

COMMITTEE OF THE WHOLE MEETING AGENDA

Tuesday, August 27, 2024

Immediately following the Village Board Meeting, but not before 6:15 p.m.

Caledonia Village Hall - 5043 Chester Lane

Caledonia, WI 53402

1. **Meeting called to order**
2. **Roll Call**
3. **Approval of Minutes:** Committee of the Whole – August 14, 2024
4. **Public Comment** - Provides a two-minute opportunity for citizens to voice opinions to the Committee of the Whole. The Committee of the Whole cannot respond as this may conflict with open meeting requirements.
5. **Presentations**
 - A. Report and discussion on storm water ERUs
6. **New Business**
 - A. Operator License Application Review – Vincent Burdohan
 - B. Citizen Concerns regarding conduct of some individuals operating under a Transient Merchant License for Moxie Pest Control (discussion only)
 - C. Suggested items to be placed on the next meeting agenda (*with no action*)
7. **Continuing Business**
 - A. Implementation/Enforcement concerns on Animals at Large Ordinance and options for impoundment (*CoW 7/23/24 layed over until 8/27*)
8. **Closed Session**
 - A. The Committee of the Whole/Village Board will take up a motion to go into CLOSED SESSION, pursuant to Wis. Stat. s. 19.85(1)(f) to consider financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, **Specifically:** to discuss the Weed Commissioner.
 - B. The Village Board reserves the right to go back into OPEN SESSION, and possibly take action on the items discussed during the closed session.
9. **Adjournment**

1 - Order

President Weatherston called the Committee of the Whole meeting to order at 7:18 p.m. at the Caledonia Village Hall.

2 – Roll Call

PRESENT: 6 – President Weatherston, Trustee Stillman, Trustee Martin, Trustee Lambrecht, Trustee Pierce, and Trustee McManus

ABSENT: 1 – Trustee Wishau

STAFF: Interim Administrator/Police Chief Christopher Botsch, Public Services Director Tony Bunkelman, Village Engineer Ryan Schmidt, Finance Director Wayne Krueger, Development Director Peter Wagner, Fire Chief Jeff Henningfeld, Village Attorney Elaine Ekes, and Clerk Jennifer Olsen

3 – Approval of Minutes

A **motion** was made by Trustee Pierce to approve the Committee of the Whole minutes of July 23, 2024, seconded by Trustee Martin. **The motion to carried 6-0.**

4 – Public Comment

The following people appeared to speak before the Committee:
None

5 – New Business

A. Discussion on possible resolution authorizing waiving rezoning fees for properties in a legacy Zoning District.

Staff explained their request to waive rezoning fees for certain properties. An example of a qualifying property: a property is zoned R-6, Two-family residential (legacy district). Prior to developing the site, the property owner needs to rezone the property to RD-1, Two-family residential district. There is no change in land use, but only a reclassifying of the zoning district to reflect the current zoning district. In these instances, which staff believes will be seldom, staff would like to waive the rezoning fees associated with the review process as the rezoning is the result of the Village updating the zoning district chapter of the Municipal Code.

Motion by Trustee McManus to recommend approval to the Village Board, seconded by Trustee Martin. Motion carried 6-0.

B. Suggested items to be placed on the next meeting agenda (*with no action*)

1. Report and discussion on unfinished property developments
2. Report and discussion on storm water ERUs

6 – Continuing Business

A. Discussion on the need to establish a new zoning district that would accommodate small scale farm uses (Hobby Farms) with residential uses (*CoW 6/11/2024, CoW 6/25/2024, CoW 7/23/2024*)

Staff recommended no changes due to current zoning types already covering these uses.

Motion by Trustee Pierce to receive and file **seconded by** Trustee Martin.
Motion carried 6-0.

7 – Closed Session

- A. The Committee of the Whole will take up a motion to go into CLOSED SESSION, pursuant to Wis. Stat. s. 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, Wis. Stat. s. 19.85(1)(g), to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and Wis. Stat. S.19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility **specifically: to discuss a Notice of Potential Material Change of Circumstances from the City of Racine under the Racine Area Intergovernmental Sanitary Sewer Service, Revenue-Sharing, Cooperation and Settlement Agreement dated April 25, 2002, and to discuss the position of Assistant Village Attorney/Human Resources Manager.”**

Motion by Trustee McManus to go into closed session, seconded by Trustee Pierce. **Motion carried by the following roll call vote:**

Ayes: 6 – Weatherston, Martin, Stillman, Lambrecht, Pierce, and McManus
Absent: 0 – Wishau

- A. **The Village Board reserves the right to go back into OPEN SESSION, and possibly take action on the items discussed during the closed session and to move to the remaining items on the agenda.**

Motion by Trustee Stillman to go into open session, seconded by Trustee Pierce.
Motion carried 6-0.

Motion by Trustee McManus to approve the Consent for Representation and Waiver of Conflict of Interest for Pruit, Ekes & Geary, seconded by Trustee Pierce. **Motion carried 6-0.**

8 – Adjournment

President Weatherston adjourned the meeting at 8:37 p.m.

Respectfully submitted:
Jennifer Olsen
Village Clerk

STORM WATER MANAGEMENT FEE

COMMITTEE OF THE WHOLE

AUGUST 27, 2024

Storm Water Management Fee

- ▶ Set up to replace the Tax Levy for the Lake Michigan Storm Water Utility District and the Root River Storm Water Utility District in 2013.
- ▶ Provides funding for Storm Water Projects and Storm Water Maintenance within the entire Village
- ▶ Storm Water Management Fee is based on the Impervious Surface on each parcel.
- ▶ Charged to all parcels within the Village, including tax-exempt parcels as **all** parcels create storm water runoff when it rains.




Storm Water Management Fee



- ▶ The Village Board shall require that adequate revenues are generated through storm water management fees to provide for a balanced operating budget.
- ▶ The Village Board establishes the storm water management fee rate, Equivalent Residential Unit (ERU). All rates shall be fair and reasonable and calculated to achieve a balanced operating budget.
- ▶ Budget has been a minimum of \$1,000,000 since 2013.
- ▶ Storm water management fee rate has been \$65.25 since 2013.

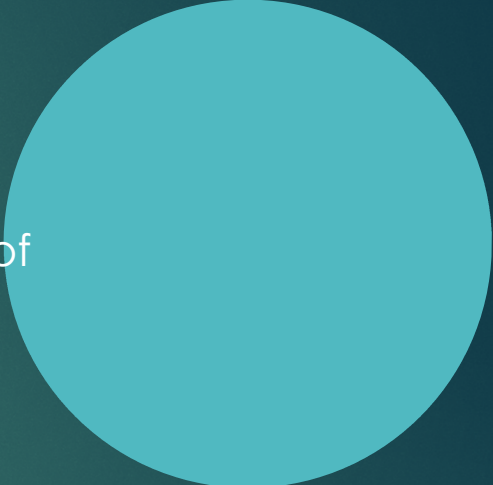
Storm Water Management Fee



- ▶ Single Family Residential – means a property with exactly one (1) dwelling unit
 - ▶ Non-Residential – means any developed property not used primarily as a permanent single family residential, such as agriculture, multi-family, commercial, industrial, or an institutional property.
 - ▶ Vacant Land – means any non-residential customer class property with no impervious surface.
- 

Storm Water Management Fee



- ▶ Single Family Residential 1 ERU
 - ▶ Non – Residential 1 ERU for each 5,230 sq.ft. of Impervious Surface
 - ▶ Vacant Land 0.25 ERU
- 

Storm Water Management Fee



- ▶ Original Study performed in 2013
 - ▶ Reviewed the Zoning of each parcel to determine which class the property falls under.
 - ▶ Reviewed Aerial Photography to identify impervious surface on all parcels.
- ▶ Each year the ERU for each parcel is reviewed based on Land Divisions, Building Permits issued & updated Aerial Photography.
- ▶ Updated Impervious Surface in 2020 based on updated Aerial Photography.

Storm Water Management Fee



- ▶ Single Family Residential Class
 - ▶ Parcels Zoned R-1, R-2, R-2S, R-3, R-4, R-5, C-1, & C-2
- ▶ Non-Residential Class
 - ▶ Parcels Zoned R-6, R-7, R-8, P-1, P-2, B-1, B-2, B-3, B-4, A-1, A-2, A-3, M-1, M-2, M-3, & M-4
- ▶ Vacant
 - ▶ Parcels that are vacant without impervious surface regardless of Zoning Classification
- ▶ Outlots of Subdivisions
 - ▶ Outlots were divided and allocated to the lots within the subdivision in 2015.

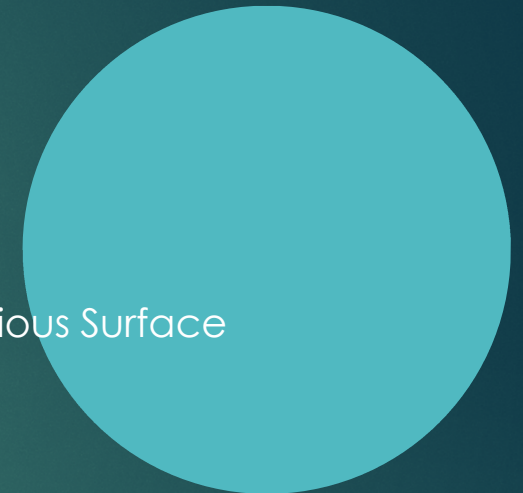
Storm Water Management Fee

EXAMPLE 1

- ▶ A-2 Parcel
- ▶ 49.6 Acres
- ▶ 55,027.24 sq ft Impervious Surface
- ▶ $55,027.24 / 5230 = 10.52$ ERU
- ▶ $10.52 * 65.25 = \$686.43$

EXAMPLE 2

- ▶ R-1 Parcel
- ▶ 10.11 Acres
- ▶ 23,683.74 sq ft Impervious Surface
- ▶ 1 ERU
- ▶ \$65.25





Storm Water Management Fee



QUESTIONS

maintenance or dredging of an existing pond. In addition, the applicant shall reimburse the Village for engineering, planning, legal and administrative expenses incurred in processing, reviewing, revising and approving the permit and site plan.

- (e) **Modifications Or Waivers.** An applicant who seeks modifications or waivers of any of the above permit requirements must obtain Village Board approval in accordance with the procedure set forth in Section 4-1-13 of the Village's Code of Ordinances.

9-2-12 STORM WATER MANAGEMENT FEES

- (a) **Findings and determination.** It is found, determined and declared as follows:
 - (1) The management of storm water and other surface water discharges within the Village of Caledonia Storm Water Utility District is a matter that affects the health, safety and welfare of the Village of Caledonia, its citizens and businesses.
 - (2) Failure to effectively manage storm water may create among other things, erosion of lands, damage to homes and businesses, create sedimentation and environmental damages to waterways within the Village of Caledonia Storm Water Utility District.
 - (3) A system for the collection, conveyance, storage, and treatment of storm water provides services to all properties within the Village of Caledonia Storm Water Utility District and surrounding areas.
 - (4) Failure to effectively manage storm water contributes to the further degradation of the water quality in area water bodies.
 - (5) In order to protect the health, safety and welfare of the public the Village Board authorizes the establishment of a fee in connection therewith.
 - (6) The Village is acting under the authority contained in Chapters 61 and 66 of the Wisconsin Statutes.
 - (7) Those elements of the Village of Caledonia Storm Water Utility District which provide for the management of storm water and the improvement of storm water quality are of benefit to all real property within the Village of Caledonia Storm Water Utility District.
 - (8) The costs of operating and maintaining the Village of Caledonia Storm Water Utility District and financing land acquisition, necessary repairs, replacement, improvements and extension thereof should, to the maximum extent practicable, be allocated in direct relationship to the contributions to the demand for storm water management services.
 - (9) The fees established herein bear a reasonable relationship to the service provided by the Village of Caledonia Storm Water Utility District.
 - (10) The area of impervious surface on each property is the most important factor influencing the cost of the storm water management services, systems and facilities provided by the Village of Caledonia Storm Water Utility District or to be provided in the future, and the area of impervious surface on each property is therefore the most appropriate parameter for calculating a periodic storm water management fee.

(11) The existence of privately owned and maintained on-site or off-site systems, facilities, activities or assets which significantly reduce or otherwise mitigate the impact of a particular property on the Village of Caledonia Storm Water Utility District's cost of providing storm water management services and/or storm water management systems and facilities should be taken into account to reduce the storm water management fee on that property either in the form of a direct reduction or credit, and that such reduction or credit should be conditional upon continuing provision of such services, systems, facilities, activities or assets in a manner complying with the standards and codes as determined by the Village Board and as set forth herein.

(b) **Definitions.** Unless the ordinance specifically indicates otherwise, the meaning of terms used in this section shall be as follows:

- (1) "Commission" means the Village of Caledonia Storm Water Utility District Commission.
- (2) "Developed Property" means real property which has been altered from its natural state by the addition of any improvements, such as a building, structure or impervious surface.
- (3) "District" means the Village of Caledonia Storm Water Utility District.
- (4) " Dwelling Unit" means a single unit or apartment providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- (5) "Equivalent Residential Unit (ERU)" means the statistical average amount of horizontal impervious area per single family property of all the residential customer class parcels within the Village on the date of adoption of this ordinance. One ERU has been calculated to be an average of 5,230 square feet. The horizontal impervious area includes, but is not limited to, all areas covered by structures, roof extensions, patios, porches, driveways, and sidewalks.
- (6) "Extension and Replacement" means all costs of extension, addition, and capital improvements to the system, the renewal and replacement of capital assets or purchase and installation of new equipment for the system, or land acquisition for the system, or any related costs thereto, or payment for extraordinary maintenance and repair, including the costs of construction, or any other expenses which are not costs of operation and maintenance.
- (7) "Fiscal Year" means a twelve (12) month period commencing on the first day of December of any year. The intention of this definition is so that property tax bills issued in December of each year shall include fees imposed for a period of twelve (12) months from December 1 to November 30th of each year.
- (8) "Impervious Area" or "Impervious Surface" means a horizontal surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by storm water or rain water. It includes, but is not limited to, semi-impervious surfaces such as compacted clay, gravel, as well as streets, roofs, sidewalks, parking lots, and other similar surfaces.
- (9) "Nonresidential" means any developed property not used primarily as a permanent single family residential, such as an agricultural, multi-family,

commercial, industrial property or an institutional property (schools, churches, hospitals, fraternal organizations, parks, municipal facilities, etc.).

- (10) “Operating Budget” means estimated revenues and the estimated costs for operations and maintenance, extension, and replacement of the system for each fiscal year.
 - (11) “Operation and Maintenance” means the current expenses, paid or accrued, of operation, maintenance, and current repair of the system, as calculated in accordance with sound accounting practice and includes, without limiting the generality of the foregoing, insurance premiums, administrative expenses, labor, executive compensation, the cost of materials and supplies used for current operations, and charges for the accumulation of appropriate reserves for current expenses not annually incurred, but which are such as may reasonably be in accordance with sound accounting practice.
 - (12) “Rate” means the user fee charged on each ERU. The rate is determined by the Village Board for each fiscal year.
 - (13) “Revenues” mean all rates, fees, assessments, rentals, fines or other charges or other income received by the District in connection with the management and operation of the system, including amounts received from the investment or deposit of monies in any fund or account, as herein required, and any amounts contributed by the Village, all as calculated in accordance with sound accounting practices.
 - (14) “Single Family” or “Single Family Residential” means a property with exactly one (1) dwelling unit.
 - (15) “Storm Water Management Fee” means the charge established by the Village Board on all property in the District to pay for operations and maintenance, and extension and replacement for the storm water system.
 - (16) “Storm Water System” or “System” means the existing storm water collection system of the District and all improvements thereto which by this section are constituted as the property and responsibility of the District to be operated as an enterprise to, among other things, conserve water, control discharges necessitated by rainfall events, incorporate methods to collect, convey, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, over-drainage, environmental degradation and water pollution or otherwise affect the quality and quantity of discharge from such system.
 - (17) “Village” means the Village of Caledonia.
 - (18) “Village Board” means the Village Board of the Village.
 - (19) “Vacant Land” means any non-residential customer class property with no impervious surface area.
- (c) **Purpose.** It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the Village of Caledonia Storm Water Utility District to collect charges from all users of the Village of Caledonia Storm Water Utility District storm water collection system. The proceeds of such charges will be used to fund the management of Village of Caledonia Storm Water Utility District’s storm water system, including reinvestment in the maintenance and improvement of existing infrastructures, and other improvements to the system that will reduce urban

non-point source pollution in storm water run-off consistent with federal and state regulations.

(d) **Management.**

- (1) The rules, regulations and rates hereinafter set forth shall be considered part of the regulations applicable to every property in the Village of Caledonia Storm Water Utility District. Said rules, regulations and rates may be changed from time to time as determined by the Village Board and the right is reserved to make special rates and contracts in all proper cases.
- (2) The Village Board shall place within the Village of Caledonia Storm Water Utility District the responsibility for operation, maintenance and regulation of the existing storm water management services, systems and facilities that are within the Village of Caledonia Storm Water Utility District that were previously performed, operated or maintained by the Lake Michigan Storm Sewer Utility District and the Root River Storm Sewer Utility District through the Village of Caledonia, and other related assets, including, but not limited to, properties, other than road rights-of-way, upon which such storm water management systems and facilities are located, easements, rights-of entry and access and certain equipment used solely for storm water management. This responsibility shall be placed primarily with the Village of Caledonia Storm Water Utility District Commission, subject to oversight by the Village Board.
- (3) The cost of any convenience, service or public improvement provided by the Village of Caledonia Storm Water Utility District not paid for by special assessment shall be paid from the Storm Water Utility fund under sub. (4).

(e) **Audit.** The Village Board shall cause an annual audit of the books of the Village of Caledonia Storm Water Utility District to be made and the books and records relating to the Village of Caledonia Storm Water Utility District shall be available for inspection during regular business hours.

(f) **Disposition of Revenue.**

- (1) The storm water management fees hereunder shall generate adequate annual revenues to pay costs for the construction need, operation and maintenance of current and future storm water facilities, the cost of capital improvements to the District storm water system, street sweeping costs, water quality protection costs, administrative costs, and all other costs and expenses related to storm water management in the District.
- (2) Fiscal year end balances in the account shall be carried over to the same account in the subsequent fiscal year and shall be used for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the District shall be returned to their respective sources including an appropriate adjustment of the user fee rates, if necessary. Any transferred monies shall be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

(g) **Storm Water Management Fees and Rates.**

(1) Storm Water Management Fee. The Village Board shall require that adequate revenues are generated through storm water management fees to provide for a balanced operating budget. The Village Board hereby authorizes the imposition of storm water management fees on all property in the District.

(2) Rates. The Village Board will establish rates for each fiscal year. All rates established by the Village Board will be fair and reasonable and calculated to achieve a balanced operating budget for the system. Current rates will be on file in the office of the Village Clerk and Village Treasurer. Such charges shall include:

Customer Class Charge. All property in the District shall be divided into three (3) classes, which shall be called “customer classes.” A charge based on the customer class may be imposed on all property in the District. The rate within each customer class shall be uniform. The rate schedule is as follows:

| <u>Customer Class</u> | <u>Storm Water Charge</u> |
|---------------------------|---|
| Single Family Residential | 1 ERU |
| Non-Residential | 1 ERU for each 5,230 sq. ft. of Impervious Area |
| Vacant | 0.25 ERU |

(e) New construction. For the non-residential customer class, the construction of new or expanded buildings, driveways or other structures shall be subject to an increase in the number of ERU’s assigned to a lot or parcel. The Village shall recalculate the number of ERU’s assigned to each parcel upon the completion of new construction with respect to said parcel.

(h) **Billing and Payment.** Annual storm water management fees, at the rate set annually by resolution of the Village Board, shall be levied and collected as a special charge against property in the District, under Wis. Stat. § 66.0627 and as provided in this section. Notice of the methodology and amounts that were used by the Village Board shall be posted and/or published as required by Wisconsin Statutes.. Property owners may pay the annual storm water management fee at any time after the rate has been set by the Village Board. Any storm water management fee that has not been paid prior to November 15 shall be deemed to be delinquent and shall be included in the next tax roll for collection and settlement under Chapter 74, Wis. Stats.

(i) **Lien.** All delinquent storm water management fees shall be a lien upon the property served as of the date of delinquency and shall be collected as provided by this section and state statute.

(j) **Establishment of Rate Schedule.** The Village Board shall set the storm water management fee rate by separate resolution.

(k) **Credit Policy.** The Village Board shall adopt a system of storm water management fee credits. In general, no credit shall be given for the installation of storm water management facilities required by the Village, Racine County, or State Storm Water Regulations.

- (1) Non-residential properties which are not required by Village or County ordinance or State statute or regulation to install storm water management facilities which take mitigating steps to improve the quantity and quality of storm water discharge by implementing best management practices that reduce the average annual loading of total suspended solids from existing development by 80 percent or more and are designed and/or implemented in accordance with current Wisconsin Department of Natural Resources guidelines and have maintenance agreements in place with the Village of Caledonia for the best management practice as applicable, may be eligible for a reduction of the annual user fee for that portion of the impervious area treated by best management practices. The reduction shall be determined on a case-by-case basis up to a maximum 50 % reduction.
- (2) Non-residential properties or portions of properties with impervious surface areas that are internally drained may be eligible for a reduction of the annual user fee. The reduction shall be determined on a case-by-case basis up to a maximum 50% reduction.
- (3) No credit shall be considered for structural or nonstructural best management practices that are required in order to comply with Village or County ordinance or State statute or regulation.
- (4) No credits shall be considered for any “natural” features such as, but not limited to, wetlands, lakes and floodplains or water impoundment of any kind in existence prior to passage of this Ordinance.

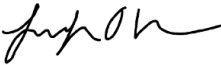
(l) **Adjustment of Fees and Appeal Procedure.**

- (1) **Requests for Adjustment.** Requests for adjustment of the user fee, including requests for storm water management fee credits, shall be submitted to the District, which is hereby given the authority to develop and administer the procedures and standards for the adjustment of fees as established herein. All requests shall be judged on the basis of the amount of impervious surface on the site. The Village also retains the right to grant storm water management fee credits to individual properties within the District that exhibit benefits to the storm water management system. The following procedure shall apply to all adjustment requests of the user fee.
 - (a) Any non-residential customer who has paid a user fee and believes the user fee to be incorrect, may, within thirty (30) days of the payment and subject to the limitations set forth in this section, submit an adjustment request of the Commission. To defray the Commission’s costs for reviewing the request, an adjustment review fee may be imposed and collected from an applicant in such amount, if any, as is set periodically by resolution of the Village Board.
 - (b) Adjustment requests shall be in writing and set forth in detail, the grounds upon which relief is sought.
 - (c) The non-residential customer requesting the adjustments may be required, at his own expense, to provide supplemental information to the

Commission, including, but not limited to, survey data approved by a Registered Land Surveyor (R.L.S.) and engineering reports approved by a Professional Engineer (P.E.). Failure to provide such information may result in the denial of the adjustments request.

- (d) The Commission shall issue a written determination as to whether the request for adjustment shall be granted. For adjustments that are granted, a credit shall be applied to the customer's account. Denials of adjustment requests shall be made, in writing, by the Village of Caledonia Storm water Utility District Commission.
- (2) **Appeal Procedure.** The Village elects not to be subject to the administrative review provisions contained in Wis. Stats. Ch. 68, except as set forth below, and establishes the following as a complete and final review procedure:
 - (i) Upon receipt of the written denial of an adjustment request, the customer who initially requested the adjustment may, within thirty (30) days of receipt of such denial, appeal to the Village Board.
 - (ii) In the event of an appeal, the Village Board shall hold a hearing as provided in Wis. Stats. §§68.11(2) and 68.11(3). The Village Board shall hold such hearing within 30 days of the appeal request, and shall notify the appellant of the hearing date no less than ten days notice in advance of the hearing. Within 20 days of the hearing and filing of briefs, if any, the village board shall mail or deliver to the appellant its written final determination, setting forth, in detail, the reason or reasons for its decision.
 - (iii) In reviewing denials of adjustment requests, the Village Board shall apply the standard and review criteria contained in subsection (1) of this section.
- (m) **Public Service Commission Complaint.** Notwithstanding subsection (1) , any user may file a complaint with Public Service Commission claiming that rates, rules and practices herein are unreasonable or unjustly discriminatory pursuant to State Statutes Wis. Stats. § 66.0821(5).
- (n) **Severability.** The sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

MEMORANDUM

Date: August 23, 2024
To: Committee of the Whole
From: Jennifer Olsen 
Village Clerk/Treasurer



Re: Operator License Application Review – Vincente Burdohan

Pursuant to Section 7-2-31 of the Village Code of Ordinances:

The Village Clerk shall conduct an investigation of the applicant including, but not limited to, requesting information from the state, surrounding municipalities and/or any community where the applicant has previously resided concerning the applicant's arrest and conviction record. Based upon such investigation, the Village Clerk shall either grant an application or cause the name of the applicant to be placed on the agenda of the Legislative and Licensing Committee of the Village Board for action to either grant or deny such license application if the Village Clerk determines further review of an application is necessary.

The Village Board approved **Parameters for Denial of Operator Licenses** (Exhibit A), based on the above ordinance, states that the license may be denied if:

1. Applicant fails to provide complete, accurate, and truthful information
 - a. 2022 Possession of THC – misdemeanor conviction

The applicant has completed the required Wisconsin Responsible Beverage Server Training Course.

VILLAGE OF CALEDONIA

TO: Applicants for Operator Licenses

The application for a new, renewal, provisional, or temporary Operator License asks questions regarding past convictions or arrests under Local, State or Federal Laws, either as adult or juvenile. These questions must be answered truthfully. **Please read these questions carefully.**

A background check will be performed on all applicants. Should we find your information is not correct, this could be grounds to deny your license. The Village Board has adopted the "Parameters for Denial of Operator Licenses" as a guideline for license denials. If you have been convicted of any of the offenses listed, your application may be denied. If you have any questions about this, please ask before completing the application.

PARAMETERS FOR DENIAL OF OPERATOR LICENSES

1. Applicant fails to provide complete, accurate & truthful information. You cannot re-apply until a period of 60 days has elapsed from the date of application.
2. Two or more convictions within the 2-year period preceding the date of application of:
 - Possession of false identification.
 - Underage consumption/possession of alcohol.
 - Furnishing or sale of alcohol to minors.
 - Any other offense related to the illegal sale of alcohol beverages.
 - Conviction of any substance abuse violation. Conviction of a first-time operating under the influence of a controlled substance.
 - Sale of alcohol beverages to an intoxicated person.
 - Sale of alcohol beverages or keeping a licensed premises open after closing hours.
 - Sale of alcohol beverages without a license.
 - Conviction of any crime or ordinance involving Local, State or Federal laws.
3. The applicant has been convicted within the 5-year period preceding the date of application of:
 - The applicant has been convicted within the 5-year period preceding the date of the application of a non-alcohol related misdemeanor offense which is substantially related to the licensed activity with respect to which a license is requested. Examples of such substantially similar activity include the following: gambling, drug offenses under Wis. Stat. §961.41, disorderly conduct upon a licensed premises, or battery upon a licensed premises.
 - Disorderly conduct or battery where alcohol has been involved.
 - Any other alcohol related criminal or ordinance offense.

Any person denied a license may appeal the decision. The request will be made through the Village Clerk's Office and will be forwarded for review to the Committee of the Whole. **IF YOUR APPLICATION SHOULD BE DENIED, FEES ARE NON-REFUNDABLE.**

August 23, 2024

Vincente Burdohan
2973 S 6th St
Milwaukee, WI 53215

This letter is to advise you that based upon the results of your background check, your application for an Operator's License in the Village of Caledonia has been referred to the **Committee of the Whole** for review. You may attend this meeting to present evidence and testimony as to why the license should be granted.

Applicable parameters for denial of operator licenses:

1. Applicant fails to provide complete, accurate, and truthful information
 - 2022 Possession of THC – misdemeanor conviction

Committee of the Whole Meeting:

Thursday, August 27 at 6:15 p.m. or immediately following the Village Board meeting.

Thank you,

Jennifer Olsen
Village Clerk/Treasurer
5043 Chester Lane
Caledonia, WI 53402