

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, MARCH 30, 2015**

### Call to Order

Town Board Chair Peter Hansen called the meeting to order at 6:00 p.m.

### Roll Call

The following Board members were present: Peter Hansen, Sherry Gruhn and Terrence McMahon. The following Plan Commission members were present: Peter Hansen, Sherry Gruhn, Douglas Nelson and Barbara Geschke. Gary Fink, Robert Root and Nathan Skewes were absent. Also present were Wisconsin Department of Corrections Sex Offender Registration Specialist Sandy Cornell, James Fox, Bradley Kemen, Richard Polum, Valerie Breneman, Mary Filler, Engineer Mark Madsen, Attorney Elaine Ekes, Code Enforcement Officer Terrence O'Brien and Clerk-Treasurer Michael McKinney.

### New and Unfinished Business – Discussion and possible action on all of the following:

#### **Article III of Chapter 30 of the Town of Yorkville Code of Ordinances regarding sexual offender residency restrictions and mapping of sexual offender residency restrictions**

McKinney presented an updated draft of the sexual offender residency restriction map to the Board, making note of properties added to the current map since this topic was last discussed. The Board discussed whether to include the properties located at 3400 South Sylvania Avenue, 5006 South Sylvania Avenue and 1805 15<sup>th</sup> Avenue on the updated map. The Board also discussed adding the common areas in the Stonecrest Shores and Woodland Waters subdivisions to the updated map. Valerie Breneman requested that the Board add Union Grove's wastewater treatment facility property on 67<sup>th</sup> Drive to the map, noting that children play soccer there. The Board asked McKinney to contact any group home operators in the Town to ask whether they provide any services to minors that would justify their inclusion on the updated map. The Board also asked McKinney to contact neighboring municipalities to request copies of their sexual offender ordinances and sexual offender residency restriction maps.

The Board discussed adding a link to the Town's website directing interested parties to the Wisconsin Department of Corrections' sex offender registry. Wisconsin Department of Corrections Sex Offender Registration Specialist Sandy Cornell spoke to the Board regarding the Wisconsin sex offender registry. She noted that residents can sign up on the Wisconsin Department of Corrections' website to receive e-mail notifications whenever an offender moves to the community. She stated that residency restrictions are difficult to enforce as offenders tend to move around frequently. She noted that she plans to work closely with the Racine County Sheriff's Department on offender placement and site visitation. She also noted that site visits are typically conducted at offender's residences twice a year or quarterly. She stated that sexual offenders are required to register for either 15 years or life.

Ekes discussed draft updates to the Town's sexual offender ordinances with the Board, including sections clarifying the definition of sexual offender, clarifying the definition of recreational trail, establishing a domicile-based restriction that prevents sexual offenders that resided in other communities at the time of their arrest from relocating to Yorkville, requiring that sexual offenders notify the Town before relocating here, and making property owners liable for allowing a sexual offender to rent or reside within a prohibited area on the Town's sexual offender residency restriction map. She noted that snowmobile trails were not included in the recreational trail definition as their locations are not fixed by any legal description and children only pass through while traveling on them. The Board requested that the snowmobile club provide legal documentation showing public dedications to their club by individual landowners defining where the trails are located before they considered whether to include snowmobile trails in the recreational trail definition. Cornell noted that domicile-based restrictions are becoming more common but are frequently challenged due to their restrictive nature. She added that the state has considered adopting state-wide sexual offender regulations that would supersede local ordinances. The Board discussed whether the domicile-based restrictions would be too difficult and costly to enforce.

Ekes stated that while other at-risk groups could benefit from being included in the Town's sexual offender ordinances, she noted that the Town's focus should remain on minors and not on any at-risk adult groups, such as those residing at 1805 15<sup>th</sup> Avenue. She noted that the Board can establish residency restriction zones within the Town based upon properties located in neighboring municipalities but added that the Town cannot enforce their own residency restriction areas when they reach into other municipalities. She stated that the Town's ordinances as written would supersede any omissions on their sexual offender residency restriction map. She noted that the Wisconsin Department of Corrections cannot be required to notify the Town when they no longer require offenders to submit to GPS monitoring. She also noted that enforcement of sexual offender loitering restrictions is difficult. The Board chose to continue discussion of this agenda item at their regular Board meeting scheduled for Monday, April 27, 2015, at 6:00 p.m. in the Town Board Room.

***No formal action was taken by the Town Board on this agenda item.***

#### **Other – Comments, questions and suggestions**

No comments, questions or suggestions were provided.

#### **Adjournment**

***Motion (Gruhn, McMahon) to adjourn, MC.*** The meeting was adjourned at 7:45 p.m. The next scheduled Town Board meeting is Monday, April 13, 2015, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*