

**MINUTES of PLAN COMMISSION MEETING
DECEMBER 13, 2016 @ 7:00 P.M.**

Members Present: Attorney James Sickel, Michael Calewatts, Steve Olsen, Kathy Janssen, Keith Brunner, Bill Krueger, Ralph Witte, Zoning Administrator, Clerk – Michelle Wallerius. Meeting called to order by Bill Krueger at 7:00 p.m.

PLAN COMMISSION AGENDA

- 1.) Sexual Offender – Ordinance: Atty. Sickel states original ordinance enacted in 2009 – Chapter 7, Approved March 9, 2009. State of Wisconsin passed a new law March 2, 2016 – which provides that municipalities with residency restriction ordinances – no longer control placement of a person under Chapter 980.135 (Violent sexual re-offenders), but the DOC/Court can place accordingly with proper notice. This law preempts municipal ordinance. Ordinance should be amended to be consistent with Chapter 980 offender law and Town ordinance which provides just a blanket type restriction of all offenders not sufficient.

The current ordinance restricts sex offenders from residing 2,000 ft from a school, daycare, park, recreational trail, church or any other place where children congregate. Discussion of homes across on North Avenue by soccer field/football field. Keith Brunner questions if land will be annexed to the Village. Only church applicable in New Denmark would be Cty Hwy NN. If the Town opts to restrict all offenders, Town would need to appoint committee to review residency requests on a case by case basis. With Chapter 980, State would have authority to preempt New Denmark's residency restriction, but would make the DOC and State go through the process and notification to allow an individual to reside in New Denmark. State looks at property that is available to rent and a location that is appropriate for the offenders.

Currently, the ordinance has no official map of restricted areas. Ordinance does not provide for injunctive relief. Town could seek injunctive relief if the DOC or Court fails to provide proper notice to the municipality if an offender is placed in New Denmark. Plan Commission recommends to 1) Add appeal process for offenders and establish an appeal/review committee & 2) Add injunctive relief procedure for Chapter 980 offenders.

Commission discusses who is appointed to serve on the appeal committee - and whether specific background experience would be beneficial. Attorney Sickel states one member of the Board and 3 members of the public. Special consideration can be given to residents with given licenses and backgrounds. The domicial clause is in effect – which allows an immediate family member who is classified as a sex offender to move back into their personal residence or move into an immediate family member's residence upon release from jail or prison if they previously resided at this address prior to the original conviction. DOC has a website which residents can sign up to receive notification of sex offender locations within the Town and the Circuit Court Judge is required to notify all municipalities when a Chapter 980 sex offender is released back into the community. It should be noted 90% of the sex offenders know the victim or child.

Revisions to the sex offender ordinance are meant to protect the public safety and not to punish or victimize individuals. Clerk to include information about DOC notifications on sex offender residency on website and newsletter.

2.) Any other business of the Commission may deem appropriate: Discussion of UTV vehicles on Town roads. Vehicles are prohibited from County or State highways. DNR requiring signage for all routes on town roads. Town of Holland would be required to install 420 signs. Village of Brillion and Village of Reedsville allows UTVs, and signs are not installed. Discussion if Towns should lobby to have signs posted where vehicles are prohibited – such as State and County highways. Rules are currently set by DNR, but will vehicles be regulated by Town or DOT. Towns Association meeting to discuss more in depth in January.

Motion by Bill Krueger and seconded by Keith Brunner to adjourn at 8:15 pm. MC

Prepared by: Michelle Wallerius, Clerk

Approved: 2-13-17