving the vehicles open to allow air circulation.
 - Department training and meetings are returning to in-person with social distancing.
 - Social distancing is used among staff during the day.
 - We have transitioned back to surgical masks, and safety glasses are utilized on every medical call. Surgical masks or face coverings are used during training, performing fire inspections, and interacting with the public.
 - Face coverings or masks are used in the building except when members are eating (with social distancing) or in a private bedroom for sleeping.
 - N95 masks, isolation gowns, and safety glasses are used on any patient contact tested positive, suspected of COVID-19, or a higher risk procedure is performed (nebulizer, high flow oxygen, CPAP, CPR, etc.).
 - We are beginning to return to Paid-On-Call staff doing more equipment checks and maintenance.
 - Our PPE supplies remain sufficient with fit-tested N-95 masks becoming limited, but we should maintain with re-use.
- The Battelle Critical Care Decontamination System for decontaminating N-95 respirators has closed. We had over 100 N-95 respirators decontaminated through Battelle. We currently have an ample supply of N-95 respirators to last the remainder of the year.

- **Personnel**

- Current Staffing Levels
 - Full-time Fire & Rescue Chief – 1
 - Full-time Administrative Captain – 1
 - Full-time Fire Inspector/Public Education Specialist – 1
 - Full-time EMTs – 4 (2 vacancies) (1 on FMLA)
 - Full-time Confidential Administrative Assistant – 1 (50%)
 - Paid-On-Call – 54 (11 EMTs (1 on medical leave), 24 Firefighters (1 Active Retired), 7 EMR/Firefighter, & 12 EMT/Firefighters
 - Total Staffing Level – 64
- We have posted the 24 Hour EMT position vacancy and have received limited inquiries. The position will close on April 26th and we will conduct an assessment center on May 10th to reduce the applicant pool to be interviewed by the Police and Fire Commission on May 22nd.
- We are currently beginning orientation for a Paid-On-Call EMT-B and a firefighter that will need training. We have another individual in the background process and two others on a waiting list for background. The current department workload is making recruitment and screening challenging to accomplish.
- We had a Paid-On-Call EMT/Firefighter, Anthony Kanvik, resign due to obtaining a full-time position with Wauwatosa Fire Department.
- Public Works Firefighter Spencer Warrenburg will be resigning from the department due to his separation from the Village.
- Firefighter Madison Whiting is resigning due to receiving orders as an active Marine.
- Chief Dennis has completed his Executive Fire Officer Program and will be graduating on May 4th.

- **Budget**

- 2021 Budget capital purchasing has not been started beyond the ladder truck.
- We have received our reimbursement funding from FEMA on our Assistance to Firefighter Grant.
- We are working with the Terminal Coop on attempting to purchase PFAS free foam. One terminal has pledged a donation, but the amount has not been provided.

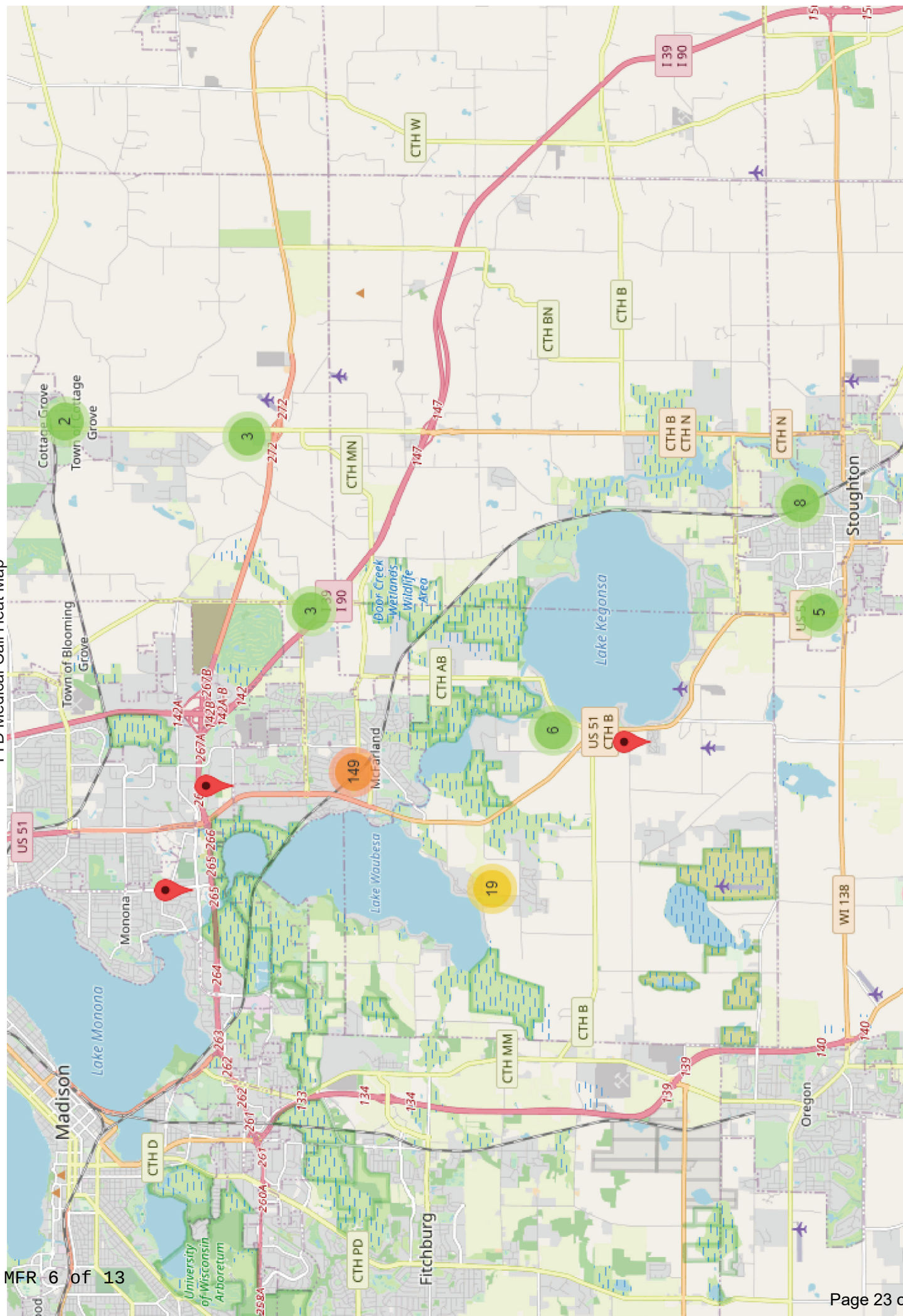
<u>Inspection/Prevention Activity</u>	<u>Completed</u>	<u>Year to Date Total</u>
Building Inspections	4	4
Fire Code Violations Identified	6	6
Re-inspections Completed	1	2
Corrections Noted	6	8
Building Plan Reviews	1	6
Development Reviews	4	7
Acceptance Test/site visits	9	12
Fire Drills	0	0
AHA-CPR Classes	1	12
AHA Attendance Total	1	47
Public Education	0	1
Public Education Attendance	0	0
Home Prevention Installations	0	0

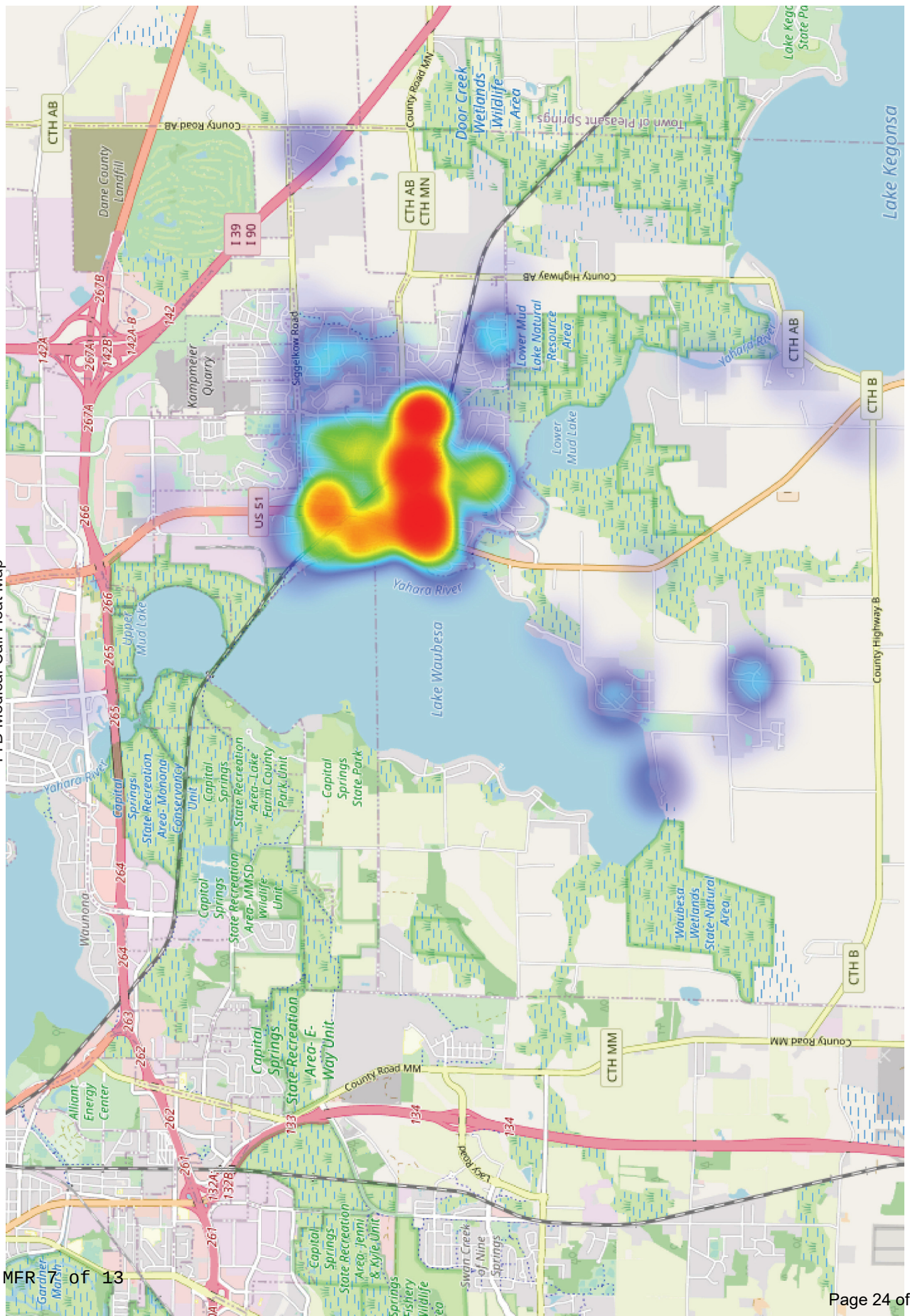
Many fire prevention activities are suspended due to COVID-19, and reduced career EMT staffing has required the inspector to be detailed to the ambulance. The inspector is behind on inspections, but with one staff member's return from leave, he should perform inspections one to two days a week to begin catching up.

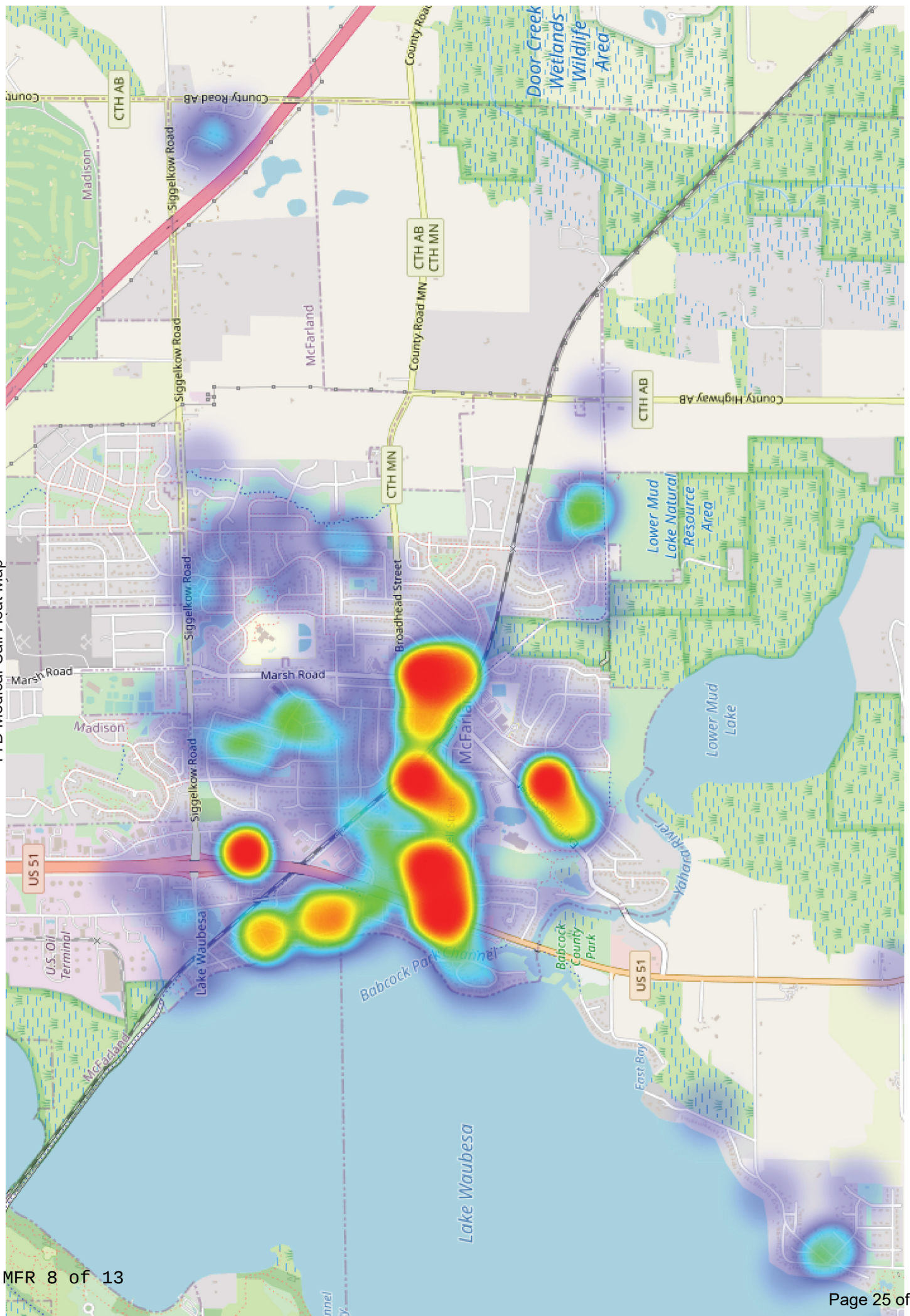
The annual pancake breakfast/EMS Week open house has been canceled for 2021 due to COVID-19. We are planning to have the Fire Prevention Week open house but will be scaled back in October.

Apparatus & Equipment

- 2015 Tanker (Tender 6) the rear tank dump valve is still experiencing issues and the manufacturer is developing a solution with adding additional position switches and solenoids. We are hoping to have it corrected in the next month. It is operating, but not in proper sequence.
- 2019 Pumper (Engine 2) is experiencing an issue with the Compressed Air Foam (CAF) system's air compressor. The compressor will overheat within a few minutes of operations. A new thermostat has been ordered through one of our apparatus repair vendors. The thermostat has been received, and we are awaiting the repair to be scheduled.
- 2005 Pumper (Engine 1), the pump packing (center seal) was adjusted, and the correct leak amount is now occurring. It is required to leak some for cooling purposes. New pump panel gauges have been ordered to replace ones that have cracked due to the overhead heating in the apparatus bay. Hopefully, we will have only one winter left with the overhead heating, and the problem should no longer occur.
- 1997 Aerial (Ladder 8) had three valves leaking, and all were rebuilt. The truck's oil leak is increasing, and we are attempting to find the source to confirm it is within a good location.
- 2000 Heavy Rescue (Squad 5) developed a substantial leak on transmission with either the transmission itself or the generator. The Village Mechanic will be reviewing it for in-house repair or vendor repair.
- 2016 SUV (Car 3) had corrosion on the hood, and Ford replaced the hood under warranty during the last week of the warranty. There were open recalls for driveline inspection, and those were completed at the same time.
- 2017 SUV (Car 4/Shared Village Car) has open recalls for driveline inspection, and those are being completed.
- The utility graphic design and engineering are completed. The manufacturer has received the chassis. Due to the truck being manufactured in Florida, we will be receiving updates from an independent inspection agency once manufacturing proceeds.
- The replacement aerial has been placed on order with the idle reduction option as recommended by the sustainability committee. We are waiting to have an updated build and delivery schedule.







Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	03/01 - 03/31/21		03/01 - 03/31/20		03/01 - 03/31/19		03/01 - 03/31/18	
Abdominal Pain/Problems	0	0.00%	1	1.35%	2	3.17%	0	0.00%
Allergic Reaction/Stings	0	0.00%	0	0.00%	0	0.00%	1	2.22%
Animal Bite	0	0.00%	1	1.35%	0	0.00%	0	0.00%
Assault	0	0.00%	1	1.35%	1	1.59%	0	0.00%
Automated Crash Notification	1	1.41%	0	0.00%	0	0.00%	0	0.00%
Back Pain (Non-Traumatic)	2	2.82%	1	1.35%	0	0.00%	1	2.22%
Breathing Problem	9	12.68%	8	10.81%	7	11.11%	4	8.89%
Burns/Explosion	1	1.41%	0	0.00%	0	0.00%	0	0.00%
Carbon Monoxide/Hazmat/Inhalation/CBRN	1	1.41%	3	4.05%	0	0.00%	0	0.00%
Cardiac Arrest/Death	1	1.41%	1	1.35%	0	0.00%	0	0.00%
Chest Pain (Non-Traumatic)	3	4.23%	3	4.05%	4	6.35%	0	0.00%
Choking	3	4.23%	0	0.00%	1	1.59%	1	2.22%
Convulsions/Seizure	0	0.00%	0	0.00%	3	4.76%	0	0.00%
Diabetic Problem	2	2.82%	3	4.05%	2	3.17%	1	2.22%
Electrocution/Lightning	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Eye Problem/Injury	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Falls	14	19.72%	8	10.81%	9	14.29%	8	17.78%
Fire	6	8.45%	3	4.05%	2	3.17%	2	4.44%
Headache	0	0.00%	1	1.35%	0	0.00%	0	0.00%
Heart Problems/AICD	0	0.00%	2	2.70%	2	3.17%	1	2.22%
Heat/Cold Exposure	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Hemorrhage/Laceration	3	4.23%	2	2.70%	4	6.35%	0	0.00%
Industrial Accident/Inaccessible Incident/Other Entrapments (Non-Vehicle)	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Medical Alarm	0	0.00%	0	0.00%	0	0.00%	0	0.00%
No Other Appropriate Choice	2	2.82%	0	0.00%	0	0.00%	0	0.00%
Overdose/Poisoning/Ingestion	0	0.00%	3	4.05%	1	1.59%	1	2.22%
Pregnancy/Childbirth/Miscarriage	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	0	0.00%	0	0.00%	2	3.17%	0	0.00%
Sick Person	12	16.90%	8	10.81%	6	9.52%	8	17.78%
Stab/Gunshot Wound/Penetrating Trauma	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Standby	1	1.41%	1	1.35%	0	0.00%	2	4.44%
Stroke/CVA	2	2.82%	1	1.35%	1	1.59%	0	0.00%
Traffic/Transportation Incident	1	1.41%	8	10.81%	4	6.35%	9	20.00%
Transfer/Interfacility/Palliative Care	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Traumatic Injury	1	1.41%	1	1.35%	2	3.17%	0	0.00%
Unconscious/Fainting/Near-Fainting	5	7.04%	14	18.92%	10	15.87%	5	11.11%
Unknown Problem/Person Down	1	1.41%	0	0.00%	0	0.00%	1	2.22%
Total	71		74		63		45	

Ambulance Runs By Dispatch Reason

Incident Complaint Reported By Dispatch	01/01 - 03/31/21		01/01 - 03/31/20		01/01 - 03/31/19		01/01 - 03/31/18	
Abdominal Pain/Problems	2	0.88%	9	3.78%	5	2.66%	3	1.43%
Allergic Reaction/Stings	0	0.00%	0	0.00%	0	0.00%	3	1.43%
Animal Bite	0	0.00%	1	0.42%	0	0.00%	0	0.00%
Assault	2	0.88%	2	0.84%	1	0.53%	0	0.00%
Automated Crash Notification	2	0.88%	0	0.00%	0	0.00%	0	0.00%
Back Pain (Non-Traumatic)	4	1.75%	1	0.42%	1	0.53%	2	0.95%
Breathing Problem	17	7.46%	27	11.34%	18	9.57%	12	5.71%
Burns/Explosion	1	0.44%	0	0.00%	0	0.00%	0	0.00%
Carbon Monoxide/Hazmat/Inhalation/CBRN	5	2.19%	3	1.26%	2	1.06%	2	0.95%
Cardiac Arrest/Death	5	2.19%	3	1.26%	0	0.00%	1	0.48%
Chest Pain (Non-Traumatic)	14	6.14%	9	3.78%	16	8.51%	3	1.43%
Choking	5	2.19%	1	0.42%	3	1.60%	1	0.48%
Convulsions/Seizure	5	2.19%	2	0.84%	3	1.60%	7	3.33%
Diabetic Problem	6	2.63%	3	1.26%	5	2.66%	3	1.43%
Electrocution/Lightning	0	0.00%	1	0.42%	0	0.00%	0	0.00%
Eye Problem/Injury	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Falls	46	20.18%	42	17.65%	35	18.62%	42	20.00%
Fire	24	10.53%	11	4.62%	8	4.26%	9	4.29%
Headache	0	0.00%	1	0.42%	0	0.00%	0	0.00%
Heart Problems/AICD	4	1.75%	5	2.10%	3	1.60%	6	2.86%
Heat/Cold Exposure	0	0.00%	0	0.00%	1	0.53%	0	0.00%
Hemorrhage/Laceration	6	2.63%	7	2.94%	7	3.72%	2	0.95%
Industrial Accident/Inaccessible Incident/Other Entrapments (Non-Vehicle)	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Medical Alarm	0	0.00%	0	0.00%	0	0.00%	0	0.00%
No Other Appropriate Choice	3	1.32%	0	0.00%	1	0.53%	1	0.48%
Overdose/Poisoning/Ingestion	2	0.88%	7	2.94%	7	3.72%	4	1.90%
Pregnancy/Childbirth/Miscarriage	0	0.00%	1	0.42%	0	0.00%	0	0.00%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	0	0.00%	3	1.26%	2	1.06%	2	0.95%
Sick Person	33	14.47%	38	15.97%	24	12.77%	34	16.19%
Stab/Gunshot Wound/Penetrating Trauma	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Standby	5	2.19%	1	0.42%	0	0.00%	2	0.95%
Stroke/CVA	6	2.63%	3	1.26%	4	2.13%	3	1.43%
Traffic/Transportation Incident	8	3.51%	17	7.14%	18	9.57%	41	19.52%
Transfer/Interfacility/Palliative Care	1	0.44%	0	0.00%	0	0.00%	0	0.00%
Traumatic Injury	4	1.75%	4	1.68%	6	3.19%	0	0.00%
Unconscious/Fainting/Near-Fainting	17	7.46%	35	14.71%	18	9.57%	25	11.90%
Unknown Problem/Person Down	1	0.44%	0	0.00%	0	0.00%	2	0.95%
Well Person Check	0	0.00%	1	0.42%	0	0.00%	0	0.00%
Total	228		238		188		210	

McFarland Fire Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {03/01/2021} and {03/31/2021}

Incident Type	03/01/2021 to 03/31/2021	03/01/2020 to 03/31/2020	03/01/2019 to 03/31/2019	03/01/2018 to 03/31/2018
111 Building fire	2	1	1	2
113 Cooking fire, confined to container	0	0	0	1
115 Incinerator overload or malfunction, fire confined	0	0	1	0
118 Trash or rubbish fire, contained	0	1	0	0
131 Passenger vehicle fire	0	1	0	1
223 Air or gas rupture of pressure or process vessel	0	0	1	0
311 Medical assist, assist EMS crew	5	9	5	8
322 Motor vehicle accident with injuries	1	4	2	3
324 Motor Vehicle Accident with no injuries	1	0	0	1
353 Removal of victim(s) from stalled elevator	0	0	0	1
361 Swimming/recreational water areas rescue	0	0	1	0
363 Swift water rescue	0	0	1	0
365 Watercraft rescue	0	0	1	0
411 Gasoline or other flammable liquid spill	0	0	0	1
412 Gas leak (natural gas or LPG)	1	0	0	0
421 Chemical hazard (no spill or leak)	0	1	0	0
424 Carbon monoxide incident	0	0	0	1
444 Power line down	1	0	0	0
463 Vehicle accident, general cleanup	0	0	1	0
511 Lock-out	1	0	0	0
531 Smoke or odor removal	0	0	0	1
542 Animal rescue	1	0	0	0
553 Public service	0	1	0	0
561 Unauthorized burning	2	2	0	1
611 Dispatched & cancelled en route	0	3	2	3
6111Cancelled en route - Auto Aid Fire	2	0	0	0
6113Dispatched & cancelled en route - Mutual Aid	1	0	0	0
622 No Incident found on arrival at dispatch address	0	0	2	0
631 Authorized controlled burning	0	0	1	0
651 Smoke scare, odor of smoke	1	0	0	1
671 HazMat release investigation w/no HazMat	0	0	1	0
733 Smoke detector activation due to malfunction	2	1	0	0
743 Smoke detector activation, no fire - unintentional	0	2	0	0
745 Alarm system activation, no fire - unintentional	1	2	0	0
746 Carbon monoxide detector activation, no CO	1	0	1	0
Totals	23	28	21	25

McFarland Fire Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {01/01/2021} and {03/31/2021}

Incident Type	01/01/2021 to 03/31/2021	01/01/2020 to 03/31/2020	01/01/2019 to 03/31/2019	01/01/2018 to 03/31/2018
111 Building fire	6	4	6	7
113 Cooking fire, confined to container	1	0	1	1
115 Incinerator overload or malfunction, fire confined	0	0	1	0
118 Trash or rubbish fire, contained	0	1	0	0
131 Passenger vehicle fire	0	2	0	1
132 Road freight or transport vehicle fire	1	0	0	0
151 Outside rubbish, trash or waste fire	0	0	1	0
154 Dumpster or other outside trash receptacle fire	0	0	1	0
223 Air or gas rupture of pressure or process vessel	0	0	1	0
311 Medical assist, assist EMS crew	21	39	28	25
322 Motor vehicle accident with injuries	2	6	9	8
324 Motor Vehicle Accident with no injuries	2	1	0	5
353 Removal of victim(s) from stalled elevator	0	0	0	1
361 Swimming/recreational water areas rescue	0	0	1	0
362 Ice rescue	1	0	0	0
363 Swift water rescue	0	0	1	0
365 Watercraft rescue	0	0	1	0
411 Gasoline or other flammable liquid spill	2	2	1	1
412 Gas leak (natural gas or LPG)	4	0	2	1
413 Oil or other combustible liquid spill	0	0	1	0
421 Chemical hazard (no spill or leak)	0	1	0	0
422 Chemical spill or leak	2	0	0	0
424 Carbon monoxide incident	1	0	1	1
442 Overheated motor	0	1	0	0
444 Power line down	1	0	0	0
463 Vehicle accident, general cleanup	2	0	2	0
511 Lock-out	1	0	0	0
521 Water evacuation	0	0	1	0
522 Water or steam leak	0	1	2	1
531 Smoke or odor removal	0	1	0	1
542 Animal rescue	1	0	0	0
553 Public service	0	2	1	0
555 Defective elevator, no occupants	0	1	0	0
561 Unauthorized burning	2	2	0	1
571 Cover assignment, standby, moveup	1	0	4	1
611 Dispatched & cancelled en route	1	14	7	13
6111Cancelled en route - Auto Aid Fire	4	0	0	0
6112Dispatched & cancelled en route - EMS Assist	2	0	0	0
6113Dispatched & cancelled en route - Mutual Aid	6	0	0	0
622 No Incident found on arrival at dispatch address	0	3	3	0
631 Authorized controlled burning	0	0	1	2
651 Smoke scare, odor of smoke	1	0	2	3

McFarland Fire Dept.

Fire Incident Type Period Comparisons

Alarm Date Between {01/01/2021} and {03/31/2021}

Incident Type	01/01/2021	01/01/2020	01/01/2019	01/01/2018
	to 03/31/2021	to 03/31/2020	to 03/31/2019	to 03/31/2018
652 Steam, vapor, fog or dust thought to be smoke	1	0	0	0
671 HazMat release investigation w/no HazMat	0	0	2	1
700 False alarm or false call, Other	0	0	0	1
714 Central station, malicious false alarm	0	0	1	0
731 Sprinkler activation due to malfunction	1	0	2	1
733 Smoke detector activation due to malfunction	3	1	2	0
735 Alarm system sounded due to malfunction	0	2	2	1
736 CO detector activation due to malfunction	2	1	2	0
740 Unintentional transmission of alarm, Other	0	0	0	2
741 Sprinkler activation, no fire - unintentional	1	1	1	0
743 Smoke detector activation, no fire - unintentional	2	2	1	1
744 Detector activation, no fire - unintentional	2	0	0	1
745 Alarm system activation, no fire - unintentional	1	3	1	0
746 Carbon monoxide detector activation, no CO	4	1	3	3
Totals	82	92	96	84

McFarland Police Department



March 2021 Monthly Report

McFarland Police Department

Calls for Service

Due to COVID, the Department is still operating in a modified fashion with officers instructed to limit their person-to-person contacts as much as possible. The Department had 525 calls for service in March 2021 compared to 521 in 2020. The Department is experiencing a substantial increase in cases involving methamphetamine focused in one small area. The efforts conducted to reduce this problem has been successful in reducing this activity substantially and it will continue to be monitored and adjusted as needed.

Cases of Interest:

3/3/2021 – Officers conducted a search warrant in the City of Stoughton regarding a past robbery that took place in the Village of McFarland. The subject of the investigation was arrested and booked into the Dane County Jail for Robbery by use of a Dangerous Weapon and Possession of Narcotic Drugs.

03/10/2021 – Officers completed a search warrant regarding an ongoing investigation regarding initial information received from Internet Crimes Against Children. The subject of the investigation was arrested and booked into the Dane County Jail.

03/11/2021 Assist EMS / Dane County Sheriff – Officers were dispatched to assist EMS & Dane County Sheriff's Department in the Town of Dunn for a pulseless non breathing patient. Officers assisted with life saving measures and the patient regained a pulse and was transported to a local hospital.

03/18/2021 Stolen Vehicle – Officers were dispatched to a stolen vehicle report. The vehicle was later recovered in the City of Madison and returned to the owner. This case remains under investigation to identify the suspects involved.

03/20/2021 – Officers were dispatched to the area of Hwy 51 and Farwell St for a vehicle reported to be traveling 70 mph, struck an electric transformer and ran from the scene. After a short foot pursuit by Dane County Deputies, who saw the driver running from the scene. The driver was apprehended. Officers determined that the driver was under the influence of alcohol and established probable cause to arrest him for operating a motor vehicle while under the influence. The driver provided a breath sample with the result showing he a 0.20 blood alcohol concentration.

Staffing Report

The Department is currently operating two positions (Police Chief, Officer) short. The Police Chief selection process is on-going, and the new Chief is anticipated to start in May. Officer Jackie Statz announced her retirement effective early April. Officer Jason Onken announced his resignation from the department effective late April. Lt. Redman has set a retirement date of 4/16/2021. An internal promotional process was held during the month of March. Sgt. Jeremy Job was promoted to Lieutenant and will take over Lt. Redman's responsibilities upon his retirement.

Training Report

COVID has made it difficult to get officers to training due to facilities being closed for in-person training. Regular In-service sessions resumed this month with all officers attending an in-person training day focusing on multiple required recertifications.

- Officer Towns attended Tactical Response Instructor Certification Training at Northeast Wisconsin Technical College.
- Officers Craft, Grady, and Zietsma attended a drone training event in Stoughton.
- Administrative Assistant Reimer attended Open Records Training in Appleton.

Officer Complaints/Compliments

Officer Complaints – Officer complaints can be submitted using the online procedure found on the Departments web page or also by calling the Police Department and asking to talk to a supervisor.

- No complaints were submitted last month.

Officer Compliments - Officer compliments can be submitted using the online form found on the Departments web page, by submitting an email to the Department, or by calling the Police Department and asking to talk to a supervisor.

- A letter was sent to the department thanking Officer Zietsma for his "superb actions" and "politeness and patience" for assisting this citizen with locating her purse that was lost and taken by another person.

Use of Force Incidents

The Department wishes to operate in a more transparent way so a section on Use of Force Incidents will be added to the monthly report. The Department categorizes a reportable Use of Force Incident as anytime a firearm or ECD is used or displayed, or any other force is used that is at or above a compliance hold as outlined in the Intervention Options issued by the State standards.

All reportable Use of Force Incidents are reviewed by a supervisor which consists of reading reports and watching body camera or squad video of the incident. The supervisor is checking for compliance with policy, training, and acceptable standards issued by the State. If a problem is identified, the officer could be disciplined, counseled, and/or mandatory re-training will be ordered. Incidents last month were:

- 2021-88616 Operating While Intoxicated / Traffic Stop – Officers were conducting an Operating While Intoxicated (OWI) investigation. During the investigation, the passenger continued to exit the vehicle. While arresting the driver, the passenger again exited, when approached by officer after not remaining in the vehicle as requested, the passenger began reaching into the center console area of the vehicle. The passenger was placed in compliance holds, continued to pull away from officers and was decentralized to the ground and placed in handcuffs. The incident was reviewed by a supervisor and all actions were within policy and training based on the incident they were engaged in.
- 2021-107134 Traffic Stop / Stolen Vehicle - Officers conducted a High-Risk Traffic Stop on a vehicle reported stolen from Milwaukee County. Firearms were displayed but not used. The vehicle fled from the traffic stop. The incident was reviewed by a supervisor and all actions were within policy and training based on the incident they were engaged in.



Incident Analysis Report Summary By Incident Type

McFarland Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 04/09/2021 12:39
Login ID: mcjdj
Incident Type: All
Call Source: All

From Date: 03/01/2021 00:00
To Date: 03/31/2021 23:59

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

Incident Type	Number of Incidents
911 Abandoned Call	4
911 Call Playing w/Telephone	1
911 Call Question	3
911 Call Silent	5
911 Call Unintentional	17
911 Disconnect	1
911 Misdialed Call	2
Accident Hit and Run	1
Accident Private Property	1
Accident Property Damage	3
Accident Unknown Injuries	1
Adult Arrested Person	2
Alarm	9
Animal Bite	2
Animal Complaint/Disturbance	2
Animal Lost	1
Animal Stray	1
Assist Citizen	25
Assist EMS/Fire	49
Assist K9	2
Assist Police	18
Battery	2
Burglary Residential	2
Check Person	18
Check Property	99
Civil Dispute	2
Conveyance Mental Health	1
Damage to Property	1
Domestic Disturbance	2
Drug Incident/Investigation	5
Follow-Up	11
Foot Patrol	1
Fraud	4
Information	22
Juvenile Complaint	3
Missing Adult	2
Noise Complaint	4
OMVWI Arrest/Intoxicated Driver	6



Incident Analysis Report Summary By Incident Type

McFarland Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 04/09/2021 12:39
Login ID: mcjdj
Incident Type: All
Call Source: All

From Date: 03/01/2021 00:00
To Date: 03/31/2021 23:59

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

Incident Type	Number of Incidents
Parking Complaint On Street	6
Phone	9
PNB/AED Response	1
Preserve the Peace	3
Problem Solving Person	1
Property Found	2
Property Lost	1
Repo	3
Safety Hazard	9
Serving Legal Papers	2
Silent Case Number	1
Special Event	3
Stolen Auto	2
Suspicious Person	4
Suspicious Vehicle	16
Test 911 Call	1
Theft	3
Theft Retail	1
Traffic Complaint/Investigation	21
Traffic Stop	98
Trespass	1
Unknown	1
Violation of Court Order	1
Total:	525

VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Wednesday, April 14, 2021

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer, Andrew Bremer,
Comm & Eco Dev Director, Chris Dennis, Fire/Rescue Chief, Brian
Redman, Police Chief

AGENDA ITEM: Discussion and recommendation on an expansion of licensed premise
for the American Legion Post 534, 4911 Burma Road, for an
approximately 576 square foot outdoor consumption area.

PREVIOUS ACTION:

ISSUE SUMMARY:

Much like we have seen with many business in the Village since the start of the pandemic, the American Legion Post 534 has applied to expand their liquor license premise for outdoor consumption area. The full staff report is attached.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

11-64(n)

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Submitted for discussion and recommendation.

ATTACHMENTS:

1. 4911 Burma-Legion Outdoor Consumption Area Application-03.18.21
2. Review and Recommendation - American Legion - Expansion
3. Legion Post Outdoor Consumption Area 2 2021
4. 4911 Burma Road_C&ED Memo_4.07.21
5. 20210326 FD American Legion postion
6. PW Feedback - 03.31.21



Application for an Outdoor Consumption Area
Pursuant to Village Ordinance Chapter 11

***Any physical change to a licensed premise requires Village board approval.**

No Fee

1. Applicant Information

Name of Individual, Partnership, LLC, or Corporation that holds the current Alcohol Beverage License:

McFarland American Legion Post 534

DBA:

American Legion Post 534 current Commander Tom Downs 608-206-9169

Address of establishment:

4911 Burma Rd

City, State and Zip Code:

McFarland WI 53558

Contact Name:

Robert C Blanchard

Contact Telephone Number:

608-279-0516

2. Premise information

Gross floor area of the indoor licensed premise within a permanent building:

5184 sq. ft.

Proposed Square Footage of Outdoor Area:

576 sq. ft. Proposed 18 ft x 32 ft on Burma Rd side of building, off of the Lounge/Bar area.

**Outdoor area may not be larger than 50% of the gross floor area of the licensed premise within a permanent building without a variance granted by the Village Board. To request a variance, please see section 8 of the application.*

3. Outdoor Consumption Section

Is the proposed outdoor consumption area within 50 feet of the lot line of a parcel zoned, or used for residential purposes?*

☒ - No ☐ - Yes, see section 8 of application to request a variance

**This prohibition shall not apply to an outdoor area where an accessory apartment exists on the same parcel as the licensed premise.*

Will the outdoor area have amplified sound including but not limited to live music, loud speakers, call systems, etc.?

☒ - No ☐ - Yes.

Hours of operation for an outdoor consumption area shall be limited to Sunday through Thursday 11:00 a.m. to 10:00 p.m., and Friday and Saturday 11:00 a.m. to 11:00 p.m. Will the proposed outdoor consumption area meet this standard?

☒ - Yes ☐ - No, see section 8 of application to request a variance

Is the proposed outdoor area directly connected to the indoor licensed premise?

☒ - Yes ☐ - No

If no, please attach a security plan that explains how alcohol will be served, and how alcohol consumption will be monitored. Provide specific details on how you intend to prevent consumption outside of the licensed premise and how you will prevent underage alcohol consumption.

4. Outdoor Sporting Activity Section

Will the proposed expansion involve an outdoor sporting activity area:?

☐ - Yes ☒ - No

If yes, you will need an outdoor sporting activity application in addition to this application.

5. Attachments/Requirements

The following must be submitted with your application:

☒ - Site Plan or drawings demonstrating the size, location, surface, and building materials, fencing (not less than 4 ft in height), signage including proposed use of the outdoor area.

☒ - Picture of proposed fencing/fencing material.

6. Certification

I certify that the information contained in this application is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Village Code of Ordinances and State Law.

Signature of Applicant:

Robert C. Blancher

Date:

March 18, 2021

7. Standards for Outdoor Consumption Area

a. The perimeter of any outdoor portion of a licensed premises shall be enclosed by a permanent, secure fence not less than four feet in height. Such fence shall be constructed of wood, plastic or metal and erected and maintained in accordance with all applicable Village Ordinance. 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 during the applicable sports season. 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.

b. Hours of outdoor consumption are restricted to 11:00 a.m. to 10 p.m. Sunday through Thursday, and 11:00 a.m. to 11:00 p.m. on Friday and Saturday.

c. Amplified music, speakers, microphones, televisions and other audio video devices shall be subject to Chapter 20, Article III of the Village Code of Ordinances regarding Noise and section 11-69(f) if applicable. Commercial zoned shall be limited to 70 db at all times. Noise is measured at the property line. Outdoor amplification of noise is not allowed after 10 p.m.

d. A conspicuous notice shall be posted at each fire exit stating: "No Beer, Liquor or Wine May Be Carried in an Open Container Beyond this Point."

e. No bar/counter service shall be permitted in outdoor areas, however, wait staff may serve in the outdoor area.

f. 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/or drink. Smoking may be permitted in accordance with applicable State and local regulations.

g. 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.

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

1/12/2021

Google Maps 4911 Burma Rd

4911 Burma Rd - Google Maps



Map data ©2021, Map data ©2021 20 ft

Size 18'x32' 576 sq ft
Surface: Rolled Shale Stone
Fencing: Aluminum Fence
Panels 4 ft x 6 ft long. see Attach

4911 Burma Rd

McFarland, WI 53558

Building

<https://www.google.com/maps/place/4911+Burma+Rd,+McFarland,+WI+53558/@43.0117446,-89.2971673,55m/data=!3m1!1e3!4m13!1m7!3m6!1s0x...> 1/2

Google Maps 4911 Burma Rd



Map data ©2021, Map data ©2021 20 ft



Size 18' x 32' 576 sq ft
 Surface: Rolled Shale Stone
 Fencing: Aluminum Fence
 Panels 4 ft x 6 ft long. See Attach

4911 Burma Rd

McFarland, WI 53558

Building



Contactless Curbside Pickup! [Learn More](#)

What can we help you find?



Shop **New!** Tractor Supply App

Gift Cards

For Life Out Here

Neighbor's Club

Credit Center

My TSC Store: Stoughton WI



Order Status

My Account



Home / Farm & Ranch / Fencing & Gates / Residential Fencing / Ironcraft Fences Eastham Aluminum Fence Panel, 4 ft. x 6 ft., 833797

New! Ironcraft Fences Eastham Aluminum Fence Panel, 4 ft. x 6 ft., 833797

0.0 (0) SKU: 160635989 Reviews Questions & Answers Product Details Specifications Documents

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Item is available to purchase online only.

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Oversize items shipped to store may incur freight charge.

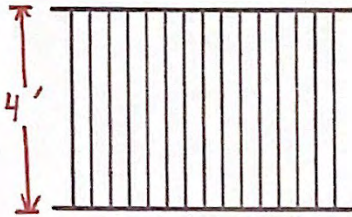
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Notice: This item will ship within 2 days.

This product may require up to 2 additional days for order processing prior to shipping.

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— 1 +

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Ironcraft Fences Orleans Aluminum Fence Panel, 5 ft. x 6 ft.



0 (0)

New!

\$21.99

Ironcraft Fences Eastham Aluminum Line Post with Flat Cap



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\$99.99

Ironcraft Fences Berkshire Aluminum Fence Panel, 5 ft. x 6 ft.



0 (0)

New!

\$249.99

Ironcraft Fences Eastham Aluminum Fence Gate, 4 ft. x 6 ft., 833827



0 (0)

New!

\$29.99

Ironcraft Fences Eastham Aluminum End/Gate Post with Flat Cap, 72 in., 833809

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MEMORANDUM

To: Public Safety Committee and Village Board

From: Cassandra Suettinger, Village Clerk/Treasurer

Date: April 9, 2021

RE: Expansion of Premise for American Legion Post No. 534, 4911 Burma Road

Background: The current licensed premise for the American Legion Post No. 534 is: entire building at 4911 Burma Road, McFarland WI.

Proposal: The American Legion Post No. 534 is proposing to add a 576 square foot outdoor consumption area on the Burma Road side of the restaurant.

Review: Village Ordinance 11-64(n) outlines the conditions and requirements for a premise and outdoor consumption areas within the Village. Below is a review of the proposal and its compliance with the required conditions.

1. Any application for a new license, the renewal of an existing license or a change in the description of licensed premises 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 licensed 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.

A notice was sent to all property owners within 500 feet of the propose licensed premise notifying them of the dates and times of the Public Safety and Village Board meetings along with a copy of the proposed site plan.

2. The application shall be accompanied by detailed plans or drawings demonstrating the size, location, surface and building materials, and use of the outdoor area, including fencing and signage, and any other information necessary to determine compliance with this Subsection. The outdoor consumption application, along with associated plans and drawings, shall be reviewed for a recommendation by the Public Safety Committee and a final decision made by the Village Board.

Attached are the detailed plans outlining all the required items for the review and recommendation of the Public Safety Committee.

3. In addition to any specific conditions imposed under Subsections (2) and (3), the following shall be minimum conditions of all licenses with respect to outdoor areas unless the Village Board makes a specific finding that the condition is not necessary to protect the public health, safety or welfare:

a. Restricting the hours during which alcohol consumption may be permitted within the outdoor area;

No restrictions recommended.

b. Requiring additional parking beyond the minimum required by the Zoning Code;

No additional parking recommended.

c. Regulation of lighting and screening;

Both the Community Development Department and Police Department recommend the discussion of adequate lighting for the proposed area along with security cameras for the area.

d. Any conditions recommended by the Public Safety Committee;

To be determined as part of the discussion in the meeting.

e. Any conditions imposed by the Plan Commission as part of its required site plan review under [Section 62-310](#) of this Code

Plan Commission will take up discussion on the outdoor area on April 19th.

4. In addition to any specific conditions imposed under Subsections (2) and (3), the following shall be minimum conditions of all licenses with respect to outdoor areas unless the Village Board makes a specific finding that the condition is not necessary to protect the public health, safety or welfare:

a. Outdoor areas are prohibited within 50 feet of the lot line of a parcel zoned, or lawfully used for residential purposes. This prohibition shall not apply to prohibit an outdoor area where an accessory apartment exists on the same parcel as the licensed premises.

Compliant. The property is zoned General Residence (R-3). The outdoor patio area is not within 50 feet of the lot line of a parcel zoned for residential purposes. The proposed patio area is approximately 70 feet from the lot line of 4916 Burma, which is the closest parcel zoned for residential purposes, and approximately 100 feet from this multi-family residential building.

b. The hours during which alcohol consumption may be permitted within the outdoor area is restricted to 11:00 a.m. to 10:00 p.m. Sunday through Thursday; and 11:00 a.m. to 11:00 p.m. on Friday and Saturday.

Compliant.

c. The perimeter of any outdoor portion of a licensed premises shall be enclosed by a permanent, secure fence not less than four feet in height. 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 during the applicable sports season. 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 but recommended for discussion and possible installation of bollards.

Comments:

1. Community & Economic Development Director Andrew Bremer: Fencing & Surface Material/Design. The applicant proposes to use a black metal/iron fence four feet in height. The Department is supportive of this design, noting that the patio fencing will need a building permit from the Building Inspector. The location of the patio area is already relatively flat, and the proposed surface material is rolled shale stone. There is an existing concrete ramp from the bar/lounge door threshold to the ground surface that should be maintained.

Additionally, the need for protective bollards on this side of the patio should be discussed. If required, the highest need would be at the northeast corner of the patio, with two other bollards along the east side of the fence spaced out every 4-6 feet up to the planned exterior gate. Height of the bollards should not exceed the height of the fence, 3-4 feet high.

2. Police Chief Brian Redman - Note that while the fencing proposed appears to be in technical compliance with ordinance requirements in terms of physical construction requirements related to height and material, it is in my opinion of questionable sufficiency to prevent the passage of alcoholic beverages to individuals on the outside due to open construction. Applicant should be aware that this type of fencing will increase the ability to pass beverages to individuals outside the area and increased visual supervision of the area would be prudent and highly recommended.

d. Amplified music, speakers, microphones, televisions or other audio or video devices shall be subject to Chapter 20, Article III of the Village Code of Ordinances regarding Noise and Section 11-69(f) if applicable.

Compliant. Applicant is aware of requirement and no amplified sound is proposed.

e. 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.

Recommended for discussion, see below comments.

Police Chief - As an additional caution relating to restrictions on noise and general character of the business, this section provides "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”. It is important to understand that tolerance levels of other individuals vary greatly. What is reasonable to one may be completely unreasonable to another. Additionally, the location of the proposed area may be concerned to the neighborhood.

f. The size of the outdoor area may not be larger than 50 percent of the gross floor area of the licensed premises within a permanent 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.

Compliant. The total gross floor area of the current indoor licensed area is 5184, the proposed 576 square foot patio is well within the 50% limitation.

g. A conspicuous notice shall be posted at each fire exit stating: "No Beer, Liquor or Wine May Be Carried in an Open Container Beyond this Point."

Compliant. Applicant is aware of requirement.

h. No bar/counter service shall be permitted in outdoor areas, however, wait staff may serve in the outdoor area.

Complaint. Applicant is aware of requirement.

i 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/or drink. Smoking may be permitted in accordance with applicable State and local regulations.

Compliant. Applicant is aware of requirement.

j. 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.

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

Compliant, applicant is aware of requirement.

l. 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. No sports activities proposed.

Recommendation: As noted in sub section (3) above:

The Village Board may impose conditions specific to any outdoor areas of the licensed premises as deemed necessary to prevent undue adverse impacts on neighboring property, the character of the surrounding neighborhood, traffic conditions, parking or any other matter to protect the public health, safety, welfare or convenience, including, but not limited to:

- a. Restricting the hours during which alcohol consumption may be permitted within the outdoor area;
- b. Requiring additional parking beyond the minimum required by the Zoning Code;
- c. Regulation of lighting and screening;
- d. Any conditions recommended by the Public Safety Committee;
- e. Any conditions imposed by the Plan Commission as part of its required site plan review under Section 62-310 of this Code.

Staff puts for the item for consideration of approval pending additional information and discussion to work through the issues identified above

If recommended for approval, staff recommends the following conditions be required as part of approval along with any other conditions provided from the Committee:

1. Adequate ingress/egress for the areas as required by the McFarland Fire & Rescue Department

McFarland

VILLAGE OF
Police Department



5915 Milwaukee St, McFarland, WI 53558 | 608.838.3151 |

Date: March 31, 2021

To: Cassandra Suettinger

From Lt. Brian Redman

Re: McFarland American Legion Post Outdoor Consumption Area Proposal

Cassandra,

I have reviewed the proposal submitted by the McFarland American Legion Post 534 for the Outdoor Consumption Area. As with the first proposals that were submitted, I am still concerned about potential noise effecting the neighborhood with the location on the front or north side of the building. Beyond that, the proposed area needs to have sufficient lighting and video surveillance to monitor the area. Also, adequate fencing around the area is a requirement.

The following Village Ordinances relate to my above comments:

Section 11-64 (N) of Village Ordinances:

(4)(C) Fencing - Note that while the fencing proposed appears to be in technical compliance with ordinance requirements in terms of physical construction requirements related to height and material, it is in my opinion of questionable sufficiency to prevent the passage of alcoholic beverages to individuals on the outside due to open construction. Applicant should be aware that this type of fencing will increase the ability to pass beverages to individuals outside the area and increased visual supervision of the area would be prudent and highly recommended.

(4)(E) Noise - As an additional caution relating to restrictions on noise and general character of the business, this section provides "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". It is important to understand that tolerance levels of other individuals vary greatly. What is reasonable to one may be completely unreasonable to another.

(3)(C) Lighting – Applicant should be required to install adequate lighting to clearly monitor the area for compliance with statute and ordinance.

Thank you,

Brian Redman

Lt. Brian Redman
McFarland Police Department

Memorandum

To: Public Safety Committee

From: Andrew Bremer, AICP, Community & Economic Development Director

Date: April 7, 2021

Re: **4911 Burma Road – American Legion, Outdoor Consumption Area Application**

On April 19, 2021, the Plan Commission will review the American Legion's Site/Design Application to add a 576 square foot outdoor consumption area to the front yard of the property, directly connected to the main bar/lounge area. The following memo addresses those aspects of the proposed project most relevant to public safety and Sec. 11-64(n) related to outdoor consumption areas.

1. Proximity to Residential Uses. The property is zoned General Residence (R-3). The outdoor patio area is not within 50 feet of the lot line of a parcel zoned for residential purposes. The proposed patio area is approximately 70 feet from the lot line of 4916 Burma, which is the closest parcel zoned for residential purposes, and approximately 100 feet from this multi-family residential building.
2. Fencing & Surface Material/Design. The applicant proposes to use a black metal/iron fence four feet in height. The Department is supportive of this design, noting that the patio fencing will need a building permit from the Building Inspector. The location of the patio area is already relatively flat, and the proposed surface material is rolled shale stone. There is an existing concrete ramp from the bar/lounge door threshold to the ground surface that should be maintained.
3. Emergency Ingress/Egress. Although not shown on the site plan, the Applicant is aware of the need to provide an emergency access to the patio via a gate as described in the McFarland Fire & Rescue Department review letter.
4. Vehicular Ingress/Egress and Parking. The proposed outdoor patio area will not impact existing ingress or egress to the property or modify any off-street parking stalls. The east side of the patio area will be approximately 10 feet from the edge of the driveway. The need for protective bollards on this side of the patio should be discussed. If required, the highest need would be at the northeast corner of the patio, with two other bollards along the east side of the fence spaced out every 4-6 feet up to the planned exterior gate. Height of the bollards should not exceed the height of the fence, 3-4 feet high.
5. Lighting & Security Cameras. There is one existing exterior light adjacent to the entrance to the bar/lounge area (refer to photo on page 2). In addition to the exterior door serving the patio area, there are two windows that provide visibility from the interior bar area to the patio. The Department recommends the Committee discuss lighting design and security camera needs for this area as desired.
6. Amplified Sound. No amplified sound is proposed for the patio area.

The Department is supportive of adding the proposed outdoor patio area, pending discussion by the Public Safety Committee and Plan Commission regarding the items of potential concern raised in this memo.

2020 Aerial of property/patio location



2021 Streetview of proposed patio area





McFarland Fire & Rescue Department

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

Emergency: 911

March 26, 2021

RE: Revised American Legion Outdoor Consumption Area

I have reviewed the proposed outdoor consumption areas for the American Legion in the Village of McFarland.

The proposed areas are utilizing one building exit to gain access from the inside going into the outdoor area. Therefore, there will be gates required to accommodate emergency exits and egress of the combined occupancy load of the interior and outdoor area. The exit gates must have clearance to swing freely outward during the winter and opening hardware meeting exit requirements. Snow and ice will need to be cleared from these exits to accommodate gate function and egress.

The revised application did not state if this was going to be an area with seating or standing room. If seating, the occupancy load of the revised outdoor area will be 38 people. The occupancy load will then be 82 people for standing in the revised outdoor consumption area. The stated occupant capacity is only calculated to the newly proposed outdoor consumption area and does not include the interior bar and lounge capacity.

At this time, McFarland Fire & Rescue recommends approval if the egress issues will be addressed.

If you have any questions regarding the above, please contact me via phone at 608-838-3278 or via email at mittchell.sutter@mcfarland.wi.us

Sincerely,

A handwritten signature in black ink that reads "Mitchell Sutter".

Mitchell Sutter
Fire Inspector/Public Education Specialist

Cc: Chris Dennis, Fire & EMS Chief (McFarland Fire & Rescue Department)



www.mcfarland.wi.us | 5115 Terminal Drive, McFarland, WI 53558 |
608.838.7287

March 31, 2021

RE: Revised Plans (2nd) for the American Legion Outdoor Consumption Area

I have reviewed the proposed outdoor consumption areas for the American Legion property on Burma Road.

I do not have any objections with the proposed plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'James R. Hessling', is written in a cursive style.

James R. Hessling
Director of Public Works

VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Wednesday, April 14, 2021

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion and recommendation on Ordinance 2021-03: an Ordinance amending regulations concerning Tourist Rooming Houses.

PREVIOUS ACTION:

The Village's Tourist Rooming House ordinance was created and adopted on March 13, 2017.

ISSUE SUMMARY:

Short Term Rentals, also known as Tourist Rooming Houses, commonly found on websites like [airbnb.com](https://www.airbnb.com) or VRBO.com, are rentals for a period of 29 days or less, that are typically furnished apartments, condos, or houses that can be rented. Short term rentals have become very common on the lake and near tourist attractions. They offer a place to stay that feels like home. In 2017, the Village created an ordinance to regulate Tourist Rooming Houses within the Village. The intent was to provide an ordinance to regulate to prevent short term rentals from becoming a nuisance within the Village.

In reviewing the current ordinance, the Village Attorney and staff has recommended updated the ordinance to bring it into compliance with changes in State law since its creation. Proposed revisions are attached for discussion and recommendation. The majority of changes include:

1. Removal of unenforceable provisions and create a severability section in the ordinance to cover the Village in the future if changes to State Law deem the ordinance or portions of the ordinance invalid.
2. Additions revisions to the ordinance to correspond to additional definition and regulation within State Law.
3. Clean up procedural and administration items since the ordinance was created.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

Chapter 11 - Article XI -Tourist Rooming Houses

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Submitted for discussion and recommendation.



ATTACHMENTS:

1. TRH Ordinance Redlined - redline comparison - 04.01.21
2. 2021-03 TRH Amendment (002)

ARTICLE XI. - TOURIST ROOMING HOUSES⁷

Footnotes:

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Editor's note— [Ord. No. 2017-22](#), § 1, adopted Nov. 13, 2017, amended Art. XI in its entirety to read as herein set out. Former Art. XI, §§ 11-350—11-363 pertained to similar subject matter, and derived from [Ord. No. 2017-05](#), § 1, adopted March 13, 2017.

Sec. 11-350. - Purpose.

The purpose of this Article is to ensure that the quality of tourist rooming houses operating within the Village is adequate for protecting public health, safety and general welfare, including establishing minimum standards of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering these properties for tourists or transients, to protect the character and stability of residential areas of the Village; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and provisions for the administration and enforcement thereof. The Village Board specifically finds that use of single family residences in the Village for short term rental creates the increased potential for adverse impacts on single family neighborhoods. The increased potential for adverse impacts is due to a higher degree of residential use and occupancy by vacationers who may tend to more frequently keep different hours engaging in recreational and social activities than the permanent residents in the surrounding neighborhood. Further, lacking any connection to the surrounding neighborhood, are less likely to be sensitive to the needs and concerns of neighbors. Finally, the lake side neighborhoods in which tourist rooming houses may be most likely to operate in the Village typically have small lots with homes very close to one another thereby increasing the potential for conflicts or disturbances.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-351. - Definitions.

In this Article:

Bed and breakfast establishment means any place of lodging that satisfies all of the following:

- (1) Provides eight or fewer rooms for rent to no more than a total of 20 tourists or transients.
- (2) Provides no meals other than breakfast and provides the breakfast only to renters of the place.
- (3) Is the owner's primary place of residence.
- (4) Is occupied by the owner at the time of rental.
- (5) Was originally built and occupied as a single-family residence, or, prior to use as a place of lodging, was converted to use and occupied as a single-family residence.

Dwelling unit means a structure consisting of one or more rooms with provisions for living, cooking, sanitary, and sleeping facilities and a bathroom designed for or suited to the exclusive use by one person or one family.

Hotel means all places wherein sleeping accommodations are offered for pay to transients, in five or more rooms, and all places used in connection therewith. "Inn", "motel" and "hotel" are synonymous.

Local agent means a person that, subject to the conditions established in Section 11-352, is authorized by the owner of a tourist rooming house to manage a tourist rooming house.

Short term rental means the rental of a dwelling unit for a period of less than 29 consecutive days.

Tourist rooming house means any dwelling unit where sleeping accommodations are offered for pay on a short term rental basis to tourists or transients except that the following are expressly excluded:

- (1) Bed and breakfast establishments.
- (2) Hotels.
- (3) Any private boarding or rooming houses, ordinarily conducted as such, that do not accommodate tourists or transients.

Tourist or transient means a person who travels from place to place away from his or her permanent residence for vacation, pleasure, recreation, culture, business or employment.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-352. - Operation of tourist rooming houses.

(a) ~~No person shall be permitted to own or operate more than one tourist rooming house in the Village nor shall multiple persons residing in the same household be permitted to operate multiple tourist rooming houses. A tourist rooming house owned in the name of a corporation, limited liability company, partnership or similar entity shall be considered owned by the same person as another tourist rooming house for purposes of this subsection if any individual natural person derives any income from the operation of both tourist rooming houses.~~

(b)- 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. For purposes of this requirement, an owner shall be considered absent if he or she cannot be contacted and be present at the touring rooming house within 45 minutes. The owner shall provide notice to the Village of the agent's name, address, telephone number and email address. The local agent shall:

- (1) If a natural person, keep their permanent residence within 30 miles of the tourist rooming house, or if a property management company or similar business entity, have offices within 30 miles of the tourist rooming house;
- (2) Be authorized as owner, or on behalf of the owner of the tourist rooming house, to accept service of all notices from the Village or service of legal process relating to any and all matters relating to the tourist rooming house;
- (3) Be authorized to allow Village officers, employees, or agents, to enter the owner's property for purposes of inspection and enforcement of this Article or any other ordinance, statute, rule or regulation the Village may have the duty or authority to enforce;
- (4) Be authorized to act as owner, or on behalf of the owner, of the tourist rooming house in all matters relating to dealing with renters of the tourist rooming house;
- (5) Be authorized to undertake, or cause to be undertaken, any repair or act of maintenance of the tourist rooming house necessary to comply with any Village ordinance, or any applicable state building regulations.
- (6) Subject to Wis. Stats. §§ 111.321, 111.322 and 111.335 has not been convicted of or have any pending charges for any offense as a felony, misdemeanor, or civil forfeiture, involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Wis. Stats. ch. 944; and

(eb) Each tourist rooming house ~~, in addition to the permit under this Article,~~ shall have and maintain the following licenses and permits:

Commented [CS1]: WI Statute 66.1014 provides in part that a municipality may not enact or enforce an ordinance that prohibits the rental of a residential dwelling for 7 consecutive days or longer. The statute further provides that a municipality may enact an ordinance regulating the rental of residential dwellings so long as the regulations are not inconsistent with the above restriction. This provision is inconsistent with the statute and unenforceable as written. Village Attorney recommends removal.

(1) All required permits from State of Wisconsin Department of Agriculture, Trade and Consumer Protection or authorized agent including a permit for operation of a tourist rooming house under Wis. Stats. § 97.605;

(2) A seller's permit issued by the Wisconsin Department of Revenue;

(3) Any permit required under this Article.

~~(e) No tourist rooming house shall be located within 1,000 feet of any other tourist rooming house as measured by a straight line from the nearest property line of each tourist rooming house. Any tourist rooming house lawfully operating under a permit issued pursuant to Wis. Stats. § 97.605 as of the effective date of this Article and which is located within 1,000 feet of any other such tourist rooming house shall be exempt from the 1,000-foot spacing requirement as to the other lawfully existing tourist rooming houses provided that within 120 days of the effective date of this Article, an application meeting all of the requirements of this Article is submitted and subsequently approved. Any tourist rooming house benefitting from this exemption shall lose the exemption if it fails to maintain a valid permit under this Article or Wis. Stats. § 97.605 for a continuous period of one year or longer.~~

Commented [CS2]: Similar comments to the one per resident provision. This is inconsistent with WI Stat. 66.1014 and the Village attorney has recommended its removal as it is unenforceable as written.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-353. - Tourist rooming house permit.

~~Commencing July 1, 2017, n(a) No person may operate or permit to be operated a tourist rooming house in the Village of McFarland for more than 10 nights each year except upon receipt of a permit under this Article and subject to all the terms and conditions thereof. Any existing tourist rooming house, lawfully operating under a permit issued pursuant to Wis. Stats. § 97.605 shall have 120 days from the effective date of this Article to submit an application meeting all of the requirements under this Article. If no such application is filed on a timely basis, or if such application is denied, the existing tourist rooming house shall cease operation after expiration of the 120 days, denial of the application, or expiration of the permit under Wis. Stats. § 97.605, whichever is sooner.~~

Commented [CS3]: Insertion of this provision provides consistency to the statute. The Village can only require a license for dwellings used as short term rentals for more than 10 nights each year.

(b) A person operating or owning a tourist rooming house in the Village of McFarland shall comply with the following Sections of this Article XI, irrespective of the permit requirement in Section 11-353(a):

(1) Section 11-352. - Operation of tourist rooming houses.

(2) Section 11-358. - Inspections.

(3) Section 11-361. - Standards for tourist rooming houses.

(4) Section 11-362. - Taxes and fees.

Commented [CS4]: The language was written to be a grandfathering close in the original ordinance. Recommended to be stricken as this time period has long since passed.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-354. - Application.

(a) All applications for a new tourist rooming house permit or renewal shall be filed with the Village Clerk-Treasurer on forms provided by the Village Clerk-Treasurer. All applications must be filed by the property owner. Each applicant shall certify to the Village that the tourist rooming house included in the permit is in compliance with the provisions of this Chapter. No permit shall be issued unless the completed application form is accompanied by payment of the required fee.

(b) Each application for a new permit shall include the following information and documentation for each tourist rooming house:

(1) A nuisance response plan as described in Section 11-359.

(2) ~~State of Wisconsin Department of Agriculture, Trade and Consumer Protection Permit for a tourist rooming house issued under Wis. Stats. § 97.605. A current Tourist Rooming House License issued by Dane County Public Health of Madison & Dane County, or other applicable entity, under Wis. Stats. § 97.605, or a copy of the completed application submitted for said license if the license has not been issued.~~

Commented [CS5]: Cleans up ordinance language to be consistent with actual documents and permits needed in Dane County.

(3) A copy of a completed ~~state lodging establishment~~ Dane County Public Health of Madison & Dane County, or other applicable entity, tourist rooming house inspection form dated within one year of the date of issuance or renewal.

Commented [CS6]: Cleans up ordinance language to be consistent with actual documents and permits needed in Dane County.

(4) Proof of liability insurance. Such insurance shall be a commercial general liability, hotel or short-term rental policy that specifically covers liabilities arising from rental of the tourist rooming house for short-term rentals. The policy shall provide no less than \$1,000,000.00 coverage, per occurrence. Claims-made coverage shall not be acceptable insurance under this Article.

(5) Seller's permit from the State of Wisconsin Department of Revenue.

(6) Floor plan and requested maximum occupancy.

(7) Site plan including available onsite parking.

(8) Local agent agreement reflecting the local agent's authority and acceptance of all responsibilities under this Article.

(9) Designation of the local agent.

(10) Proof of a successful inspection by the Village Building Inspector and Village Fire Inspector, required under Section 11-358.

Commented [CS7]: Insertion makes it clear these inspections are necessary as there is no State Fire Inspector.

(11) Any other information requested on the application form deemed necessary in the reasonable discretion of the Village Clerk-Treasurer to evaluate the application under this Article.

(c) Applications for renewal of a permit are not required to include the documentation for items listed in paragraphs (6) through (9) unless the information has changed from the preceding application.

(Ord. No. 2017-22, § 1, 11-13-2017)

Sec. 11-355. - Terms and filing date.

Each permit shall run from July 1 through June 30 of the following year and shall not be transferrable to any other place or person. All applications must be filed by May 1 of each year. The filing fee shall be paid upon filing of the application. The Clerk-Treasurer may conditionally accept late applications, subject to payment of the late filing fee. Any application which does not include all of the information and documentation shall not be considered as complete. The permit may not be issued unless and until a Tourist Rooming House License has been issued by Public Health of Madison & Dane County.

Commented [CS8]: Currently DCPH issues Tourist Rooming House License and Inspectors in June of each year. This allows the flexibility for those to be submitted after the initial application once they are available.

(Ord. No. 2017-22, § 1, 11-13-2017)

Sec. 11-356. - New application review procedure.

(a) *Committee review.* When satisfied that the application is complete, the Village Clerk-Treasurer shall forward initial applications for permits to the Public Safety Committee for review. The Clerk-Treasurer shall notify the owners of all properties lying within 300 feet of the property proposed as a tourist rooming house by regular mail that such application has been filed, the address of the proposed tourist rooming house and the date of the meeting at which the Public Safety Committee will review the application. Such notice shall be mailed no later than ten days prior to the meeting. If the application is filed 14 days or more prior to its next scheduled meeting, provided the application is complete, the application shall be considered at that meeting. Otherwise, the application, provided the application is complete, will be considered within 40 days of the filing date. The Public Safety

Committee shall consider the application and supporting documents. If the Committee determines that the application meets the requirements of this Article it shall forward the application to the Village Board for approval. If the Committee determines that the application does not meet the requirements of this Chapter, it shall [recommend denial](#) of the application [to the Village Board](#). Any denial or conditional approval by the Committee shall be in writing setting forth the reasons for the determination.

- (b) *Village Board*. The Village Board shall consider the application and the recommendation of the Public Safety Committee at its next scheduled meeting. The Village Board may approve, approve with conditions, or deny the application. Any denial or conditional approval by the Village Board shall be in writing setting forth the reasons for the determination. ~~No approval shall be effective until the tourist rooming house has been inspected by the Building Inspector and Fire Inspector and found to contain no violations affecting the health or safety of occupants within one year of the application or renewal application filed with the Village Clerk-Treasurer.~~
- (c) *Issuance*. The Village Clerk-Treasurer shall issue a permit for each tourist rooming house approved by the Village Board, subject to any required inspections under subsection (b) and payment of taxes, assessments and claims under Section 11-1. The permit shall contain all of the following information:
- (1) The name and address of the property owner.
 - (2) The name, address and phone number of the local agent.
 - (3) The maximum occupancy for the premises.
 - (4) The permit term.
 - (5) State lodging permit number.
 - (6) Contact information for the Village.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-357. - Renewal.

- (a) Upon receipt of any renewal application and determination that the application is complete, the Village Clerk-Treasurer shall request reports from the Police Department and the Director of Community Development regarding any complaints received, calls for service or actions taken regarding the permitted properties. The Clerk-Treasurer shall issue renewal permits within 45 days of the filing of the application unless the information provided is incomplete or otherwise not in compliance with the requirements of this Article or the reports from the Police Department and the Zoning Administrator indicate that there have been complaints or actions involving the property.
- (b) If the Clerk-Treasurer finds that the permit should not be renewed because the application demonstrates that the requirements of Sections 11-352(b) and (c) and 11-354(a) and (b) are not met, or that due to complaints or actions during previous permit year, the application should be considered by the Public Safety Committee, the Clerk-Treasurer shall forward the application to the Public Safety Committee for action along with a written explanation of the reason for referral. Upon referral to the Public Safety Committee the procedures set forth in Section 11-356 shall apply.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-358. - Inspections.

- (a) ~~No building may be used as a tourist rooming house unless it has been inspected by the Village Fire Inspector and Village Building Inspector and the inspection shows no violations or hazards adversely affecting the health and safety of occupants.~~ Each separate ~~dwelling unit which that~~ is offered for rental as a tourist rooming house is required to be inspected annually by ~~the State and~~ the Village

Commented [CS9]: This language is proposed to be moved to the application section for ease of administration and efficiency.

~~Fire Inspector and Village Building Inspector. The holder of or applicant for the temporary rooming house permit, or property owner if no permit is required, shall be responsible for payment of the inspection fees. If the State fails to inspect the tourist rooming house, the applicant may request that the Building Inspector conduct the inspection.~~

- ~~(b) If the Building Inspector conducts the inspection, the holder of the permit shall be responsible for payment of the inspection fees.~~
- ~~(c) If the Building Inspector or Fire Inspector at any time is unable to conduct an inspection due to denial of access, the tourist rooming house shall not operate until it has passed the inspection.~~

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-359. - Content of nuisance response plans.

Each nuisance response plan accompanying an application for a permit required by this chapter shall contain the following information and otherwise be in a form required by the Village Clerk-Treasurer:

- (a) The mailing address and telephone number of the owner or owners of the residential dwelling unit or units to be used as a short-term vacation rental pursuant to the permit;
- (b) The name, address and telephone number of the local agent(s) who will be available by telephone, and who will be responsible for promptly responding to or causing a prompt response to a nuisance complaint arising out of the occupancy or use of the short term rental by tenants, their visitors or their guests. For the purposes of this Section, a return telephone call to a complainant within 45 minutes of the initial complaint shall be deemed "prompt."
 - (1) No more than a total of three persons shall be designated in the response plan as a person responsible for responding to or causing a response to a nuisance complaint; and
 - (2) Only one such person shall be designated as the person responsible for responding to a nuisance complaint during any particular hours of the day, different days in a week, or different weeks of the year;
 - (3) Any such person designated shall have the powers of a local agent.
- (c) The manner of responding to or causing a response to a nuisance complaint, including but not limited to the manner in which the complainant or complainants will be notified of the response and the method of documenting prompt responses and timely corrective action.
- (d) The manner of assuring timely corrective action to remedy the conditions that caused the nuisance complaint. For the purposes of this chapter, "timely corrective action" shall include, at a minimum, a telephone call to the primary adult occupant of the short-term vacation rental within 30 minutes of the initial nuisance complaint.
- (e) The proposed maximum number of overnight occupants.
- (f) The number of off-street parking spaces and number of bedrooms available at the short-term vacation rental.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-360. - Display of permit.

Each permit shall be displayed on the inside of the main entrance door of each tourist rooming house.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Commented [CS10]: There is no State Fire Inspector, so each TRH is inspected annually by the Village's Building Inspector and Fire Inspector.

Sec. 11-361. - Standards for tourist rooming houses.

Each tourist rooming house shall comply with all applicable Village ordinances and all the following requirements:

- (a) *Space, occupancy and parking.* Each tourist rooming house shall have:
 - (1) Not less than one bathroom for every six occupants;
 - (2) Not less than 150 square feet of floor space for the first occupant thereof and at least an additional 100 square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy.
 - (3) A maximum occupancy for any premises without a separate enclosed bedroom is two people;
 - (4) Not less than one and one-quarter onsite off-street parking spaces for every four occupants based upon maximum occupancy.
- (b) *Safety requirements.* Each tourist rooming house shall have:
 - (1) A safe, unobstructed means of egress leading to safe, open space at ground level;
 - (2) Functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Wis. Admin. Code Ch. SPS 362;
 - (3) No accessible wood burning fireplace unless the owner provides a certificate from a licensed commercial building inspector, dated not more than 30 days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances.
 - (4) No hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose on any balcony, deck or under any overhanging structure or within ten feet of any structure.
- (c) *Orderly operation and use.*
 - (1) The owner and local agent shall comply with all terms of an approved nuisance response plan.
 - (2) No tourist rooming house shall permit any number of daytime guests or renters in excess of 100 percent of the maximum occupancy limit of the tourist rooming house to be present on the property at any time.
 - (3) The owner shall require the primary overnight and daytime occupant of the tourist rooming house to be an adult 18 years of age or older. This adult shall provide a telephone number to the owner or local agent and shall be accessible to the owner or local agent by telephone at all times.
 - (4) Prior to occupancy, the owner or local agent shall obtain the name, address, and driver's license number or a copy of the passport of the primary adult occupant of the tourist rooming house. The owner shall require that adult to sign a formal acknowledgement that he or she is legally responsible for compliance of all occupants of the tourist rooming house or their guests with all provisions of this chapter. This information shall be readily available upon request of any police officer or employee of the city authorized to enforce this chapter or state law.

- (5) Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection. The owner of the tourist rooming house shall provide sufficient trash collection containers and service to meet the demand of the occupants.
- (6) Each lease or rental agreement for a tourist rooming house shall include the following terms, notifications and disclosures, which shall also be posted in a conspicuous location inside the unit:
 - a. The maximum number of overnight occupants and day use visitors that are permitted.
 - b. The number of off-street parking spaces that are provided.
 - c. Notification that on-street parking is extremely limited in some areas of the Village.
 - d. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property.
 - e. Notification that the occupant may be cited or fined by the Village or immediately evicted by the owner or local agent, in addition to any other remedies available at law, for violating any other provisions of this Article.
 - f. Notification that failure to conform to the occupancy requirements of the tourist rooming house is a violation of this Article.
 - g. Notification that amplified sound, including radios, televisions and other electronic devices are subject to the Village's noise regulations as set forth in Sections 20-58, 20-59, 20-77, 20-79 and 20-80, copies of which shall also be provided.
 - h. A recommendation that the occupant participate voluntarily in neighborhood quiet hours by avoiding parties and loud social events between the hours of 10:00 p.m. and 7:00 a.m.
 - i. The name of the owner of the unit, local agent and a telephone number at which at least one or the other may be reached at all times.
 - j. A copy of the "Good Neighbor Guidelines" which may from time to time be prepared by the permit administrator. These guidelines may include location-specific information, such as local speed limits and parking limitations.
 - k. A copy of this Article and Sections 20-58, 20-59, 20-77, 20-79 and 20-80 of the McFarland Municipal Code, as it may be amended from time to time.
- (7) Upon receipt of a nuisance complaint or upon notification that any occupant or guest of the short-term vacation rental has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of the McFarland Municipal Code or any state law, the owner or local agent shall promptly respond and take timely corrective action to prevent a recurrence of such conduct by those occupants or guests. Failure of the owner or local agent to respond promptly or to take timely corrective action regarding the condition, operation, or conduct of occupants of the tourist rooming house shall be a violation of this chapter. An owner or local agent is not required or authorized to act as a peace officer or to intervene in situations that pose a risk to personal safety. The owner, or local agent, shall maintain records of the name, violation, date, and time of each complaint, disturbance, response and corrective action.
- (8) The owner and local agent shall keep written records documenting compliance with all elements of the performance standards and the approved nuisance response plan.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-362. - Taxes and fees.

The owner of a tourist rooming house shall pay room tax in accordance with Chapter 23, Article II, Division 6 of the McFarland Municipal Code. Fees under this Article shall be as established by the Village Board from time to time and set forth in Appendix A of this Code.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-363. - Enforcement and penalties.

The following penalties shall be assessed for violations of this Article:

- (a) A violation of Section 11-353 shall be punishable by a forfeiture of not less than \$500.00, nor more than \$1,000.00 for each violation committed hereunder.
- (b) Any other violation of any provision of this Article shall be punishable by a forfeiture of not less than \$100.00, nor more than \$500.0 for each violation committed hereunder.
- (c) In addition to any other penalty, any violation of this Article or any other applicable statute, regulation or ordinance may result in the suspension or revocation of the permit in accordance with Section 11-364 or any other procedure authorized by law.
- (d) Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs whether existing under this Chapter or otherwise.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

Sec. 11-364. - Suspension and revocation.

- (a) A permit issued under this Article may be suspended or revoked for the reasons set forth herein. For purposes of this subsection, "habitual" means two occurrences of any violation or combination of violations within any 12-month period or three such occurrences within any five-year period. Violations include those committed by the owner, local agent, or any guest of the tourist rooming house.
 - (1) Habitual violations of Sections 11-359 or 11-361(c).
 - (2) Habitual violations of Sections 20-58, 20-59, 20-77, 20-79 or 20-80 of the McFarland Municipal Code.
 - (3) Habitual occurrences of any conduct on the premises that could be prosecuted under Wis. Stats. chs. 940 to 967 or local ordinance substantially similar thereto.
 - (4) Habitual violations of Sections 38-94, 38-98 or 38-128 of the McFarland Municipal Code.
 - (5) Habitual violations of any other local ordinance arising out of or connected to the operation of the tourist rooming house and that would tend to impair the peaceful use and enjoyment of other property in the neighborhood.
 - (6) Notwithstanding any other provision of this Section, the occurrence of any violation of local ordinance or state statute that causes or creates an imminent threat of death or substantial bodily harm to any person.
- (b) A permit issued under this Article shall be suspended or revoked for any violation of this Article that establishes a fundamental conditions or prerequisite to the lawful operation of the tourist rooming house or the violation of any state or local statute, ordinance or regulation that relates to the health or safety of the occupants of a tourist rooming house.
- (c) Procedure.
 - (1) *Summary suspension.* In the event the Building Inspector or Fire Inspector determines the tourist rooming house is in violation of any building or fire code that presents a substantial and

imminent risk to the health or safety of occupants of the tourist rooming house an order for immediate suspension of the tourist rooming house permit shall be issued which shall be effective until such violation is corrected. Such order shall be served upon the owner or local agent in writing and shall include notice of the right to appeal such determination pursuant to Chapter 2, Article XI of the McFarland Municipal Code.

(2) *Suspension or revocation after notice and hearing.*

- a. The Building Inspector, Chief of Police, or Village Administrator may, upon determining that grounds exist for suspension or revocation of a permit under this chapter, may commence proceedings therefor by serving a complaint upon the owner or local agent setting forth the grounds for such proceedings. Service of the complaint shall be obtained in the manner for service of civil complaints pursuant to Wis. Stats. § 801.11. The complaint shall be accompanied by notice stating that the owner shall, within 20 days of the date of service, file with the Village Clerk-Treasurer, an answer to the complaint admitting or denying the allegations in the complaint and if any allegations are denied, an explanation of the basis for denial.
- b. Upon receipt of the answer, the Village Clerk-Treasurer shall provide notice to the owner of the date and time of a hearing before the Public Safety Committee at which evidence will be heard on all contested issues of fact and, if grounds for suspension or revocation are admitted or found, whether the Public Safety Committee will recommend to the Village Board whether the permit shall be suspended or revoked. The hearing shall be conducted in accordance with Section 2-996 of the McFarland Municipal Code. The Public Safety Committee shall make written findings of fact and conclusions of law supporting its recommendation which shall be based upon the documents and evidence presented at the hearing.
- c. The Public Safety Committee in making its recommendation and the Village Board, in determining whether the permit shall be suspended or revoked, shall consider the purposes of this Article which shall include specific consideration of the following factors:
 1. The seriousness of the offense or offenses.
 2. The owner's actions and diligence in responding to violations.
 3. The owner and local agent's cooperativeness with Village officers, agents and employees.
 4. The history of the tourist rooming house operation.
- d. If the Village Board determines the permit should be suspended, such suspension shall be for no less than 30 days, nor greater than 120 days.
- e. The permit may be revoked if the Village Board determines that the owner has demonstrated an inability or unwillingness to ensure compliance with all applicable rules and regulations or the alleged violations are of such a serious nature that revocation is necessary to protect the public health or safety.
- f. The Village Board's determination shall be considered a final determination under Section 2-997 and judicial review may be had pursuant to Section 2-998 of the McFarland Municipal Code.

(3) *Costs.* If the Village Board determines that the permit shall be suspended or revoked, the costs incurred by the Village in conducting the hearing shall be paid by the owner. An invoice for such costs shall be mailed to the owner at the address on the most current tax roll or as otherwise specified by the owner and if not paid, shall be placed on the tax roll as a special charge against the property upon which the tourist rooming house is operated pursuant to Wis. Stats. § 66.0627.

- (d) This Subsection is not the exclusive procedure by which action may be taken that directly or effectively constitutes a suspension or revocation of a permit under this Article. The Village may

pursue any other actions affecting the tourist rooming house authorized by law in addition to or in lieu of the remedies set forth herein.

([Ord. No. 2017-22](#), § 1, 11-13-2017)

11-365. – Severability

If any provision of this Article is deemed invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of other provisions of this Article which can be given effect without the invalid provision.

Commented [CS11]: Standard Language proposed for insertion by the Village Attorney.

Secs. 11-~~365~~366—11-399. - Reserved.

ORDINANCE 2021-03

AN ORDINANCE AMENDING REGULATIONS CONCERNING TOURIST ROOMING HOUSES

Purpose: To amend current regulations concerning Tourist Rooming Houses

Sponsor: Cassandra Suettinger, Village Clerk-Treasurer

Recommended Referral: Public Safety Committee

Public Hearing: Not Required

WHEREAS, the Village of McFarland currently regulates Tourist Rooming Houses that operate within the Village; and

WHEREAS, it is recommended that certain sections of the McFarland Municipal Code concerning the regulation of Tourist Rooming Houses; and

WHEREAS, the Village Board accepts the recommendations of the Public Safety Committee and finds that adopting these amendments are in the best interest of the public; and

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

1. Section 11-352 of the McFarland Municipal Code is amended to read as follows:

Sec. 11-352. – Operation of tourist rooming houses.

- (a) 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. For purposes of this requirement, an owner shall be considered absent if he or she cannot be contacted and be present at the touring rooming house within 45 minutes. The owner shall provide notice to the Village of the agent's name, address, telephone number and email address. The local agent shall:
 - (1) If a natural person, keep their permanent residence within 30 miles of the tourist rooming house, or if a property management company or similar business entity, have offices within 30 miles of the tourist rooming house;
 - (2) Be authorized as owner, or on behalf of the owner of the tourist rooming house, to accept service of all notices from the Village or service of legal process relating to any and all matters relating to the tourist rooming house;
 - (3) Be authorized to allow Village officers, employees, or agents, to enter the owner's property for purposes of inspection and enforcement of this Article or any other ordinance, statute, rule or regulation the Village may have the duty or authority to enforce;
 - (4) Be authorized to act as owner, or on behalf of the owner, of the tourist rooming house in all matters relating to dealing with renters of the tourist rooming house;

- (5) Be authorized to undertake, or cause to be undertaken, any repair or act of maintenance of the tourist rooming house necessary to comply with any Village ordinance, or any applicable state building regulations.
 - (6) Subject to Wis. Stats. §§ 111.321, 111.322 and 111.335 has not been convicted of or have any pending charges for any offense as a felony, misdemeanor, or civil forfeiture, involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Wis. Stats. ch. 944; and
- (b) Each tourist rooming house shall have and maintain the following licenses and permits:
- (1) All required permits from State of Wisconsin Department of Agriculture, Trade and Consumer Protection or authorized agent including a permit for operation of a tourist rooming house under Wis. Stats. § 97.605;
 - (2) A seller's permit issued by the Wisconsin Department of Revenue;
 - (3) Any permit required under this Article.

2. Section 11-353 of the McFarland Municipal Code is amended to read as follows:

Sec. 11-353. – Tourist rooming house permit.

- (a) No person may operate or permit to be operated a tourist rooming house in the Village of McFarland for more than 10 nights each year except upon receipt of a permit under this Article and subject to all the terms and conditions thereof.
- (b) A person operating or owning a tourist rooming house in the Village of McFarland shall comply with the following Sections of this Article XI, irrespective of the permit requirement in Section 11-353(a):
 - (1) Section 11-352. - Operation of tourist rooming houses.
 - (2) Section 11-358. - Inspections.
 - (3) Section 11-361. - Standards for tourist rooming houses.
 - (4) Section 11-362. - Taxes and fees.

3. Section 11-354 of the McFarland Municipal Code is amended to read as follows:

Sec. 11-354. - Application.

- (a) All applications for a new tourist rooming house permit or renewal shall be filed with the Village Clerk-Treasurer on forms provided by the Village Clerk-Treasurer. All applications must be filed by the property owner. Each applicant shall certify to the Village that the tourist rooming house included in the permit is in compliance with the provisions of this Chapter. No permit shall be issued unless the completed application form is accompanied by payment of the required fee.
- (b) Each application for a new permit shall include the following information and documentation for each tourist rooming house:
 - (1) A nuisance response plan as described in Section 11-359.
 - (2) A current Tourist Rooming House License issued by Public Health of Madison & Dane County, or other applicable entity, under Wis. Stats. § 97.605, or a copy of the completed application submitted for said license if the license has not been issued.
 - (3) A copy of a completed Public Health of Madison & Dane County, or other applicable entity, tourist rooming house inspection form dated within one year of the date of issuance or renewal.
 - (4) Proof of liability insurance. Such insurance shall be a commercial general liability, hotel or short-term rental policy that specifically covers liabilities arising from rental of the tourist rooming house for short-term rentals. The policy shall provide no less than \$1,000,000.00 coverage, per occurrence. Claims-made coverage shall not be acceptable insurance under this Article.

- (5) Seller's permit from the State of Wisconsin Department of Revenue.
 - (6) Floor plan and requested maximum occupancy.
 - (7) Site plan including available onsite parking.
 - (8) Local agent agreement reflecting the local agent's authority and acceptance of all responsibilities under this Article.
 - (9) Designation of the local agent.
 - (10) Proof of a successful inspection by the Village Building Inspector and Village Fire Inspector, required under Section 11-358.
 - (11) Any other information requested on the application form deemed necessary in the reasonable discretion of the Village Clerk-Treasurer to evaluate the application under this Article.
- (c) Applications for renewal of a permit are not required to include the documentation for items listed in paragraphs (6) through (9) unless the information has changed from the preceding application.

4. Section 11-355 of the McFarland Municipal Code is amended to read as follows:

Sec. 11-355. - Terms and filing date.

Each permit shall run from July 1 through June 30 of the following year and shall not be transferrable to any other place or person. All applications must be filed by May 1 of each year. The filing fee shall be paid upon filing of the application. The Clerk-Treasurer may conditionally accept late applications, subject to payment of the late filing fee. Any application which does not include all of the information and documentation shall not be considered as complete. The permit may not be issued unless and until a Tourist Rooming House License has been issued by Public Health of Madison & Dane County.

5. Section 11-356 of the McFarland Municipal Code is amended to read as follows:

Sec. 11-356. - New application review procedure.

- (a) *Committee review.* When satisfied that the application is complete, the Village Clerk-Treasurer shall forward initial applications for permits to the Public Safety Committee for review. The Clerk-Treasurer shall notify the owners of all properties lying within 300 feet of the property proposed as a tourist rooming house by regular mail that such application has been filed, the address of the proposed tourist rooming house and the date of the meeting at which the Public Safety Committee will review the application. Such notice shall be mailed no later than ten days prior to the meeting. If the application is filed 14 days or more prior to its next scheduled meeting, provided the application is complete, the application shall be considered at that meeting. Otherwise, the application, provided the application is complete, will be considered within 40 days of the filing date. The Public Safety Committee shall consider the application and supporting documents. If the Committee determines that the application meets the requirements of this Article it shall forward the application to the Village Board for approval. If the Committee determines that the application does not meet the requirements of this Chapter, it shall recommend denial of the application to the Village Board. Any denial or conditional approval by the Committee shall be in writing setting forth the reasons for the determination.
- (b) *Village Board.* The Village Board shall consider the application and the recommendation of the Public Safety Committee at its next scheduled meeting. The Village Board may approve, approve with conditions, or deny the application. Any denial or conditional approval by the Village Board shall be in writing setting forth the reasons for the determination.
- (c) *Issuance.* The Village Clerk-Treasurer shall issue a permit for each tourist rooming house approved by the Village Board, subject to any required inspections under subsection (b) and payment of taxes, assessments and claims under Section 11-1. The permit shall contain all of the following information:
 - (1) The name and address of the property owner.
 - (2) The name, address and phone number of the local agent.

- (3) The maximum occupancy for the premises.
- (4) The permit term.
- (5) State lodging permit number.
- (6) Contact information for the Village.

6. Section 11-358 of the McFarland Municipal Code is amended to read as follows:

Sec. 11-358. - Inspections.

No building may be used as a tourist rooming house unless it has been inspected by the Village Fire Inspector and Village Building Inspector and the inspection shows no violations or hazards adversely affecting the health and safety of occupants. Each separate dwelling unit that is offered for rental as a tourist rooming house is required to be inspected annually by the Village Fire Inspector and Village Building Inspector. The holder of or applicant for the temporary rooming house permit, or property owner if no permit is required, is responsible for payment of the inspection fees.

7. Section 11-365 of the McFarland Municipal Code is created to read as follows:

11-365. – Severability

If any provision of this Article is deemed invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of other provisions of this Article which can be given effect without the invalid provision.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the ____ day of _____, 2021.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Village Clerk-Treasurer

ORDINANCE 2021 – 03	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Clow -	Kryzenske -
Brassington -	Flaherty -
Czebotar -	Utter -
Rupert -	
VOTING RESULTS	
Motion Carried	
Motion Defeated:	

**VILLAGE OF
McFarland
SUMMARY SHEET**

MEETING DATE: Wednesday, April 14, 2021

SECTION: Business

DEPARTMENT: Fire/EMS

CONTACT: Chris Dennis, Fire/Rescue Chief

AGENDA ITEM: Discussion and possible recommendation to the Village Board for an update to Appendix A Chapter 17 of the Village Ordinance in regard to ambulance fees.

PREVIOUS ACTION:

ISSUE SUMMARY:

During the 2021 Budget process, a review of the ambulance fees collected by the Fire & Rescue Department was reviewed and is being recommended for an increase to remain consistent with other agencies. The ambulance fees are used to offset the cost of the expenses in providing ambulance service.

FINANCIAL/BUDGET IMPACT:

Estimated \$10,000 annual increase in ambulance fee revenues.

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

Chapter 17 of Appendix A of the Village Ordinances

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. MFR Ambulance Billing Rate Memo



McFarland Fire & Rescue Department

5915 Milwaukee Street • PO Box 110 • McFarland, WI 53558-0110

(608) 838-3278 • Fax: (608) 838-3619

Emergency: 911

MEMORANDIUM

March 21, 2021

Village of McFarland
Public Safety Committee

RE: EMS Billing Fees

We have completed a review of our current EMS Billing Fees and determined that McFarland's rates are some of the lowest being charged among EMS agencies that our billing company provides services to. As background information the EMS billing is typically broken into four major categories. The highest level is Advanced Life Support (ALS) 2 which include care typically provided by critical care paramedics. We seldom bill at this rate. The second highest level is ALS 1, which includes procedures typically provided by advanced EMTs and paramedics. The ALS rate is the most common rate for the patients we transport and we combine ALS 1 and ALS 2 into one rate. The third highest level is BLS rate that all services would utilize. The fourth rate is mileage rate that is applied in addition to one of the other three for patients that are transported. The mileage is the distance from the start of transporting to the receiving hospital applied in tenths of miles.

Based on the information obtained of our comparable departments I would propose will make increase each of our transport fees by \$75 and our mileage to \$17.00 per mile (\$1.25 increase). If the rate increase is approved our billing agency is estimating, we would receive \$10,000.00 increase in annual EMS revenue.

We have provided some tables showing how we compare to other agencies. It should be noted that the data in the tables will soon be outdated as many agencies are being forced to increase rates due to increased costs related to the pandemic and rates are from 2020.

Table 1 – Refers to the cost per mile while being transported to the hospital

Table 2 – Refers to the cost for transport with Basic Life Support care

Table 3 – Refers to the cost for transport with Advanced Life Support care

Proudly Serving the Communities of McFarland, Town of Dunn & Town of Pleasant Springs

TABLE 1

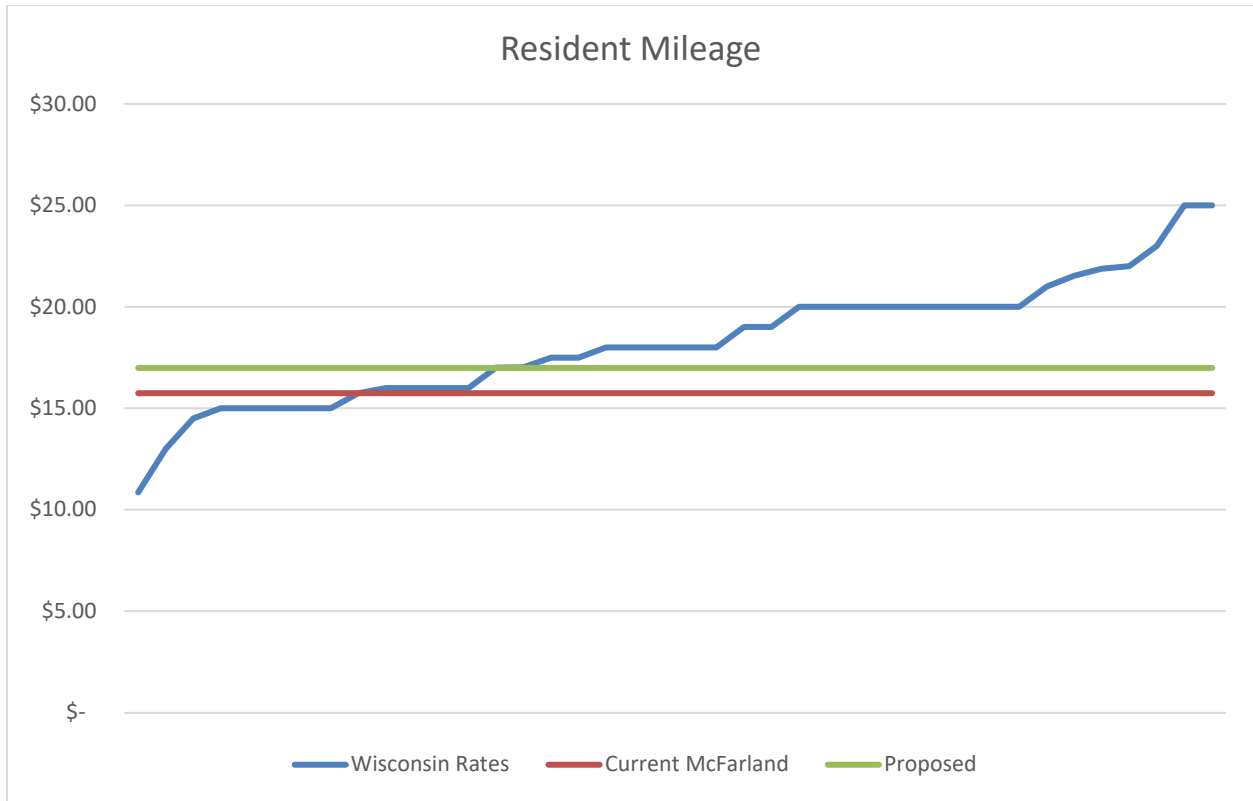


TABLE 2

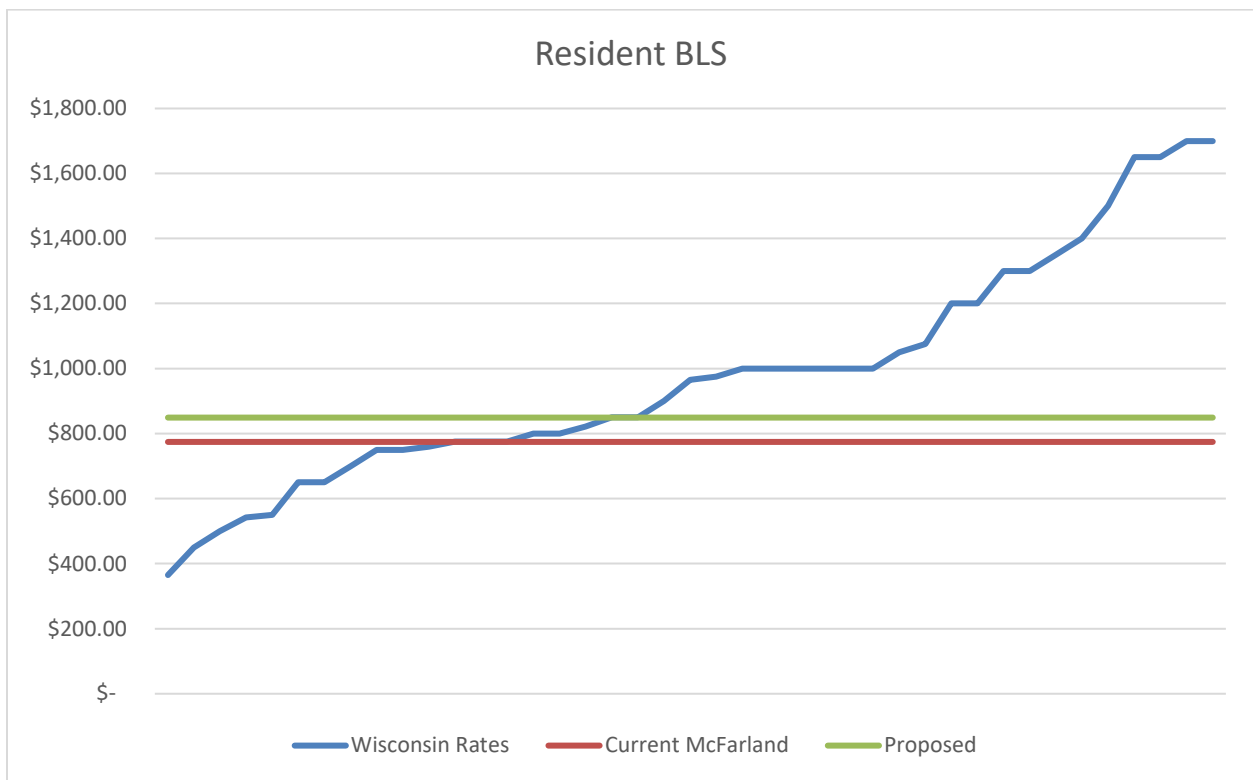
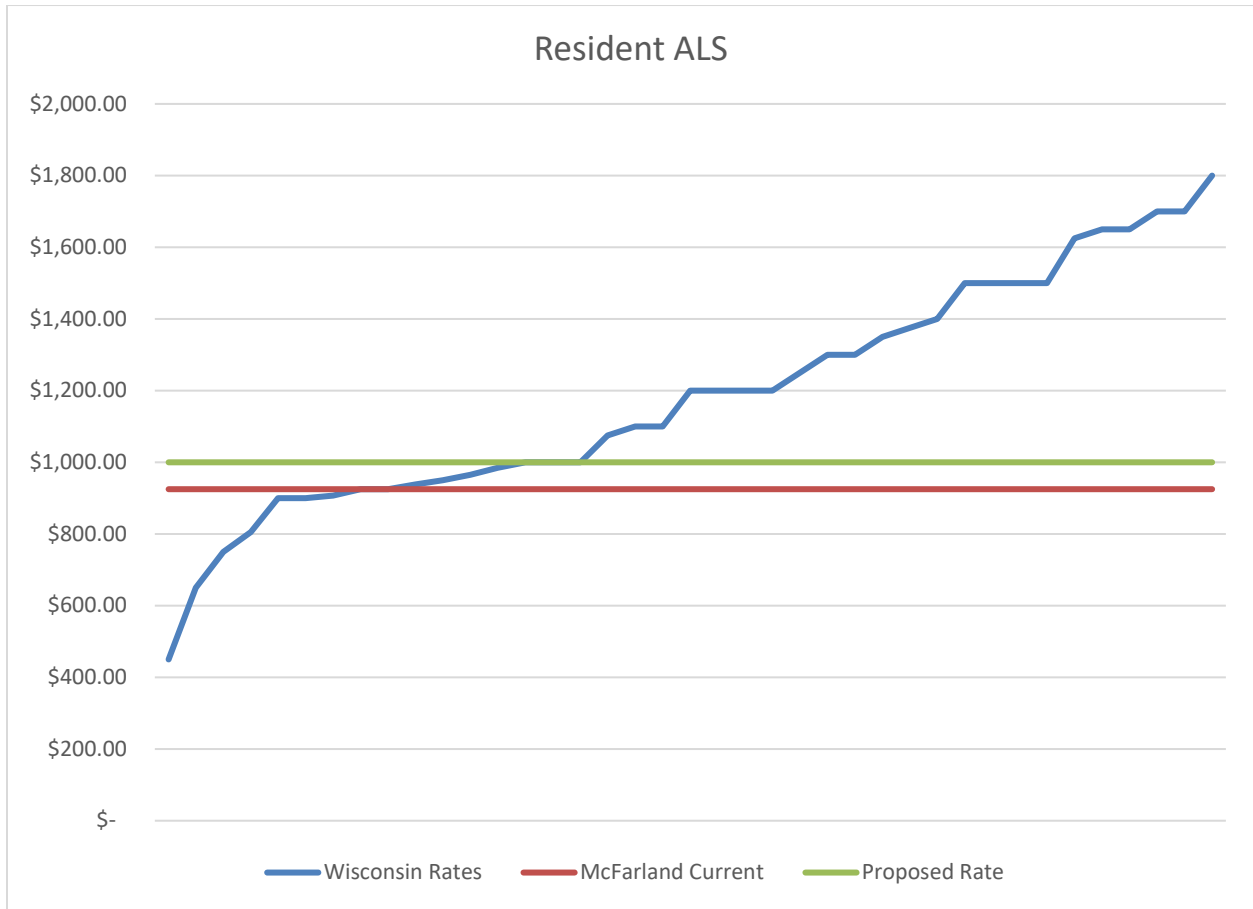


TABLE 3

Resident ALS



McFarland
SUMMARY SHEET

MEETING DATE: Wednesday, April 14, 2021

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Update on recent State Law changes proposals regarding alcohol regulation.

PREVIOUS ACTION:

ISSUE SUMMARY:

As we are all aware, the spring legislative session is in full swing and a flurry of legislative proposals and bills are coming forward. There are a number of bills that surround alcohol licensing and regulation. Staff wanted to provide an overview of the bills that have both become law recently and those that are proposed. Many of the bills seem to be in response to the COVID-19 pandemic and offering additional options for establishments to facilitate carry-out sales of alcohol.

Signed into Law:

Previous Law - Class B establishments could only sell carry-out alcohol in unopened original containers. Establishments could sell a bottle of beer, wine, or liquor, but would not be able to sell a mixed drink or alcohol by the class.

New Law - 2021 AB 32 - This allows Class B establishments (bars/restaurants) to sell carry-out alcohol in a container as long as it had a "tamper evident seal." This bill was signed into law on March 26, 2021 and all Class B establishments in Wisconsin now follow the updated State Law.

Proposals:

Current Law - Currently Wisconsin State Law requires that all sales of alcohol be a face to face transaction on the licensed premise.

Proposed Legislation - 2021 SB 56 and 2021 SB 57 - SB 56 allows a consumer to buy alcohol from class A (grocery store/liquor store) or class B establishment for pickup by using the internet or a phone. Additionally SB 56 explicitly prohibits municipalities from imposing ordinance restrictions on sales by remote pickup. SB 57 allows a consumer to buy alcohol from a class A or class B establishment for home delivery by using internet or phone. Delivery can be made by the licensed establishment or by a third party vendor.

The Village will need to amend its ordinance regarding alcohol regulation based on these changes; however, the Village will evaluate one ordinance amendment once the session has concluded and the full extent of the changes is known. This allows us to make one amendatory ordinance and minimize costs associated with the update. Our initial analysis is the portions of the Village's ordinance that are in conflict with State Law are unenforceable. Staff will continue



to monitor the issue, and bring forward an amendment to the ordinance at a future meeting.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

None