

Monday, February 6, 2023

6:30 PM

McFarland Municipal Center
Community Room

AGENDA

You are invited to this meeting through a Zoom webinar. The public may attend in-person or remotely through the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/88228157855>

Or by Telephone: +1 (312) 626-6799

Webinar ID: 882 2815 7855

Press *9 to raise/lower hand. Press *6 to mute/unmute.

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
 - a. This is an opportunity for members of the public to address the Public Safety Committee for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Committee about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Committee for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to public.safety@mcfarland.wi.us to be included as part of the meeting.

Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.
3. APPROVAL OF MINUTES.
 - a. Motion to approve the minutes of the 1/5/2023 meeting.
4. BUSINESS.
 - a. License Hearing
 - 1) Conduct hearing on the recommendation from Chief Chapin to deny the issuance of an operator's license for Mariah Crossman for the period ending June 30, 2023.
 - 2) Discussion and recommendation on the operator's license for Mariah Crossman for the period ending June 30, 2023.
 - b. Discussion and overview of referral from the Village Board to review Chapter II, Article XI of the Village Code of Ordinances regarding Tourist Rooming Houses.
5. SCHEDULE NEXT MEETING DATE.

a. Monday, March 6, 2023, at 6:30 p.m.

6. ADJOURNMENT.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the McFarland Municipal Center at (608)838-3153, 5915 Milwaukee Street, McFarland, Wisconsin, or village.clerk@mcfarland.wi.us by 2:00 p.m. at least 5 business days prior to the meeting so that any necessary arrangements can be made to accommodate each request. If the meeting or request is less than 5 business days from the meeting, requests for accommodations may still be made and reasonable efforts will be made to accommodate each request.

VILLAGE OF MCFARLAND
Public Safety Committee Minutes

Thursday, January 5, 2023 - 6:30 PM

1. CALL TO ORDER, ROLL CALL.

Village Trustee Edward Wreh called the regular meeting of the Public Safety Committee to order at 6:30 PM in the community room.

Members present: Edward Wreh, Rich Staley, Dottie Olson, Shannon Morrison (arrived at 6:38 pm), Hilary Brandt

Members not present: Sandy Bakk

Staff Present: Deputy Administrator/Clerk Cassandra Suettinger, Police Chief Chapin, Fire Chief Dennis

2. PUBLIC APPEARANCES.

- a. *This is an opportunity for members of the public to address the Public Safety Committee for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Committee about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Committee for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to public.safety@mcfarland.wi.us to be included as part of the meeting.*

Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.

There were no public appearances.

3. APPROVAL OF MINUTES.

- a. *Motion to approve the minutes of the 12/5/22 meeting.*

Motion by Village Trustee Edward Wreh to approve the minutes of the 12/5/22 meeting.
Motion carries 4 - 0 - 0 by acclamation.

4. BUSINESS.

- a. *Discussion and recommendation on a Tourist Rooming House Permit application for Carolyn Rink and Chris Fugate for the property at 6611 Sleepy Hollow Road.*

Village Trustee Edward Wreh introduced the tourist rooming house permit application. Deputy Administrator/Clerk Cassandra Suettinger gave a brief overview of the TRO application for the property at 6611 Sleepy Hollow Road. All inspections passed.

Alisa Leamy, 6606 Sleepy Hollow Rd., was present to oppose the TRO application. Her concerns are traffic issues and noise issues.

Jeffrey Leamy, 6606 Sleepy Hollow Rd., was present to oppose the TRO application. His concerns included traffic and the narrow streets and not wanting to set a precedent for others.

Village Trustee Edward Wreh read written feedback from neighbors David Saad, 6604 Sleepy Hollow Rd.; Richard and Kristine Rathert, 6609 Sleepy Hollow Rd; Chris Amlie, 6608 Sleepy Hollow Rd.; Gurpreet Kaur, 6405 Brandon Cir.

Homeowners Chris Fugate and Carolyn Rink addressed the concerns the neighbors presented regarding the property becoming a TRO.

Deputy Administrator/Clerk Cassandra Suettinger read written feedback from neighbors Clifford and Tammy Murray, 6705 Sleepy Hollow Rd.

Chief Chapin gave the committee information regarding the Village noise ordinance. Village Clerk Suettinger clarified the habitual offense clause in the TRO ordinance.

Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to recommend approval on a Tourist Rooming House Permit application for Carolyn Rink and Chris Fugate for the property at 6611 Sleepy Hollow Road. Motion carries 5 - 0 - 0 by acclamation.

b. License Hearing

1) Conduct hearing on the recommendation from Chief Chapin to deny the issuance of an operator's license for Mariah Crossman for the period ending June 30, 2023.

Mariah Crossman was not present for the hearing.

Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to postpone the hearing on the recommendation from Chief Chapin to deny the issuance of an operator's license for Mariah Crossman for the period ending June 30, 2023. Motion carries 5 - 0 - 0 by acclamation.

2) Discussion and recommendation on the operator's license for Mariah Crossman for the period ending June 30, 2023.

5. SCHEDULE NEXT MEETING DATE.

The next Public Safety Committee Meeting is 2/6/2023, at 6:30 p.m.

6. ADJOURNMENT.

Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to adjourn at 7:22 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
Office Manager

McFarland
SUMMARY SHEET

MEETING DATE: Monday, February 6, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Aaron Chapin, Police Chief

AGENDA ITEM: Conduct hearing on the recommendation from Chief Chapin to deny the issuance of an operator's license for Mariah Crossman for the period ending June 30, 2023.

PREVIOUS ACTION:

ISSUE SUMMARY:

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

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

[Village Operator's License Review Policy](#)

ORDINANCE REFERENCE:

Village Ordinance 11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

No action recommended on this item.

ATTACHMENTS:

1. M Crossman Exhibit A_Redacted
2. M Crossman Exhibit B_Redacted
3. M Crossman Exhibit C

**Operator's License**

To Serve Fermented Malt Beverages and Intoxicating Liquors

License Type:
☒ - New ☐ - Renewal
To Be Issued:
☒ - As soon as approved OR ☐ - At the beginning of the next license year (July 1)
Fees:
☒ - 1 year License - \$35

☐ - 1 year License + Provisional* - \$50

☐ - Duplicate License - \$5/each – Number Requested: _____

*Provisional Licenses are only issued between May 1 and June 30 and cover a new applicant until the beginning of the new license year (July 1)

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

The Village of McFarland Operator License Approval Policy can be found on the Village website at <https://www.mcfarland.wi.us/licensepermits> under Alcohol Beverage Licenses for Operators.

Applicant Information

Place of Employment:

Pick N Save

Last Name:

Crossman

First Name:

Mariah

Middle Initial:

N

Home Address:

City, State and Zip Code:

Date of Birth:

Social Security Number:

Wisconsin Driver License/ID:

E-mail address:

Home/Cell Phone Number:

Work Phone Number:

Notification

Provide the e-mail address we should use for notification when the license is ready:

Prior Residences

Within the past five years, have you lived at any address other than the one listed above? ☒ yes ☐ no

If yes, please list all additional addresses. Attach additional pages, if necessary

Address, including City and State

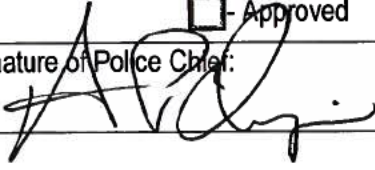
Dates

Questionnaire	Additional Information
1. Have you completed a WI-approved Responsible Beverage Server Course? ☒ Yes ☐ No	If yes, when and where: 11/11/22 Pick N Save
2. Have you held an Operator's License within the last 2 years? ☐ Yes ☒ No	If yes, when and where:
3. Have you ever had a license to serve alcohol beverages suspended or revoked, or surrendered the license in lieu of suspension or revocation? ☐ Yes ☒ No	If yes, when and where:
4. Have you ever been convicted of a felony substantially related* to the licensed activity? ☐ Yes ☒ No	If yes, please complete Appendix A
5. Have you been arrested for and/or convicted of violating any law or ordinance in the last 10 years substantially related* to the license activity? ☒ Yes ☒ No	If yes, please complete Appendix A
6. Do you have any pending charges, including criminal and ordinance violations substantially related* to the license activity? ☐ Yes ☒ No	If yes, please complete Appendix A

*Examples of "substantially related" might include, but are not limited to: underage drinking, OWI/DUI, selling to a minor, overserving, etc.

Required Documentation
If the application is a renewal application, no additional documentation is required.
If the application is a new application, one of the following must be provided: ☒ - A copy of the certificate indicating completion of a Wisconsin-approved Responsible Beverage Server Course, valid within the two years prior to the date of this application OR ☐ - A copy of an Operator's license from a Wisconsin municipality, valid within the two years prior to the date of this application

Certification
I hereby apply for a license to serve Fermented Malt Beverages and Intoxicating Liquors, subject to the limitations imposed by Chapter 125 of the Wisconsin Statutes, Chapter 11 of the McFarland Municipal Code and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations Federal, State or Local, affecting the sale of such beverages and liquors if a license is granted to me.
I certify that I am the applicant in the foregoing application and any attachments thereto, that I have read and made complete answers to each question, and that my answers in each instance are true and correct.
Signature of Applicant:  Date: 11-15-22

FOR OFFICE USE ONLY
RECOMMENDATION FROM MCFARLAND POLICE DEPARTMENT ☐ Approved ☒ Denied ☐ Rejected - Incomplete Application
Signature of Police Chief:  Date: 11/16/22



Operator's License – Appendix A Arrest and Conviction Record

Appendix A only needs to be completed if an applicant answered "Yes" to questions 4, 5, and/or 6 on the Operator's License Application.

Any omissions from this Appendix will result in the rejection of the Operator's License Application. The fee is not refundable should this application be rejected. For rejected applications should the applicant wish to reapply, the applicant will be required to complete a new application at an additional fee of \$35.00.

The following websites, provided as a courtesy, may provide information on your records:

<https://recordcheck.doj.wi.gov/> <https://wcca.wicourts.gov/> <https://www.dmv.us.org>

Date of Arrest	Date of Conviction	Specific Offense	Name and Location of Court	Describe the nature and circumstances of the offense	Were you consuming alcohol or drugs at the time of the incident?	Did the incident occur in or around a facility that serves alcohol?	Were alcohol or drugs involved in the incident in any way?
5/2019	5/2019	OWI	Watertown Municipal Court	Got pulled over for speeding and then got a sobriety test and failed so got arrested	☒ - Yes ☒ - No	☐ - Yes ☒ - No	☐ - Yes ☒ - No
10/2018	10/2018	Disorderly conduct intoxicated	Fort Atkinson Municipal Court	My records show a conviction for disorderly conduct intoxicated	☐ - Yes ☒ - No	☐ - Yes ☒ - No	☒ - Yes ☐ - No
					☐ - Yes ☐ - No	☐ - Yes ☐ - No	☐ - Yes ☐ - No
					☐ - Yes ☐ - No	☐ - Yes ☐ - No	☐ - Yes ☐ - No
					☐ - Yes ☐ - No	☐ - Yes ☐ - No	☐ - Yes ☐ - No
					☐ - Yes ☐ - No	☐ - Yes ☐ - No	☐ - Yes ☐ - No
					☐ - Yes ☐ - No	☐ - Yes ☐ - No	☐ - Yes ☐ - No
					☐ - Yes ☐ - No	☐ - Yes ☐ - No	☐ - Yes ☐ - No

You may submit evidence of rehabilitation and fitness to perform the licensed activity.

Wisconsin Responsible Beverage Seller/Server Training

MARIAH CROSSMAN

has met all training requirements and successfully completed the above course and/or exam.

Certification Number: SL169627

Date of Completion: 11/08/2022



Authorized Signature

This certificate represents the successful completion of an approved Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats. Present this certificate to your local municipal clerk's office to receive your Operator's or Retail license.

Diversys Learning, Inc.
1101 Arrow Point Drive, Suite 302
Cedar Park, TX 78613

November 16, 2022

Mariah Crossman
[REDACTED]
[REDACTED]

Dear Ms. Crossman,

Your application for an alcohol operator's license for the period through June 30, 2023 was received. A review of your application, criminal history, and arrest records, as maintained by the State of Wisconsin, has resulted in a recommendation from Police Chief Aaron Chapin for denial pursuant to the Village's operator license approval policy. Attached is a copy of Chief Chapin's memo to the Public Safety Committee.

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

Please contact me directly at 608-838-3153 or via email at cassandra.suettinger@mcfarland.wi.us to request a hearing before the Public Safety Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cassandra Suettinger'.

Cassandra Suettinger
Clerk/Treasurer

McFarland

VILLAGE OF

Police Department

EXHIBIT C

5915 Milwaukee St, McFarland, WI 53558 | 608.838.3151 | www.mcfarland.wi.us/police

Aaron P. Chapin | Chief of Police

DATE: November 16, 2022

TO: Public Safety Committee

FROM: Aaron P. Chapin, Chief of Police

REFERENCE: Alcohol Operators License for Mariah Crossman

On this date I reviewed a new application for an Alcohol Operator's License submitted by the above applicant. Having completed my review of his application, my recommendation is that of denial of the application based on village ordinance and the applicant's history.

I base my decision on the following section of Village Ordinance and the McFarland Alcohol Licensure Policy:

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

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

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

(f) Disorderly conduct, criminal damage to property, solicitation of prostitution or other prostitution related offenses, wherein the offense involves an incident at a place that is, or should have been licensed under Wis. Stat. Ch. 125.

Ms. Crossman's history shows:

- A conviction for Operating a Motor Vehicle While Intoxicated on 05-05-2019.
- A conviction for Disorderly Conduct – Intoxication in the City of Fort Atkinson from an incident on 10-20-2018.

These convictions occurred within the five-year period preceding the application date, thus qualifying Ms. Crossman as a Habitual Law Offender for the purposes of Village Ordinance and corresponding State law and disqualifying her from eligibility to receive an Operator's License.

**VILLAGE OF
McFarland
SUMMARY SHEET**

MEETING DATE: Monday, February 6, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk

AGENDA ITEM: Discussion and recommendation on the operator's license for Mariah Crossman for the period ending June 30, 2023.

PREVIOUS ACTION:

ISSUE SUMMARY:

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

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

Village Operator's License Review Policy

ORDINANCE REFERENCE:

11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

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

ATTACHMENTS:

None

VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Monday, February 6, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Aaron Chapin, Police Chief, Andrew Bremer, Comm & Eco Dev Director, Chris Dennis, Fire/Rescue Chief

AGENDA ITEM: Discussion and overview of referral from the Village Board to review Chapter II, Article XI of the Village Code of Ordinances regarding Tourist Rooming Houses.

PREVIOUS ACTION:

ISSUE SUMMARY:

On January 24, 2023 the Village Board referred the issue of review of Chapter II, Article XI of the Village Code of Ordinances regarding Tourist Rooming Houses. Based on the referral, staff has requested the Village Attorney provide a memo outlining the changes that can be considered as part of this review. Additionally, staff will review the current ordinance and provide feedback on the current ordinance as written and potential areas of revision for consideration based on experience since its adoption in 2017. Both items will be provided to the Public Safety Committee at its March 6, 2023 meeting to begin review of the ordinance. Through this process, there will be an opportunity for input and discussion from the Committee and public on the matter.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

[Chapter II, Article XI - Tourist Rooming Houses](#)

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Presented as an overview for informational purposes.

ATTACHMENTS:

None