# CITY OF GILLETT COMMON COUNCIL
# NOTICE OF REGULAR MEETING

Council Chambers – Municipal Building
150 N McKenzie Ave – Gillett, WI 54124
**THURSDAY, AUGUST 4, 2022 AT 6:00 PM**
## AGENDA

Council may deviate from agenda as needed

1. Mayor calls meeting to order. Pledge of Allegiance
2. Clerk takes roll and informs the Council that the Open Meeting Law has been complied with
3. Public Input
4. Discussion & possible action on minutes for July 7, 2022
5. **CDA Report:** Alderperson Mohr
6. **Library Report:** Alderperson
7. **Tourism & Marketing Commission:** Katie Daul
8. **Financial Report:** Clerk Treasurer
   a. Updated Monthly Check Register Provided and Budget
9. **Police Department Report:** Police Chief Breitenbach
   a. Discussion on Training, Public Relations, and Incident Summary Report
10. **Fire Department Report:** Fire Chief Hicks
    a. Discussion on Training, Public Relations, and Incident Summary Report
11. **Health, Protection and License Committee Report:** Alderperson Blaser
    a. Discussion and Possible Action on an Operator License for Linda Trudeau, April Caldwell, and Ellen Kessler
    b. Discussion and Possible Action on
    **Class B Fermented Malt Beverage & Class B Liquor**
    -The Social, Joseph Quance, 108 N Lake Street, Gillett, WI 54124
    c. Discussion and Possible Action on tobacco/cigarette retail license for The Social, Joseph Quance, 108 N Lake Street, Gillett, WI 54124
    d. Discussion and Possible Action on Chicken Ordinance
    e. Discussion and Possible Action on Ridgewood Covenants
    f. Discussion and Possible Action on Sign Ordinance
    g. Discussion and Possible Action to rescind Golf Cart Ordinance because we do not meet State Statute
    h. Discussion and Possible Action on Home Occupation Permit for 315 N McKenzie High Falls Metal
    i. Discussion and Possible Action On Quotas for Class A intoxicating liquors and Class A Fermented Malt Beverage licenses – sale off premises
12. **Board of Public Works Committee Report:** Alderperson Stroik
13. **Utility Committee Report:** Alderperson Mohr
14. **Finance and Personnel Committee Report:** Alderperson Rudie
    a. Discussion and possible action on creating debt reserve account(s) in Local Government Investment Pool per USDA loan requirements for water and sewer
    b. Discussion and possible action on splitting water and sewer accounts per USDA loan requirements
15. **Park and Cemetery Committee Report:** Alderperson Gildemeister

Posted: City Hall and City Website----**Agenda subject to change up to 24 hours prior to meeting** Cc: City Council, Mayor, Attorney, Gillett Fire Dept., Gillett Police Dept. Contact City Clerk at 920-855-2255 prior to meeting if additional services are required. **It is possible that members of and possibly a quorum of members of the City Council or other committee may be in attendance** at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

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16. **Planning Committee Report:** Alderperson Spaulding
    a. Discussion and Possible Action on Garage Permits for 128 E First Street- Rowell, 129 W Pine Street -Wynkoop, and 106 N Zippel Avenue -Grezlak
    b. Discussion and Possible Action on Fence Permit at 160 W Park Street – Ort
    c. Discussion and Possible Action on 209 E Armstrong Street Gillett WI 54124
    d. Discussion and Possible action on a variance for a 136 foot curb opening for Spaulding Construction
17. **Clerk Treasurer's Report:** Clerk Treasurer
18. **Attorneys Report:** Hanaway Ross Law Firm
19. **Mayor's Report:** Mayor McCarthy
20. **Adjourn**

Posted: City Hall and City Website----**Agenda subject to change up to 24 hours prior to meeting** Cc: City Council, Mayor, Attorney, Gillett Fire Dept., Gillett Police Dept. Contact City Clerk at 920-855-2255 prior to meeting if additional services are required. **It is possible that members of and possibly a quorum of members of the City Council or other committee may be in attendance** at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

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# CITY OF GILLETT COMMON COUNCIL

Council Chambers – Municipal Building
150 N McKenzie Ave – Gillett, WI 54124
**THURSDAY, JULY 7, 2022 AT 6:00 PM**

## MINUTES

1. Mayor McCarthy called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.
   **Roll Call**
   **Present:** Mayor Josh McCarthy, Alderpersons Nanette Mohr, Debbie Rudie, Gary Spaulding, Jon Gildemeister, Marie Blaser, Clerk Treasurer Chelsea Anderson, Librarian Shannon Stoner, Police Chief Shane Breitenbach, Fire Chief Kurt Hicks, Utility and Public Works Department Head Ron Anderson, and Katie Daul Tourism and Marketing. Public Kevin Smith, Irene Drake, and Warren Bluhm from NEW Media. Alderperson Stroik is excused.

2. **Clerk informs the Council that the Open Meeting Law has been complied with**
3. **Public Input:** Irene Drake asked the council to consider changing the meeting rules for payroll, other communities only are paid if the member attends the meeting. She was also wondering when we will have a Community Development Authority meeting, which she is a member of; the committee does not have enough members for a quorum. Mayor asked what projects she had in mind for CDA, and answered with a city expansion and growth.

4. Discussion & possible action on minutes from June 2, 2022
   **MOTION: Mohr/Blaser**
   *Motion to approve minutes from June 2, 2022*
   **Voice Vote:** All Voting Aye - **MOTION CARRIED**

5. **CDA Report:** Alderperson Mohr –Waiting for a full roster/quorum to have a meeting.

6. **Library Report:** Librarian Shannon Stoner reported- We are still hiring for Part Time Library Aide. 20 hours a week. I have reached out to the Gillett High School to inquire about a student work program candidate.
   We had Einstein's Sandbox come and do STEM activities with kids on Thursday, June 30th. Our fossil program in June was a huge success. Thank you, Earthaven Museum, for coming out to our library and teaching us all about fossils.
   Summer Library Experience
   a. We are having a Pizza Party on Thursday, June 9 to kick off our Summer Library Experience. 4-5 pm.
   b. I went to Gillett Elementary to speak to the kids about our Summer Program. I also sent two flyers home with a list of events for the 2022 program.
   c. Our programs in July include the Oconto County Parks department on Friday, July 15; Bay Beach Wildlife Sanctuary presents "Birds of Prey" on Tuesday, July 19 from 3-4 pm, Moon Day on Friday, July 22, and Under the sea on Friday, July 29th.

   I wrote a grant for a makerspace in our teen area.
   2023 Budget planning underway.
   Our library gardens will be in the Garden Walk on July 14th.
   Friends of the Library will be coordinating efforts with High School students to rebuild Little Free Libraries around the city, which need replacement. New View currently maintaining those, which they are able to.

7. **Tourism & Marketing Commission**: Katie Daul reported the committee continues to work on final plans for Garden Walk next Thursday July 14, with an after event at Spirts of Gillett. Historical Society will also have music on the same evening. October 1 through whole first week, planning a fall party. Katie reported she was able to attend the soft opening of New Beginnings, where they thanked the City for the collaboration. And lastly, The City of Gillett "City for All Seasons" rebrand was in the Times Herald.

8. **Financial Report:** Clerk Treasurer
   a. Updated Monthly Check Register Provided and Budget
   **MOTION: Rudie/Mohr**
   *Motion to approve June 2022 Check Register and Budget.*
   **Roll Call Vote:** All Voting Aye - **MOTION CARRIED**

9. **Police Department Report:** Police Chief Breitenbach
   a. Discussion on Training, Public Relations, and Incident Summary Report -Chief Breitenbach provided the incident report. Training and Public Relations- 187 incidents through June 1-July 6.

Several training events have occurred since our last meeting. Officer Buettner attended a 40 hr. ICAC Investigative Techniques training provided by the US Dept. of Justice. This type of training is critical to skill development to deal with the ever-changing laws, technology advancements, and expanding investigative resources. Officer Buettner also completed her Advanced Crisis Negotiations Course sponsored by the National Tactical Officers Association. Both of these trainings were of no cost to the city.

The Gillett Police Department has been awarded a $7000 grant from the State of WI Dept. of Administration. I am looking into several different areas for the use of these funds including upgrading of officer body armor. I am also currently authoring a grant through the US Bureau of Justice to supplement up to 50% of the cost of body armor. I have submitted a grant though WE Energies for the purchase of two BOLA Wrap 150 systems. The BOLA Wrap is a non-pain compliant detention tool. This tool utilizes a Kevlar cord, which is deployed from a hand, held unit that limits a subjects movements, greatly reducing or eliminating the need to escalate force to gain compliance.

The Rainbow House Domestic Abuse Shelter has utilized the Gillett Police Department parking lot as a designated Secure Child Exchange for some time now. The Rainbow House has graciously donated a security camera, including installation, to the Gillett Police Department. The camera will placed to monitor the front and side areas of the Gillett Municipal Building. The Rainbow House also has provided signage to be posted on the side of the building.

I would like to have the council recognize the efforts and actions of Officer Buettner. Officer Buettner was dispatched to assist with a felony vehicle pursuit that deputies from the Oconto County Sheriff's Office were involved in. Officer Buettner successfully deployed one of our new STOP STICK Tire deflation devices. The vehicle was disabled and came to a stop without any persons being injured. The suspect was under the influence of Methamphetamines and was arrested for felony fleeing and multiple traffic/drug violations.

After many months of considerations, research, design changes, and officer input, I am proud to introduce to you the new patch of the Gillett Police Department. The design incorporates several of the prominent buildings in the city surrounded by autumn trees against a beautiful light blue fall sky. This design will be incorporated into uniforms, department stationary, decals, and squad graphics.

10. **Fire Department Report:** Chief Hicks
    a. Discussion on Training, Public Relations, and Incident Summary Report- 5 Fire Calls: Co2 call, Lift Assist with Gillett EMS, Missing person, Trailer fire auto aid, tree branch on power line. 30 calls overall so far this year. Average 25-35 calls a year- 47 last year total. Ladder truck in for service, needed repair. Applied for DNR grant, hose testing was done, two engines done. While hose testing, new fire fighters are running the pumps for training. New gutters on the fire department, new garage door openers installed, being paid by GAFA (Gillett Area Firefighters Association). AED was serviced and was at no cost thanks to Gillett EMS. Golf Outing August 13 for GAFA. County contacted us and asked us to donate smoke detectors – would be be given to day care centers and like facilities. Donated 5 smoke detectors to county.

11. **Health, Protection and License Committee Report:** Alderperson Blaser

a. Discussion and Possible Action On Operator Licenses for Nicholas Blumreich, LaKayla Grawey, and Don Waranka
**MOTION: Rudie/Mohr**
*Motion to approve the above stated Operator's Licenses, all background checks have been completed.*
**Voice Vote:** All Ayes **MOTION CARRIED**

b. Discussion and Possible Action On Golf Cart Ordinance
**MOTION: Spaulding/Mohr**
*Motion to approve Golf Cart Ordinance, following state statutes.*
**Voice Vote:** All Ayes **MOTION CARRIED**

c. Discussion and Possible Action On Chicken Ordinance- leave lay
d. Discussion and Possible Action On Fence Ordinances (City and Ridgewood)- leave lay
e. Discussion and Possible Action On Garbage and Recycling Ordinance
**MOTION: Rudie/Spaulding**
*Motion to approve the Garbage and Recycling Ordinance to read one foot apart, opening of the bins must face the street.*
**Voice Vote:** All Ayes **MOTION CARRIED**

12. **Board of Public Works Committee Report:** Alderperson Stroik- Utility/Public Works Department Head Ron Anderson stated working on cleaning up the City; one storm sewer is finished and repaired on Main Street, more need to be done because holes are forming in the road. Stated they took a fence down by the previous utility office/garage, it was the old recycling center and no longer needed to be there. Cleaned cold storage. Street cleaned so storm sewers do not plug up. Hoping garbage problems will be solved and that GFL will have the correct information to the citizens and everyone will have the carts the correct way for pickup with the new automated truck. Some vandalism at the park on the picnic tables, other than that is has been good so far in the park. Dog owners are not picking up after their dogs. Construction- signing on the 15th for the Seneca lot for our engineering plans. Will go to USDA to approve, then will proceed with bids. Need to have a contractor under contract by September 7 for Washington construction project. Will lose state funding and Tax Incremental Financing money if we cannot get a contract. Shortages: Cannot get hydrants, 27 weeks out for water and sewer parts, will start North Green Bay Avenue and bridge. All other parts of road will be done next spring. Weed killer incident where employee sprayed the sidewalk and killed citizens grass, Public Works will replace the soil and seed and the employee has been talked to.

13. **Utility Committee Report:** Alderperson Mohr mentioned Eric Anderson is a water certified "operator in training" that is mandated for the first year. Will start wastewater tests to earn 6 more licenses. – Utility Operator Ron Anderson stated we got a grant for PFAS testing. Tested for free, results will be coming back soon. Will get info to public when we can. Will put in meter vault pit for the fair board building for water consumption and correct billing, mandated by the PSC.

14. **Finance and Personnel Committee Report:** Alderperson Rudie- Meeting Monday July 11, 2022
    a. Discussion and Possible Action on selling our trademark of ATV Capital of the World- has not sold

15. **Park and Cemetery Committee Report:** Alderperson Gildemeister- wants to have a meeting to discuss dogs in the park/not picking up after and trailhead parking.

16. **Planning Committee Report:** Alderperson Spaulding-
    a. Discussion and Possible action on Dollar General Sign Permit
    **MOTION: Rudie/Spaulding**
    *Motion to approve the sign permit for Dollar general, two wall signs and pole sign following city and state regulations.*
    **Voice Vote:** Spaulding, Rudie, Blaser, Gildemeister Voting Aye; Mohr Abstains - **MOTION CARRIED**

17. **Clerk Treasurer's Report:** Clerk Treasurer stated she contacted Greg Riemer for an update on the land. He has not made a decision on whom to sell to. He stated he is a green space advocate and wants to place a conservation easement on the land and the party who purchases the land would have to follow.

18. **Attorneys Report:** Hanaway Ross Law Firm- No report.

19. **Mayor's Report:** Mayor McCarthy attended truck show and 4th of July celebration, all very good events looks forward to Historical Society ice cream social and Garden Walk. Gearing up for budget time.

20. **Adjourn** at 7:20 PM
    **MOTION: Rudie/Mohr**
    *Motion to adjourn.*
    **Voice Vote:** All Voting Aye - **MOTION CARRIED**

Respectfully Submitted,
Clerk Treasurer Chelsea Anderson

**From:** Christina Peterson <Christina@hanaway.com>
**Sent:** Wednesday, July 27, 2022 11:45 AM

**Cc:** Hannah M. Stewart
**Subject:** Golf Cart Ordinance

Hi Chelsea,

We have reviewed the draft ordinance you provided that would allow golf carts on city streets. If I understand correctly, the intent of the ordinance you sent to us is to allow golf carts to drive on all city streets for any purpose (going to local shops and restaurants, etc.). After researching the issue, we have determined that the City does not have statutory authority to create this ordinance. The statute that the ordinance cites as authority is § 349.18(c), which allows the City to regulate golf cart operation on streets for travel to and from a golf course. The proposed use is broader than what the statute allows you to authorize, so the City doesn't have authority to enact it.

The other cities that passed this ordinance (like Oconto and Brillion) have golf courses within city limits. Therefore, they can have an ordinance that allows the golf carts to travel on streets to and from the golf course.

We reviewed other possible authority for the ordinance you proposed but were unable to find anything that would allow the City to consider it. The closest alternative would be an ATV/UTV ordinance, which I know the City already has.

Please let me know if you have any questions.

Thanks,
Christina

**Christina L. Peterson**
**Shareholder**
**Hanaway Ross, S.C.** | Tradition, Integrity, Results. Since 1932.

HANAWAY ROSS LAW FIRM 90 YEARS

**TELEPHONE:** 920.432.3381 | **E-MAIL:** christina@hanaway.com | **WEBSITE:** www.hanaway.com
**MAILING ADDRESS:** 345 S. Jefferson Street Green Bay, WI 54301 | **FAX:** 920.432.4037

***IMPORTANT NOTICE:*** *This electronic message is from a law firm and may contain confidential or privileged information. If you receive this transmission in error, please advise the sender of the error and delete this message and any attachments.*

**EMERY J. ANSORGE**
**EMERY ENTERPRISES**
**P.O. BOX 438**
**GILLETT, WISCONSIN 54124**

**TELEPHONE**
**Office (920) 855-2933**
**Home (920) 855-2441**

June 8, 2022

To the Mayor and Members of
Common Council
City of Gillett

As you may know, some years ago Emery Ansorge set aside money to provide funds for the care of and replacement of items needed for Homey Park. At that time he anticipated that interest accrued on the account would be enough to cover what might be needed.

However, in recent years, interest rates have dropped drastically and no longer provide sufficient funds. Several years ago when a project was being proposed for the Park, I was asked to contact Janet Ansorge, the then President, to see if it would be permissible to use a portion of the principal toward that project. She agreed to this, with the stipulation that no more than half of the amount in the account would be used. For some reason that project was never done.

Now there is a project to purchase childrens' playground equipment for the park. Janet has since passed away, and I recently spoke with Lynne Ansorge Gorlinsky, the Secretary-Treasurer to see if playground equipment would be an acceptable use of this fund. She agreed with this idea, allowing the use of up to one-half of the funds for this purpose.

In the future, proposals for any such projects can be sent to Emery Enterprises at the above address, and will be considered by one or more of the then officers.

Susan Hertwig
Office Manager

**CITY OF GILLETT**
150 N MCKENZIE AVE
GILLETT, WI 54124

**Receipt Nbr:** 43652
**Date:** 6/08/2022
**Check**

**RECEIVED FROM** PARK PLAYGROUND EQUIPMENT FUND $20,000.00

| Type of Payment | Description | Amount |
|---|---|---|
| Accounting | MISCELLANEOUS REVENUE | 5,000.00 |
| | FROM ANSORAGE HONEY PARK 20,000 REMAININ | |
| | MISCELLANEOUS REVENUE | 15,000.00 |
| | CLOSEOUT ANSORAGE FAMILY FRIENDS | |
| TOTAL RECEIVED | | 20,000.00 |

Receipt Memo: FOR PURCHASE OF PARK PLAYGROUND

# CITY OF GILLETT

150 N MCKENZIE AVENUE, GILLETT WI 54124
Duff Leaver, Buiding Inspector 715-216-4734
Hours 8:30 am - 4:30 pm M-F

## Uniform Building Permit Application

sq Ft $.72 pd

Fee: electric 40

Application No.

PERMIT REQUESTED: Check All That Apply — ☒ Constr. ☐ HVAC ☐ Electric ☐ Plumb. ☐ Erosion Control ☐ Other: Project Type:

Parcel No. 2310422494535A

| Owner Name | Mailing Address (if other than Site Address) | Phone / Email |
|---|---|---|
| Jake Rowell | | Phone (715) 851-8356 |

| Contractor Name & Type | Lic/Cert # | Exp Date | Mailing Address | Phone & Email |
|---|---|---|---|---|
| Dwelling Contractor (Constr.) 4all Structures | N/A | | 12930 County Rd VV Gillett, WI 54124 | (920) 660 5495 4allstructures@gmail.c |
| Dwelling Contr. Qualifier (The Dwelling Contr. Qualifier shall be an owner, CEO, COB or employee of the Dwelling Contr.) | | | | |
| HVAC | | | | |
| Electrical Contractor Hillberg Electric | 652-828 | | 60 amp underground | 920 373 4913 |
| Electrical Master Electrician | | | | |
| Plumbing | | | | |

| PROJECT LOCATION INFO. | Lot area 13112 Sq.ft. | ☐ One acre or more of soil will be disturbed | City of Gillett | ___1/4, ___ 1/4, of Section ___, T ___N, R ___E/W |
|---|---|---|---|---|

| Site Address | County | Subdivision Name | Lot No. | Block No. |
|---|---|---|---|---|
| 128 E 1st St | Oconto | | | |

| Zoning District(s) | Zoning Permit No. | Setbacks: | Front | Rear | Left | Right |
|---|---|---|---|---|---|---|
| | | | 64 ft. | 66 ft. | 6 ft. | 70 ft |

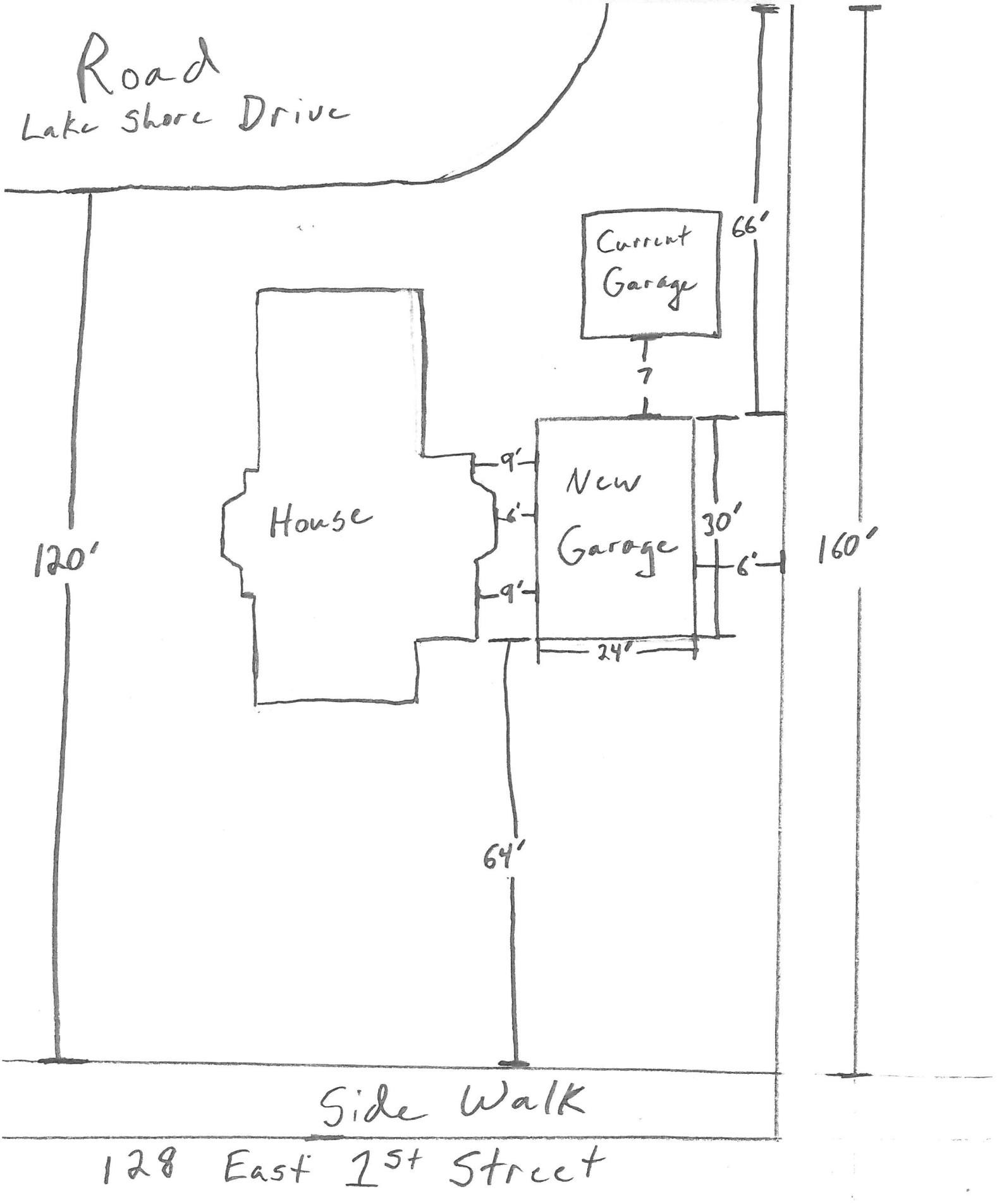
| PROJECT | OCCUPANCY | ELECTRIC | HVAC EQUIP | ENERGY SOURCE |
|---|---|---|---|---|
| ☒ New ☐ Repair | ☐ Single Fam | Entrance Panel | ☐ Furnace | Fuel Type: |
| ☐ Alter. ☐ Raze | ☐ Two Fam | Amps: _____ | ☐ Radiant Baseboard | ☐ Nat Gas ☐ Electric ☐ LP ☐ Oil |
| ☐ Addition ☐ Move | ☒ Garage | ☐ Underground | ☐ Heat Pump | ☐ Solid ☐ Solar Geo |
| ☐ Other: ☐ Remodel | ☐ Other: | ☐ Overhead | ☐ Boiler | Space Htg: |
| ☐ Siding ☐ Roof | CONSTRUCTION TYPE | WALLS | ☐ Central Ac | ☐ Nat Gas ☐ Electric ☐ LP ☐ Oil |
| AREA INVOLVED (sq ft) | ☒ Site-Built | ☒ Wood Frame | ☐ Fireplace | ☐ Solid ☐ Solar Geo |
| Basement | ☐ Mfd. Per WI UDC | ☐ Steel | ☐ Other: | Water Htg: |
| | ☐ Mfd. Per US HUD | ☐ IFC | SEWER | ☐ Nat Gas ☐ Electric ☐ LP ☐ Oil |
| Garage 720 | STORIES | ☐ Timber/Pole | ☐ Municipal | ☐ Solid ☐ Solar Geo |
| Deck | ☒ 1-Story | ☐ Other: | ☐ San. Per # | EST. BUILDING COST w/o LAND |
| Porch | ☐ 2-Story | USE | Water | |
| Other | ☐ Other: | ☐ Seasonal ☐ Other: | ☐ Municipal | |
| Totals 720 | ☐ Basement | ☒ Perm. | ☐ On-Site Well | $ 30,000.00 |

PROJECT DESCRIPTION (if not building a NEW home)

Building new garage that will be 24'x 30'. The building will be flush with the front of the house and run 30 ft back along side of house with a 6' set back from side of house. Sidewall height 10' and peak height 16'

APPLICANT SHALL CALL THE INSPECTION DIVISION FOR REQUIRED INSPECTION

APPLICANT (Print:) Jake Rowell (Signature:) [signature] DATE: 7/18/2022


Road
Lake Shore Drive
Current Garage
66'
7
House
9'
6'
9'
New Garage
30'
6'
24'
120'
160'
64'
Side Walk
128 East 1st Street

# CITY OF GILLETT

150 N MCKENZIE AVENUE, GILLETT WI 54124
Duff Leaver, Buiding Inspector 715-216-4734
Hours 8:30 am - 4:30 pm M-F

## Uniform Building Permit Application

Fee: 40 pd

Application No.

PERMIT REQUESTED: Check All That Apply ☐ Constr. ☐ HVAC ☐ Electric ☐ Plumb. ☐ Erosion Control ☐ Other: Project Type:

Parcel No. 2310121111984

| Owner Name | Mailing Address (if other than Site Address) | Phone / Email |
|---|---|---|
| KATHERINE WYNKOOP | | Phone 352-973-3081 |

| Contractor Name & Type | Lic/Cert # | Exp Date | Mailing Address | Phone & Email |
|---|---|---|---|---|
| Dwelling Contractor (Constr.) | | | already made storage garage | |
| Dwelling Contr. Qualifier (The Dwelling Contr. Qualifier shall be an owner, CEO, COB or employee of the Dwelling Contr.) | | | | |
| HVAC | | | | |
| Electrical Contractor | | | | |
| Electrical Master Electrician | | | | |
| Plumbing | | | | |

PROJECT LOCATION INFO. | Lot area _____ Sq.ft. | ☐ One acre or more of soil will be disturbed | City of Gillett | ____1/4, ____ 1/4, of Section ____, T ____N, R ____E/W

| Site Address | County | Subdivision Name | Lot No. | Block No. |
|---|---|---|---|---|
| 129 W. PINE STREET | Oconto | | | |

| Zoning District(s) | Zoning Permit No. | Setbacks: | Front ft. | Rear ft. | Left ft. | Right ft. |
|---|---|---|---|---|---|---|
| | | | | | | |

**PROJECT**
☐ New ☐ Repair
☐ Alter. ☐ Raze
☐ Addition ☐ Move
☐ Other: ☐ Remodel
☐ Siding ☐ Roof

**AREA INVOLVED (sq ft)**

| | |
|---|---|
| Basement | |
| | |
| Garage | 288 |
| Deck | |
| Porch | |
| Other | |
| Totals | 288 |

**OCCUPANCY**
☐ Single Fam
☐ Two Fam
☐ Garage
☐ Other:

**CONSTRUCTION TYPE**
☐ Site-Built
☐ Mfd. Per WI UDC
☐ Mfd. Per US HUD

**STORIES**
☐ 1-Story
☐ 2-Story
☐ Other:
☐ Basement

**ELECTRIC**
Entrance Panel
Amps: _____
☐ Underground
☐ Overhead

**WALLS**
☐ Wood Frame
☐ Steel
☐ IFC
☐ Timber/Pole
☐ Other:

**USE**
☐ Seasonal ☐ Other:
☐ Perm.

**HVAC EQUIP**
☐ Furnace
☐ Radiant Baseboard
☐ Heat Pump
☐ Boiler
☐ Central Ac
☐ Fireplace
☐ Other:

**SEWER**
☐ Municipal
☐ San. Per #

**Water**
☐ Municipal
☐ On-Site Well

**ENERGY SOURCE**
Fuel Type:
☐ Nat Gas ☐ Electric ☐ LP ☐ Oil
☐ Solid ☐ Solar Geo
Space Htg:
☐ Nat Gas ☐ Electric ☐ LP ☐ Oil
☐ Solid ☐ Solar Geo
Water Htg:
☐ Nat Gas ☐ Electric ☐ LP ☐ Oil
☐ Solid ☐ Solar Geo

**EST. BUILDING COST w/o LAND**
$ 7500.00

**PROJECT DESCRIPTION (if not building a NEW home)**

12 X 24 GARAGE – BACKYARD – TO BE LOCATED ON CURRENT BLACKTOP DRIVEWAY STARTING AT GATES OF FENCING AT BACKYARD

APPLICANT SHALL CALL THE INSPECTION DIVISION FOR REQUIRED INSPECTION

APPLICANT (Print:) KATHERINE WYNKOOP (Signature:) Katherine Wynkoop DATE: 7/14/22

# Standard Garage

## Standard Features

- 89 side walls
- wall studs 24"centers on metal buildings
- wall studs 16" centers on LP buildings
- 36" insulated house door withou window
- one 9x7 garage door (white)
- trusses 16" centers
- OSB roof sheeting
- engineered trusses 50 (PSF) ground snow load
- 3/4" treated flooring
- treated floor joists 2x4
- 12" centers
- 4x6 notched treated skids
- ramp (optional)
- 14-16 wides measured across eaves in compliance with DOT regulations

## SMARTSIDE

12 FOOT

12x16 .... $5952
12x20 .... $6505
12x24 .... $7068
12x28 .... $8223
12x30 .... $8674
12x32 .... $9044
12x34 .... $9467
12x36 ... $10030
12x40 ... $10637

14 FOOT

14x16..... $6372
14x20 .... $6925
14x24 .... $7919
14x26 .... $8539
14x28 .... $9138
14x30 .....$9740
14x32 ... $10264
14x34 ... $10839
14x36 ... $11246
14x40 ... $13305
14x44 ... $14636

16 FOOT

16x20 .... $8675
16x24 .... $9916
16x28 ... $11669
16x30 ... $12459
16x32 ... $13261
16x36 ... $14140
16x40 ... $15256
16x44 ... $16783

## METAL

12 FOOT

12x16 .... $6547
12x20 .... $7155
12x24 .... $7774
12x28 .... $9045
12x30 .... $9541
12x32 .... $9948
12x34 ... $10414
12x36 ... $11033
12x40 ... $11700

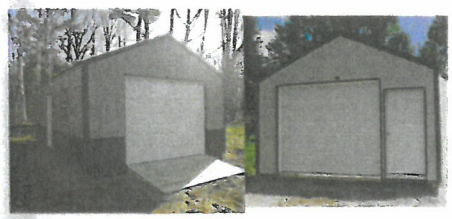
14 FOOT

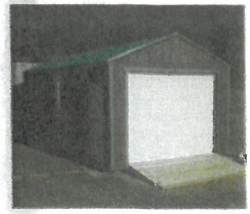
14x16..... $7009
14x20 .... $7619
14x24 .....$8711
14x26 .... $9392
14x28 ... $10052
14x30 ... $10714
14x32 ... $11290
14x34 ... $11923
14x36 ... $12371
14x40 ... $14635
14x44 ... $16099

16 FOOT

16x20 .... $9542
16x24 ... $10907
16x28 ... $12836
16x30 ... $13704
16x32 ... $14587
16x36 ... $15554
16x40 ... $16782
16x44 ... $18461

Window not included in base. price





Oconto County Land Information Systems makes every effort to produce the most current and accurate information possible. No warranties, expressed or implied, are provided for the data provided, its use, or its interpretation. Oconto County does not guarantee the accuracy of the material contained herein and is not responsible for any misuse or misrepresentation of this information or its derivatives. Oconto County parcel maps are for tax and real property listing purposes only and do NOT represent a survey. The tax parcel maps are compiled from official records, including survey plats and deeds, but only contain the information required for Oconto County business. You should always use the original recorded documents for legal or survey information

**Oconto County GIS**

TextBox1

SCALE: 1" = 39'

Print Date: 7/18/2022

Gruelak

**From:** Gary Ort <forestprosol@gmail.com>
**Sent:** Wednesday, July 13, 2022 9:08 AM
**To:**
**Cc:** Ema Ort
**Subject:** lot.pdf
**Attachments:** lot.pdf

So consuling and engeered owns to the new view
Think the city be happy with a fence along 1/2 of elm start only
Move everything behind fence
Move some to other plants
Also scrape alot of it
Only 1 side fence along part of elm St
Long term employee parking lot
Limited storage  on south end behind fence
No more equipment coming only leaving

Wood fence
200' to 300' along Elm St.

Oconto County Land Information Systems makes every effort to produce the most current and accurate information possible. No warranties, expressed or implied, are provided for the data provided, its use, or its interpretation. Oconto County does not guarantee the accuracy of the material contained herein and is not responsible for any misuse or misrepresentation of this information or its derivatives. Oconto County parcel maps are for tax and real property listing purposes only and do NOT represent a survey. The tax parcel maps are compiled from official records, including survey plats and deeds, but only contain the information required for Oconto County business. You should always use the original recorded documents for legal or survey information

**Oconto County GIS**

TextBox1

SCALE: 1" = 81'

Print Date: 7/13/2022

Jody Bierhals home appears to be a candidate for a raze order from only an inspection of the exterior. I would have to be able to inspect the interior to make a full assessment. Let me know how you want me to proceed with that situation. I can send her a notice to repair exterior items but I think it goes beyond that.

Duff Leaver Inspections

Special requirements for commercial and industrial driveways. The following regulations are applicable to driveways serving commercial or industrial establishments:

**(a)**

Width of drive. The maximum permitted width of a commercial or industrial driveway approach shall be 35 feet at the curb line, except as increased by permissible radius. In instances where the unique nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the Board of Public Works, in its discretion, may permit a driveway of additional width.

**(b)**

Angular placement of driveway. The angle between the center line of the driveway and the curb line shall not be less than 45°.

**(c)**

Island areas. Where the public sidewalk is adjacent to the curb, an island of a minimum length of six feet measured along the curb line shall be placed between each entrance to a City street. The curb shall be left intact for the length of this island. Where the public sidewalk is remote from the curb, an island of a minimum length of 10 feet measured along the right-of-way line shall be maintained along each entrance to the City street. All flares shall be tangent to the curb line. A curb length of not less than three feet shall be left undisturbed adjacent to each property line to serve as an island area in the event an adjoining property owner applies for a driveway permit to serve his property.

City of Gillett, WI Code

Chapter 16: Peace and Good Order
§ 16-23.1: Driveways.
https://ecode360.com/34988141

cc: Committee members Spaulding, Rudie, Gildemeister

**Please remember to silence cell phones before attending meetings at City Hall**

It is possible that members of and possibly a quorum of members of the City Council or other committee may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the City Clerk's office 920-855-2255 with as much advance notice as possible.

**Agenda subject to change up to 24 hours prior to the meeting**

HARRY (JESS) SMITH, PLS

Job No. JN22-6649
Dwg. No. 6649SPAULDING

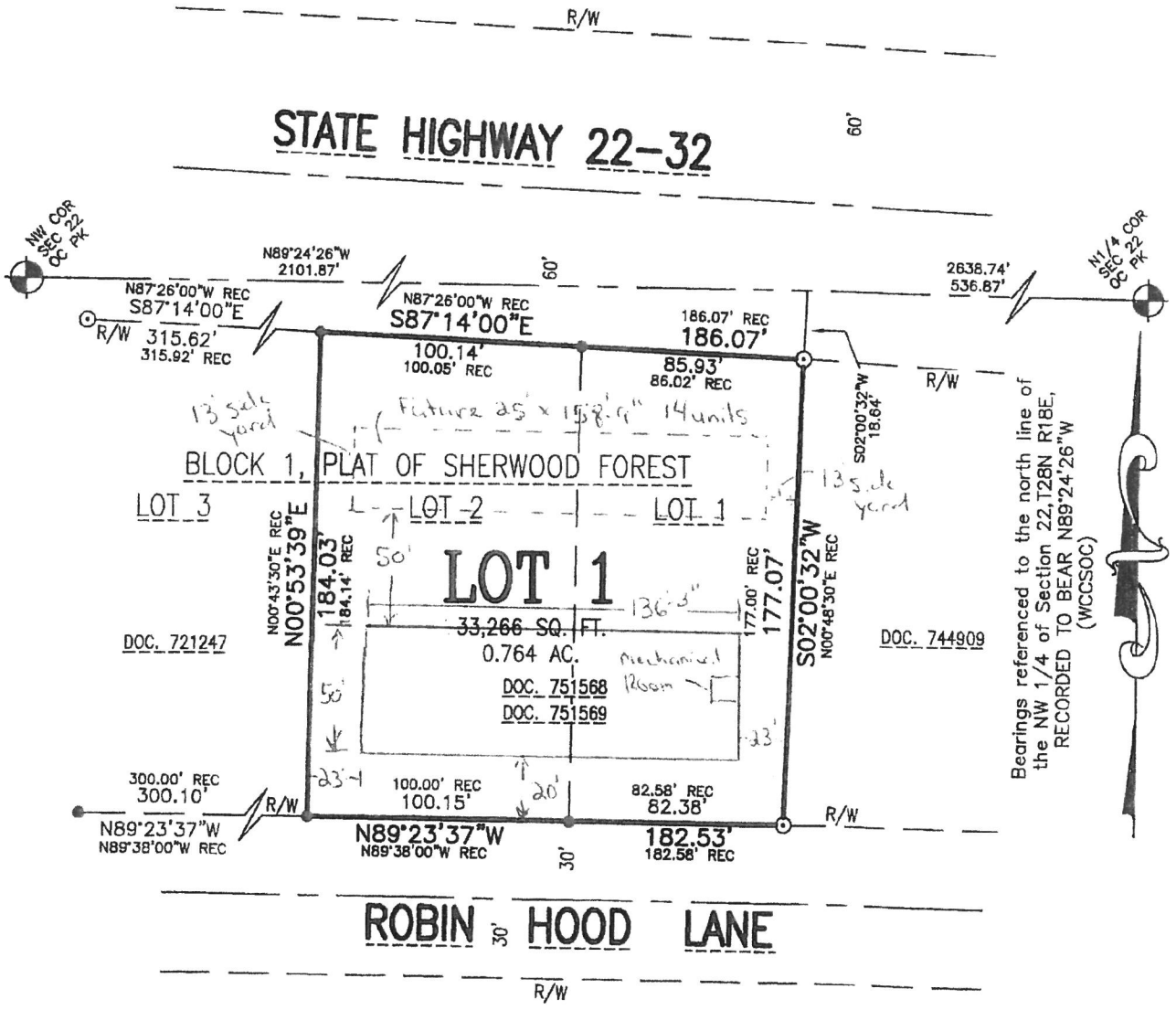
Northeast Surveying, Inc.
Professional Wisconsin Land Surveyors

13418 LOGAN ROAD
SURING WI. 54174
920-842-2426

# CERTIFIED SURVEY MAP NO. _____

ALL OF LOT 1 AND 2 OF BLOCK 1, PLAT OF SHERWOOD FOREST, LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 28 NORTH RANGE 18 EAST, CITY OF GILLETT, OCONTO COUNTY, WISCONSIN.






EXISTING OCONTO COUNTY MONUMENT OF RECORD

⊙ EXISTING 2" IRON PIPE

REGISTER OF DEEDS

Milwaukee
Appleton
Green Bay

CHRISTINA L. PETERSON
City Attorney

# CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
345 S. JEFFERSON STREET
GREEN BAY, WISCONSIN 54301

TELEPHONE
(920) 432-3381
FAX: (920) 432-4037

## CHICKEN ORDINANCE

**ORDINANCE NO. 6-16**
**INTRODUCED BY:**
**SECONDED BY:**

**THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DOES ORDAIN that Chapter 6**, ANIMALS, Section 6-16 Chickens, is hereby created to add as follows:

*Animals to be confined.* No person, owner, or custodian shall permit any animal (including fowl) to be at large within the city. Any animal shall be deemed to be at large when it is off the premises owned or leased by its owner or custodian unless crated, penned, or under the control of a person able to control the animal by means of a leash of sufficient strength to control the action of the animal, or such other personal attention as will reasonably control the conduct and actions of the animal. No person, owner, or custodian shall permit any animal (including fowl) to be left unattended within five (5) feet of a public right-of-way. Such public rights-of-way include, but are not limited to, sidewalks, streets, alleys, and parking lots. Unattended animals shall include those animals which are crated, penned, or leashed but which are without personal supervision or control sufficient to properly restrain the animal.

*Confinement of hens.* In addition to any other provisions in this chapter, hens shall be kept it the following manner:

1. No person may keep a hen over eight (8) weeks of age in a principal structure.
2. Hens shall be kept within a structure, such as a coop or fenced area, used exclusively to keep hens.

*Animal Control—Chickens.*
*Keeping of Chickens in the City.* In addition to all other regulations in this Chapter, the following shall apply to the keeping of chickens within the City of Gillett:

1. *Definitions.* The following terms, when used in this Section, shall have the meanings set forth below:

a. *Chicken* means a domestic chicken of the sub-species Gallus gallus domesticus.

b. *Keep* means either the owning, keeping, possessing or harboring of a chicken.

c. *Rooster* means a male chicken of any age, including a capon or otherwise neutered male chicken.

d. *Coop* means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this Section. A coop shall not be considered an accessory building under Zoning 21-32 of the Code of Ordinances.

e. *Chicken Run* means a fenced cage attached to a coop at least ten (10) square feet in area per chicken and not to exceed one hundred twenty (120) square feet in area.

2. *Annual Permit Required.*

a. Any person who keeps chickens on land in the City which the person owns, occupies or controls shall obtain a permit issued by the Clerk-Treasurer. The permit is valid April 1—March 31st and the fee shall be Ten Dollars ($10.00) annually, plus Three Dollars ($3.00) per chicken annually. The annual permit fee shall be paid no later than April 1st of each year. Any fee payments made after

b. Any person keeping chickens shall immediately report any unusual illness or death of chickens to the Health Department.

c. The Police Chief or his/her designee may order testing, quarantine, isolation, vaccination, or humane euthanasia of ill chickens or chickens believed to be a carrier of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.

d. Annual inspections of the chickens, coop and run shall be conducted by the Police Chief and his/her designee.

*5. Permit Revocation.* A permit is subject to revocation by the Police Chief or his/her designee upon failure to comply with any provisions hereof. Such revocation is subject to appeal by the Plan Commission. Once a permit is revoked, a permit shall not be reissued.

*6. No Appeals Allowed.* The provisions of this Section shall not be subject to appeals.

*7. Sale of Eggs and Baby Chicks Prohibited.* No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.

*8. Penalties.* Any person who shall violate any of the provisions of this section shall be subject to a forfeiture of not less than Twenty Five Dollars ($25.00) nor more than One Hundred Dollars ($100.00) for the first offense and not less than Fifty Dollars ($50.00) nor more than Two Hundred Dollars ($200.00) for subsequent offenses.

This Ordinance shall take effect upon passage and publication provided by law.

Adopted this xx day of August, 2020.

x Ayes, x Nays, 0 Abstain

_____

Josh McCarthy, Mayor

Published: July xx, 2020

_____

Kim Gruetzmacher, Clerk/Treasurer

THE COMMON COUNCIL OF THE CITY OF GILLETT HEREBY ORDAINS THAT THE FOLLOWING DECLARATION OF CONDITIONS, COVENANTS, RESTRICTIONS AND EASEMENTS FOR RIDGEWOOD HEIGHTS ARE APPROVED.

THIS DECLARATION, made this 5th day of September, 1991, by the City of Gillett hereinafter called "the developer",

WITNESSETH:

WHEREAS, the developer is the owner of the real property described in Article I of this Declaration, and desires to subject it to conditions, restrictions, convenants, reservations and easements for the benefit of said property as a whole and for the benefit of each owner of any part thereof.

NOW THEREFORE, the developer hereby declares that the real property hereinafter described shall be used, held, transferred, sole and conveyed subject to the conditions, restrictions, covenants, reservations and easements hereinafter set forth which shall inure to the benefit of and pass with said property and each and every parcel thereof, and shall apply to and bind the successors in interest, and any owner thereof.

ARTICLE I

Property subject to this Declaration. The following property shall be subject to this declaration: Ridgewood Heights.

ARTICLE II

2.1 General Purpose. The general purpose of this declaration is to help assure that Ridgewood Heights will become and remain an attractive community and to insure the best use and the most appropriate development and improvement of each building site; to protect owners of building sites against such use of surrounding building sites as will detract from the residential value of their property; to prevent the erection hereon of poorly designed or proportioned structures; to obtain harmonious use of material and color schemes; to insure the highest and best residential development of said property; to prevent haphazard and inharmonious improvement of building sites; to secure and maintain proper setbacks from streets, and adequate spaces between structures to insure light, air, privacy and to minimize damage from fire.

2.2 Land Use and Building Type. No lot shall be used except for single-family residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot which exceeds two and one-half stories in height and other outbuildings incidental to residential use for the premises.

Home size will be a minimum of 1400 sq. ft. of finished living space. An attached garage will be limited to 864 sq. ft. and exterior material will be in harmony with house design and roof lines. One out-building will be allowed not to exceed one-half of the total sq. ft. of living space of the house and be in harmony with house exterior.

No home occupation shall be allowed, home occupation being defined as any occupation for gain or support conducted within a dwelling which is invidental and secondary to the use of the dwelling for dwelling purposes. Home occupation

parking or storage of vehicles that have a gross vehicle weight of 8,000 pounds and/or exceed 8 feet in width shall be prohibited on any public street within this residential development.

2.10 Signs No permanent sign of any kind shall be displayed to the public view on any lot except one sign up to 12 square feet advertising the property for sale or rent, or a sign used to advertise the property during the construction and sales period. All signs shall be located at least ten feet back from the lot line. Personalized name signs not to exceed 6 sq. ft. will be allowed.

2.11 Fences and Walls. Fences erected on residential premises shall be limited to the following maximum heights:

A) Three feet when located along lot lines.
B) Five feet when located at least 5 feet from the lot line.
C) Six feet when located at least 15 feet from the lot line.
D) No fence shall be constructed or erected on residential premises in the City of Gillett exceeding 6 feet in height.
E) It shall be unlawful to use barbed wire to construct any fence or part of a fence in a residentially zoned area. Utility snow fences may be used only during the winter months. Such fences shall be removed at the end of each winter season.
F) No fence shall be constructed beyond the front of a house or building. Front yard set-back requirements of the zoning code shall be applied to determine the maximum projection when the existing house or building has a non-conforming set-back.
G) Posts of any permitted fence shall be placed on the applicant's side of the fence.
H) All mass planting needs to be approved by the Planning Committee prior to planting.

2.12 Building Location Control In lieu of the normal building location controls set forth in the zoning regulations of the City of Gillett, as provided by the Planned Development Regulations, the following locational controls are established:

A. Street Setback:
1. There shall be a minimum 25 foot setback from a street right-of-way line to any garage, to provide an entrance and parkway apron for the garage.
2. There shall be a minimum 20 foot setback from a street right-of-way to any living area wall.
3. There shall be a minimum 10 foot setback from a street right-of-way to any non-living area wall for landscaping purposes.

B. Offsets from Lot Line:
1. No building shall be closer than 10' to any lot line.
2. All dog kennels will be behind the house and a minimum of 6' from lot lines.

2.13 Corner Visibility. On any corner residential lot, nothing shall be erected, planted or allowed to grow within a triangle created by extending a line 25 feet along each street right-of-way line from the intersection that will obscure visibility over the height of 3 feet above street grade.

2.22 Grievance Procedure. All grievances shall be submitted in writing to the Ridgewood Heights Homeowners Association, which consists of all homeowners in Ridgewood Heights. The Homeowners Association has the right to interpret, but cannot change any item covered within this document. The Homeowners Association must reply within 30 days to the homeowner who submitted the grievance. If the homeowner is unhappy with the outcome, a grievance may be submitted in writing to the Planning Committee along with a payment of $50.00 to cover publishing fees. The Planning Committee shall then conduct a public hearing within thirty (30) days of the submission of such grievance. A Class 1 notice pursuant to Chapter 95, Stats., shall be published in the official newspaper specifying the date, time and place of the hearing and the matters to come before the Planning Committee. Notices of such hearing shall also be mailed to the parties of interest, as determined by the Committee. The Planning Committee shall conduct the public hearing and render its decision, within ten (10) days after conducting said public hearing. The Planning Committee shall mail a copy of its written decision to the person or persons filing the grievance. The decision of the Planning Committee shall be final.

2.23 Violations. It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this chapter or the Wisconsin Statutes; and no person shall be issued a building permit by the City authorizing the building on, or improvement of, any subdivision, minor subdivision or replat within the jurisdiction of this chapter not of record as of the effective date of this chapter and amendments thereto until the provisions and requirements of this chapter have been fully met. The City may institute appropriate action or proceedings to enjoin violations of this chapter or the applicable Wisconsin Statutes.

2.24 Penalties. Any person who violates any provision of this chapter shall be subject to a penalty as provided in sec. 20.04 of this Code.

1) RECORDATION. Recordation improperly made has penalties provided for in S236.30, Wis. Stats.

2) CONVEYANCE. Conveyance of lots in unrecorded platt has penalties provided for in S236.31, Wis. Stats.

3) MONUMENTS. Monuments disturbed or not placed have penalties as provided for in S236.32, Wis. Stats.

# Chapter 11. Fences

[HISTORY: Adopted by the Common Council of the City of Gillett as § 7.14 of the former Municipal Code. Amendments noted where applicable.]

## § 11-1. Permit required; certified survey map.

A. No person, firm or corporation shall, after the effective date of this chapter, erect, construct, enlarge, alter or repair any fence exceeding three feet in height on any premises without first obtaining a permit from the City Building Inspector. A sketch or design of the proposed fence shall be submitted to the Building Inspector before construction shall begin. The fee for the permit shall be as set by the Common Council.[1]

[1] *Editor's Note: The current Fee Schedule is on file in City offices..*

B. If any fence is to be put on a lot line, a certified survey map shall be kept on file at City Hall. The survey shall be conducted by a certified surveyor, and all costs incurred shall be the responsibility of the party erecting said fence. A fence on a lot line must be set back 24 inches from all lot lines. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III)]

## § 11-2. Height restrictions.

A. Fences, screens or other similar structures on premises zoned as commercial and industrial shall not exceed nine feet in height.

B. Fences, screens or other similar structures for safety during construction or erected on a premises used for public outdoor assembly shall not exceed nine feet in height, except that the Building Inspector may permit a fence exceeding nine feet in height in specific locations on a premises used for public outdoor assembly .

## § 11-3. Maintenance.

Fence owners shall be responsible for maintenance and upkeep of the fence. Both sides of fence must be maintained equally.

## § 11-4. Fences on residential premises.

A. Fences erected on residential premises shall be limited to six feet in height when located along lot lines other than lot lines listed under Subsection **B**.

B. Fences erected on residential premises may not exceed three feet in height when located from street right-of-way to front of house. On a corner lot, a fence may not exceed three feet in height from both street rights-of-way to front of house. Fences perpendicular to lot lines may be six feet in height.

# Alcohol Licenses in Wisconsin

## I. Types of Licenses Available

There are many different types of licenses. They are divided into different **classes**, based upon where the alcohol sold can be consumed, and **categories**, based upon the kind of alcohol that can be sold. Each license is identified by both a Class and a Category.

First, there are three **Classes:**

a. Class A licenses: These licenses allow the sale of alcohol for consumption off-premises, i.e. grocery store, convenience store, liquor store
b. Class B licenses: These licenses allow the sale of alcohol for consumption on-premises, i.e. bars, taverns, restaurants that serve alcohol, etc.
c. Class C licenses: These licenses are specific to the sale of wine and are only used for places like wineries that *only* sell wine in their barroom.

Second, there are three **Categories:**

a. Intoxicating Liquor licenses: These licenses allow the sale of liquor, i.e. vodka, whiskey, etc.
b. Fermented Malt Beverage licenses: These licenses allow the sale of beer, and includes wine coolers, hard seltzers, and similar malt beverages.
c. Wine Licenses: These licenses allow the sale of wine

Now, we combine the Classes and Categories above to get the **5** most common types of Alcohol Licenses in Wisconsin:

a. Class A, Intoxicating Liquor License: This license allows the sale of liquor for consumption off premises
   -Example: a liquor store that sells bottles of vodka for consumption at-home; Target or Walmart that sell bottles of whiskey for consumption at home.
b. Class B, Intoxicating Liquor License: This license allows for the sale of liquor for consumption on-premises
   -Example: a bar where you can sit down and order a mixed drink; a restaurant with a bar that serves old fashioneds, etc.
c. Class A, Fermented Malt Beverage License: This license allows the sale of beer for consumption off premises
   -Example: a gas station that sells Miller Light and other beer; a grocery store where you can buy a six-pack
d. Class B, Fermented Malt Beverage License: This license allows the sale of beer for consumption on-premises
   -Example: a brewery that only serves their own products; a beer-only bar
e. Class C, Wine License: This license allows for the sale of wine by the glass or bottle for consumption on premises. An opened bottle in original packaging can be brought home for consumption off-premises. Think winery.

## II. Quotas

A municipality can only issue a certain number of each type of license. This is called a quota. The municipality's governing body has the right to determine the quota for all types of licenses, except for Class B, Intoxicating Liquor Licenses.

In the City of Gillett, the City Council has established the following quotas:

a. Class A, Intoxicating Liquor License: 1
b. Class A, Fermented Malt Beverage License: 2
c. Class B, Fermented Malt Beverage License: 7

So, this means that the City of Gillett can have **1** liquor store that sells vodka, whiskey, etc. for consumption at home, **2** gas stations/grocery stores that sell beer, and **7** bar or restaurants that serve customers (only) beer to drink while they dine/sit at the bar.

The examples of types of stores above are just to illustrate how the licenses could be distributed. A Class A, Intoxicating Liquor license does not *have* to go to a liquor store. It could go to a Family Dollar that sells vodka/gin/whiskey, or a grocery store with a liquor section. So long as the establishment meets the parameters of the type of license explained in Part I above, they are allowed that type of license.

Unlike the other types of licenses, **Class B, Intoxicating Liquor** licenses have a quota that is set by the State legislature. The number of these licenses that you are allowed to issue is based on a complicated formula set forth in the statutes. How you get to the number is not important, but the result is that the quota for the City of Gillett is 5 Class B, Intoxicating Liquor licenses.

The complicating factor here is that the legislature has created an extra type of Class B, Intoxicating Liquor licenses are called Reserve licenses. These reserve licenses increase the quota of Class B, Intoxicating Liquor licenses that a municipality can issue. The determination of how many of those 7 are Reserve licenses is set forth in the statutes. Again, how we get to the number is not important, but the number of Reserve licenses for the City of Gillett is 2.

Therefore, Gillett can issue **5** "Regular" Class B, Intoxicating Liquor licenses and **2** "Reserve" Class B, Intoxicating Liquor licenses, equaling **7** total Class B, Intoxicating Liquor licenses. Both types of licenses allow the licensee to do the same thing (sell intoxicating liquor for consumption on the premises), but cost of the licenses varies, as set forth in the next section.

**In sum, the City of Gillet can issue the following licenses:**

a. **Class A, Intoxicating Liquor License: 1**
b. **Class A, Fermented Malt Beverage License: 2**
c. **Class B, Fermented Malt Beverage License: 7**
d. **Class B, Intoxicating Liquor License: 7 (5 regular, 2 reserve)**

## III. Process of Issuing a License

A. Determining what license is appropriate:

When someone asks about a license, you may need to figure out what type of license they would require. To do this, you first need to figure out what **Class** of license the business would need. Then, determine the **Category**. Once you know what type of license they require, you can look to see if you have a license available to issue.

For example, you asked about giving an alcohol license to Family Dollar. To determine what type of license is appropriate for Family Dollar, you would first decide the appropriate **Class**. Because Family Dollar is a convenience store, it wouldn't make sense to issue them a license for consumption on-premises. Therefore, they would need to be issued a **Class A** license, which allows sale for consumption off-premises. Then, we determine what **Category** of license to give Family Dollar. From your email, it sounds like they want to only sell beer so, you could offer them a **Class A, Fermented Malt Beverage** license.

However, the City Council has only allowed the City to issue two **Class A, Fermented Malt Beverage** licenses. If both of those licenses are currently issued to other establishments, like the grocery store and gas station, you would have to tell Family Dollar that a license is not available for them. You have reached your quota.

If you run into a situation where you have reached the quota of licenses, the only option for the business looking for a license is to ask the City Council to change the quotas (because they are established by ordinance). The exception to this is **Class B, Intoxicating Liquor** licenses, where the quota is set by State statute.

B. Issuing "Regular" Licenses

A good metaphor for how liquor licenses work is to think of them as rental cars. The rental car company has all of the cars in the lot. When someone wants to drive one, they pay the company for the right to drive it. The person drives the car for as long as they want, and then returns it to the company. The company is then free to rent the car out to anyone else who wants to drive it. The same is true for liquor licenses. To start, the City holds all of the licenses. If a business wants to get a license, they need to "rent" it from the City. If they fill out the application and pay the required fees, they are allowed to use the license as long as they want. If they want to close the business, the licenses goes back to the City to "rent" out to anyone else who wants one. A license does not attach to a property; it will always go back to the City if it is not being used.

The actual process of granting a license is fairly straightforward. Once you determine what type of license the business needs (see above), you must determine if you have an available license in that category according to the quotas set out in Part II. If there is an available license, and the City approves the business's application, the business must pay the prescribed fee (should be on-file in your office). Once the fee is paid, you may issue their license.

The process for issuing Reserve Class B, Intoxicating Liquor licenses is exactly the same. The only difference, is that an approved applicant for a Reserve Class B, Intoxicating Liquor Licenses **must** pay a $10,000 non-refundable fee to get the license.

**Note:** The only type of license that has designated reserve licenses is Class B, Intoxicating Liquor licenses. All other licenses are "regular" licenses.

C. Regular Class B, Intoxicating Liquor Licenses vs. Reserve Class B, Intoxicating Liquor Licenses

Both Regular Class B, Intoxicating Liquor Licenses and Reserve Class B, Intoxicating Liquor Licenses do the exact same thing. They allow the possessor to sell intoxicating liquor for consumption on-premises. The only difference is the $10,000 non-refundable fee that is required to obtain a reserve license.

Going back to the rental car metaphor, this would be like having 7 cars to rent, 5 Hondas and 2 Teslas. They all do the same thing, but the prices are different. The Hondas are cheaper, so they are likely to go first. If Person A comes in and all of the Hondas are rented out, the only option left is to rent a Tesla for $10,000. However, if Person B comes in next and a Honda has now been returned, that person can choose whether they want the Honda or the Tesla. Either way, when the renter is done with the car, they all come back to the rental company to be rented out again.

In the same vein, if a bar is issued a Reserve license and they close, the Reserve license goes back to the City. It **does not** attach itself to the property. When a new owner comes along and applies for a license, there might be a Regular license available. The new owner can get a regular license, even if the previous owner had a reserve license.

In the case of Spirits, it sounds like they were issued a Reserve Class B, Intoxicating Liquor license. Now that the bar has closed, that license has returned to the City. It does not stick with the property. The next person to buy that building could open a winery and apply for a Class C Wine license. They could decide they only want to sell beer, and apply for a Class B, Fermented Malt Beverage License. Or, they could keep the bar the same and apply for their own Class B, Intoxicating Liquor License. If there is a Regular Class B, Intoxicating Liquor license available, he could get that one. You would need to follow the steps described above under Part III.A. to determine what license they would get. The bottom line is, just because the previous owner had a Reserve Class B, Intoxicating Liquor license does not mean the new owner can't get a different type of license.