

LEGISLATIVE/LICENSING COMMITTEE MEETING

CALEDONIA VILLAGE HALL

5043 CHESTER LANE, RACINE, WI 53402

Monday, September 9, 2019

1. Call to Order

Trustee Prott called the meeting to order at 4:31 p.m. In attendance were:

Committee Members: Trustee Dave Prott. Trustee Dale Stillman was also present and sat in on behalf of Trustee Kevin Wanggaard.

Absent: Trustee Kevin Wanggaard

Department Managers: Clerk Karie Pope, HR Director/ Asst. Administrator Toni Muise and Attorney Tyler Helsel.

2. Approval of minutes

Trustee Stillman motioned to approve the minutes as printed from June 17, 2019. Trustee Prott seconded. Motion carried unanimously.

3. Bartender License Appeal – Cory Gerhardt

Clerk Pope explained that Gerhardt applied at Village Hall with an application to bartend at Buddy's. The process is that the Clerk's office reviews the application, runs a background check and forwards the license onto the Village Board for final approval. However, if the background provides information that needs further evaluation for approval she forwards it to the Legislative & Licensing Committee. Typically the Clerk is not that stringent on the background checks, but this background came back with multiple alcohol related charges.

Gerhardt explained his background check, he felt that establishments in Milwaukee encourage drinking with patrons, which gave way to a drinking issue that landed him in some legal trouble. He has since quit working in Milwaukee because of the alcohol related charges, and for a while changed careers to distance him from alcohol. He has gone back to bartending because that is a passionate craft of his and is also a lucrative career. He stated that Buddy's does not allow drinking onsite opposed to the past establishments he's served at, which promotes more stability in his career. The Clerk inquired about different violations that he had on his background check. He spoke about how he enjoys the social aspect of bartending, and how he treats this as a hobby outside of work as well because he enjoys it. Trustee Stillman inquired if Buddy's was the best setting for him wanting to explore that craft opposed to the setting in downtown Milwaukee. Gerhardt thought he was bringing in new business to Buddy's with his specialty crafts, and provides drinks of the month as a result.

Clerk Pope wanted to point out that the license would not be approved for strictly Buddy's but that it would be valid for anywhere in Caledonia. Gerhardt explained that he had been offered a job at Sebastian's, but plans to stay at Buddy's unless it slows down to a point seasonally where it is not financially stable.

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Trustee Prott asked Gerhardt if he understood that if his license was approved that if there were an issue the license could be revoked? Gerhardt understood. Trustee Stillman felt Gerhardt was sincere, and given the fact the license could be revoked then we should issue the license.

Motion by Trustee Stillman to recommend moving Cory Gerhardt's Operator's license to the Village Board for final approval. Seconded by Trustee Prott. Motion carried unanimously.

4. Bartender License Appeal – Kesley Dvorak Phillips

Clerk Pope overviewed the process in which the Clerk's office reviews Operator's licenses, upon Phillips background check, Clerk Pope found multiple alcohol related charges and felt the Committee needed to review the application based on the habitual offender comments and the specified court orders that the applicant should not be around alcohol. Attorney Helsel and Clerk Pope briefly reviewed the charges. Clerk Pope had spoken to the applicant's Parole Officer who did state she was fine with Phillip's working in a bar, but the Clerk was still concerned because it conflicts with the court order.

Phillips understood why she was denied, but explained that she's been on supervision for over a year and has not been in violation. She explained that she has gone through multiple years of treatment and that her experiences have changed her intentions in life. She felt that this was a financially lucrative career and has been forced to pass on several opportunities because she was not granted this license. She stated she has been assessed and was cleared for no further treatment. She explained that she has a good support system with her family which helps with child care during the time she has custody. She is working towards obtaining her GED, and spoke about getting tutoring to help her with this goal. Attorney Helsel inquired about other jobs she has held in the meantime. Phillips explained that because of her record she has been denied for retail jobs, but explained she works at convenience stores for now. She stated that the Committee could follow up with her Agent for further confirmation that she was given the okay to work at this establishment.

Attorney Helsel explained the process if the license is approved or if it is denied. Trustee Prott was not comfortable approving this given the background check, and felt that if she were to come back in six-months to one-year they might reconsider if her record remains consistently clear. Trustee Stillman agreed with Trustee Prott, and had reservations to approve the license with the past history and thought if she obtained her GED she could further her career opportunities.

She may speak at the Village Board meeting regarding this appeal, as they are final approval.

Motion by Trustee Stillman to recommend denial of Kesley Phillips Operator's license based on her criminal history and the offenses being alcohol related. Seconded by Trustee Prott. Motion carried unanimously.

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5. Review Cemetery Ordinance

Attorney Helsel explained that the cemetery was previously ran by a Sexton, and in light of recent events it was time to review the Ordinance. Attached is a redline version that has been worked on by Muise, Clerk Pope, and PEG Law firm extensively. The Parks & Recreation Commission currently oversees the cemetery and it has now been changed to a Parks Director. The Village Clerk will handle the financial aspect as well as the records.

Muise explained that an excel sheet has been compiled of all the cemetery records the Village has. Christensen and Muise will be meeting with a surveying firm next week to get the cemetery properly surveyed, which will give a more complete overview of the plots to determine how to move forward. The fee schedule is still being worked on, but we have been tracking maintenance costs in order to form the fee structure. Trustee Prott inquired about the revenue generated from the cemetery, and Muise explained how those funds are handled and how they will be handled moving forward.

Attorney Helsel reviewed some vocabulary terms that had been added that were not defined in the previous Ordinance. He explained there have been a lot of vocabulary modifications and reviewed how they compared with surrounding Municipalities.

We currently contract with Greg Hoppe to do all the excavating for the cemetery because he is familiar with the cemetery and its standards. There is currently no written agreement with Hoppe so one will be done in the next coming year.

The fees can vary between a resident and a non-resident, which has now been added to the language. He overviewed the language for transfer of deeds, or conveyance of deeds. There are state statutes that regulate cemeteries but since it is in our Municipality we have almost total control. The Ordinance has changed to only a flat-stone marker that cannot be larger than three and half inches tall. Any of those that have purchased deeds prior to the Ordinance revision will be grandfathered, but any existing headstones that need to be replaced would need to adhere to these guidelines. The maintenance section of the Ordinance outlines that the Village is not responsible for fixing gravestones, but some of the older markers (1800s) were fixed because there was no contact information.

The parks director will approve all gravestones; this is because monument companies are responsible for installation of the gravestones ordered through the company, whereas those that are ordered online (in order to save money) have no one to properly install the gravestone, which causes issues for a multitude of reasons.

6. Adjournment

There being no further business, Trustee Stillman motioned to adjourn the meeting at 5:41 p.m. Trustee Prott seconded. Motion carried unanimously.

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Respectfully submitted, Joslyn Hoeffert, Deputy Village Clerk