

**LEGISLATIVE/LICENSING COMMITTEE MEETING
CALEDONIA VILLAGE HALL
5043 CHESTER LANE, RACINE, WI 53402
TUESDAY, SEPTEMBER 4, 2018**

Trustee Wanggaard called the meeting to order at 5:31 p.m. In attendance were:

Committee Members: Trustee Kevin Wanggaard, Trustee Dale Prott

Department Managers: Administrator Tom Christensen, HR Director Toni Muise, Utility Manager Anthony Bunkelman, Public Work Manager Tom Lazcano, and Attorney Elaine Ekes

1. Approval of minutes

Trustee Prott moved to approve the August 15, 2018 minutes as printed, Trustee Wanggaard seconded. Motion carried.

2. Review and Revise Policy Requirements for Oversized Garage Permits

Lazcano explained that we have an oversized structure variance policy that anything over 720 square feet for a stick build, or over 1,200 square feet for mason build requires- letters mailed to neighboring properties, a memo from the Public Works Director/Village Engineer recommending approval and then finally Village Board approval. Lazcano stated the policy was created over 20 years ago with the intent to prevent large garages and pole barn structures from going up in residential areas, without allowing neighbors to have an opportunity to object. He would like to update the policy to allow for 3 1/2 car garages which seems to be the new norm. He is also proposing to change the requirement from 720 square feet to 1,050 square feet stick built and to keep the masonry the same. The variance requirements will remain the same, only the square footage is being changed. If the structure is attached, no variance will be required as there is no variance requirement for a new construction if the garage is attached. Pole barns will still need approval, as well as very large garages. If the structure is going to include living quarters, such as a mother-in-law suite, they would have to meet the residential home setback requirements because it would be viewed as an addition to the house. Attorney Ekes mentioned that a plan with a living quarter will need to be reviewed against the zoning code, two living residences on one parcel might be an issue, and should be looked at closer. The goal of this policy change is to reduce the amount of variances that need to be processed by the Engineering Department and sent to the Board by over 50%.

Motion by Trustee Prott to direct staff to revise the policy as presented and discussed. Seconded by Trustee Wanggaard. Motion carried unanimously.

3. Ordinance 2018-(XX) – An Ordinance To Amend Section 2-4-23(A) Of The Code Of Ordinance For The Village Of Caledonia Pertaining To Residency Requirements

Toni Muise explained that this was discussed at the last Legislative & Licensing meeting. They discussed options for residency requirements because it came up during the Police Chief interviews.

Attorney Ekes drafted the Ordinance which will give the Village more direction when it comes to enforcement of who needs to abide by those requirements, and then the exceptions of existing employees or new hires.

Attorney Ekes presented a draft ordinance. A separate Charter Ordinance will not be required for these changes, it may be adopted as a straight Ordinance and then a Resolution would set the emergency personnel residency requirements. She explained that Residency Requirements for the Police Chief, Fire Chief, and all officers of the Police and Fire Department (with a rank of Sergeant or above), and Emergency Employees must establish and maintain a residence within 15 miles of the boundaries of Caledonia. She's also included definitions for residence and emergency personnel (such as the Village Administrator, Public Works Director, Utility Director...etc.). She further explained the Administration of this section and categories for new hires. She discussed the rights of existing employees, who will be grandfathered in but cannot move their residence farther away. If an employee wants to move outside of the jurisdiction, and they are not granted an extension, it would be deemed as a resignation. Attorney Ekes explained some exceptions and how they must be reviewed and determined by the Personnel Committee or the Police & Fire Commission, depending on the personnel involved.

There was some discussion about how Commissions decide what constitutes an exception. Attorney Ekes thought something could be put into the Ordinance that stated: "in no case shall an exception be granted that allows any of the designated employees to live more than x miles away", in effort to keep those employees close in the event of an emergency situation. Attorney Ekes thought this should be sent to the Police & Fire Commission so that they could comment on the suggested provision and work through any feedback on appropriate distance/time for a commute.

Motion by Trustee Prott to move ahead with the revisions and bring it to the Police and Fire Commission for their review. If substantial changes are made by the Commission, it will come back to the Committee; otherwise, it will go to the Board for final approval. Seconded by Trustee Wanggaard. Motion carried unanimously.

4. Adjournment

There being no further business, Trustee Stillman moved to adjourn the meeting at 6:04 p.m. Trustee Wanggaard seconded. Motion carried unanimously.

Respectfully submitted,

Karie Torkilsen
Village Clerk