

**LEGISLATIVE/LICENSING COMMITTEE MEETING**

**CALEDONIA VILLAGE HALL**

**5043 CHESTER LANE, RACINE, WI 53402**

**Monday, November 11, 2019**

**1. Call to Order**

Trustee Wanggaard called the meeting to order at 4:02 p.m. In attendance were:

**Committee Members:** Trustee Dave Prott and Trustee Kevin Wanggaard.

**Absent:** None.

**Department Managers:** Administrator Tom Christensen, Development Director Peter Wagner, Health Officer Margaret Gesner, and Attorney Tyler Helsel. Also present was Trustee Martin.

**2. Approval of minutes**

Trustee Prott motioned to approve the minutes as printed from October 21, 2019. Trustee Wanggaard seconded. Motion carried unanimously.

**3. Smoking/Vaping Ordinance**

Margaret Gesner the Health Officer for Racine County was present. She explained that there has been an ongoing issue with vaping both locally and nationwide. Numerous hospitalizations have been seen as a result. The numbers of high school student's vaping usage has jumped from 4% to 25%. She supported the ban of vaping, and thought it would minimize the underage usage.

Attorney Helsel was present and overviewed the revisions that have been made thus far. Wherever smoking is banned, vaping would also be banned. He explained how this might coincide with the current Statute regarding the smoking ban.

Trustee Wanggaard questioned enforcement of the vaping ban. There was discussion regarding how establishments might put this into effect and how the public might be made aware of the Ordinance change.

Trustee Prott motioned to approve the smoking/vaping Ordinance and forward to the Village Board in the interest of Public Health for first reading and post a notice to the website and Social Media to make the public aware. Trustee Wanggaard seconded. Motion carried unanimously.

**4. An Ordinance To Amend Sections 2-4-4(C), 2-4-4(D) And 2-4-20(C) Of The Code Of Ordinances For The Village Of Caledonia Pertaining To Salary For The Municipal Judge And Changes During A Term**

Attorney Helsel explained that the current Village Ordinance does not allow a change in the Municipal Judge's salary during a term. The Ordinance required an amendment to allow the salary change that was approved during the budget process.

Trustee Prott motioned to approve the Ordinance to Amend Sections 2-4-4(C), 2-4-4(D) and 2-4-20(C) of the Code of Ordinances for the Village of Caledonia pertaining to salary for the Municipal Judge and changes during a term per State Statute and to send to the Board for first reading. Trustee Wanggaard seconded. Motion carried unanimously.

**5. Resolution Of The Village Board Of The Village Of Caledonia Establishing The Compensation For The Village Municipal Judge**

Trustee Prott motioned to approve the Resolution of the Village Board of the Village of Caledonia Establishing The Compensation For The Village Municipal Judge per State Statute and to forward to the Village Board. Trustee Wanggaard seconded. Motion carried unanimously.

**6. An Ordinance To Create Chapter 7 Of Title 15 Of The Code Of Ordinances For The Village Of Caledonia Pertaining To Property Exterior Maintenance Code**

Attorney Helsel briefly reviewed the changes. Peter Wagner further overviewed the Ordinance changes and how the process would be enforced. This Ordinance would focus on clutter and junk in a yard. There are currently fifteen cases that don't fall under any current Village Ordinances but would be able to be reviewed under this newly adopted code. Wagner would be working with the Engineer Technician, and the Building Inspector to address some of these cases. Trustee Wanggaard was concerned this would become a big brother situation, and Wagner assured him that this would simply be used as a tool in order to control some ongoing issues. Wagner will continue to work with the sub-committee (code enforcement group) to address issues that many departments may be involved with. Trustee Prott wanted this to be enforced from a safety and health issue. Ultimately the Development Director would be given the power to decide what needs to be addressed, and the Village needs to trust that the enforcement is being done justly, and adequately. All citations would be seen in front of the Municipal Judge, and would need to be justified at that time. This encompasses all properties in the Village (residential, industrial, commercial, etc.). Right now complaints are anonymous, and Gesner thought it should be changed for the possibility of inspection warrants, and deters petty complaints. Trustee Martin felt that maintaining anonymity was crucial, especially for single women living alone. Trustee Wanggaard requested that staff track how many complaints are anonymous.

Trustee Prott motioned to approve to Ordinance to Create Chapter 7 of Title 15 of the Code of Ordinances for the Village of Caledonia Pertaining To Property Exterior Maintenance Code and forward to the Village Board for first reading and to have staff track how many complaints are anonymous. Trustee Wanggaard seconded. Motion carried unanimously.

## **7. Ordinance Adoption Procedures**

Attorney Helsel explained that this eliminates the procedure of first and second readings of Ordinances and allows that the Ordinance to be voted on by title only as a default, whereas now a motion is necessary. First and second readings need to be unanimous, or the Ordinance cannot be voted on which causes unnecessary or an unreasonable delay. None of the surrounding municipalities practice first and second readings. Any Board member can motion to lay over the Ordinance. Wagner stated that he tries to give applicants a proper timeline and this procedure would give a more accurate timeline.

Trustee Prott motioned to approve the Ordinance Adoption Procedures and to forward to the Village Board. Trustee Wanggaard seconded. Motion carried unanimously.

## **8. Adjournment**

There being no further business, Trustee Prott motioned to adjourn the meeting at 5:12 p.m. Trustee Wanggaard seconded. Motion carried unanimously.

Respectfully submitted,

Joslyn Hoeffert  
Deputy Village Clerk