

**Trustee Wanggaard called the meeting to order at 4:00 p.m. In attendance were:**

**Committee Members:** Trustee Kevin Wanggaard, Trustee Kathy Trentadue

**Department Managers:** Clerk Karie Torkilsen, Attorney Elaine Ekes, Village Engineer Tony Bunkelman, Det. Melissa Stardy, Village Administrator Tom Christensen, PD Chief Dan Warren, PD Capt. Brian Wall

**1. Approval of minutes**

**Trustee Trentadue moved to approve the minutes as printed from June 12, 2017, Trustee Wanggaard second. Motion carried.**

**2. Special Event Permit for Country Pump – 4713 Hwy 31**

Present was Scott Yohn, Owner. The appreciation picnic for the employees and their families will be from 2:00 p.m. until 7:00 p.m.

**Trentadue moved to approve the Special Event Permit for Country Pump – 4713 Hwy 31. Wanggaard second. Motion carried.**

**3. Sex offender residency restriction ordinances**

Attorney Ekes presented a red-lined version of the changes discussed at the previous meeting. Bunkelman presented an updated map showing the Child Safety Zone with varying buffer zones showing how much land is left available for placement of offenders. Child Safety Zones take up 3,448 acres which is 11.82% of the Village not available for placement. With a 1000' buffer zone it would be 48.66% of the Village not available, 2500' would be 80.13% of the Village not available. The present ordinance with the 2500' buffer zone leave 19.87% of the Village open for placements. Ekes stated whatever percentage is chosen you would need to prove why that would be acceptable.

Discussion followed on needs of offenders and safety of the residents. Even if you have a buffer zone, that just means a sex offender cannot live there, they can still work, shop, enjoy recreation, visit friends, etc. in the buffer zone. Loitering would be different. Ekes explained the law views the restriction of the ability to live somewhere, without a good reason, as banishment. There were no studies that say what distance a buffer should be. Ekes stated she would be comfortable with the 1500' buffer zone allowing 37.31% of the Village available for sex offenders to reside in.

Original Domicile Restriction was discussed. The revisions at 4(b) would not allow a Designated Offender that was not compliant with the requirements to register as a sex offender under Section

301.45, Wis. Stats., to reside in Caledonia unless such person was Legally Domiciled in the Village of Caledonia at the time of the most recent conviction or delinquency adjudication for an offense under the definition of a Designated Offender. The exceptions for Original Domicile were reviewed and approved. Chief Warren stated in reality the majority of the reports are they are offending children they know in their own homes.

Ekes stated other justification was that Sex Offenders are less likely to reoffend if they have a support system in place. If an Offender is not compliant to register and tries to move into the Village, but cannot follow the rules, they will not be allowed. Reasoning would be if they cannot follow the rules in place, how can you believe they are going to following the rules and not reoffend. If the original domicile restriction is kept, a reasonable analysis of why it is being kept will be needed. If it went to court and the plaintiff was awarded even \$1, than all the attorney's fees get paid.

An appeal process was discussed. An appeal process would provide an individual assessment. If you leave the Original Domicile Restriction in you are taking a stand on your ordinance, the rebuttal is the appeals process. It would be more defensible to add the appeals process along with the other exceptions is subsection 6. Ekes discussed with the committee 6(g)(2) on how the Appeals Board would be formed.

Ekes will work with the Police Department and get the forms for an appeal process. Bunkelman will revise the map to show a 1500' buffer. The Original Domicile Restriction will stay in place and appeals process will be added. This will come back to the August 14, 2017 meeting.

#### **4. Adjournment**

There being no further business, Trustee Trentadue moved to adjourn the meeting at 6:00 p.m. Trustee Wanggaard seconded. Motion carried.

The next Legislative & Licensing meeting will be August 14, 2017 at 4:00 p.m.

Respectfully submitted,

Mary Jo Schmidt  
Eng./Bldg. Adm. Asst. II  
Village of Caledonia