



Village of Mount Horeb

138 E Main St

Mount Horeb, WI 53572

Phone (608) 437-6884/Fax (608) 437-3190

Email: mhinfo@mounthorebwi.info Website: www.mounthorebwi.info

VILLAGE BOARD WEDNESDAY, JANUARY 2, 2019

The Village Board of the Village of Mount Horeb will meet on the above date at 7:00pm in the Board Room of the Municipal Building, 138 E Main Street, Mount Horeb, WI. Agenda as follows:

- 1) Call to order
Pledge of Allegiance
Roll call
- 2) Public Comments – non-agenda items
- 3) Consent Agenda:
 - a) December 5, 2018 Village Board minutes
 - b) Operator's Licenses-Approval: Amy Eisele, Kaia Hatfield, Austin Wisniewski, Bailey Fischer, Karly Tuft, Kirsten Polman
 - c) Denial of N Ganch liability claim
- 4) Update on Veterans Memorial by Don Hartman
- 5) Consider Ordinance 2019-01, "AN ORDINANCE TO CREATE 9.12.5" relating to sexting
- 6) Committee reports:
 - a. Mount Horeb Area Chamber of Commerce
 - b. Mount Horeb Area Joint Fire Department
 - c. Library Board
 - d. School Liaison
 - e. Parks, Recreation, and Forestry Commission
 - f. Plan Commission
 - g. Public Works Committee
 - h. Public Safety Committee
 - i. Finance/Personnel
 - j. Utility Commission
 - k. Public Safety Building Committee
 - l. Tourism Commission
- 7) Village President's report

- 8) Village Administrator's report
- 9) Village Clerk/Deputy Treasurer's report
- 10) Consider contract for an initial fraud protection plan with **4i'S Technologies, LLC**. The Village Board may convene in closed session as authorized by Section 19.85 (1)(f) of Wisconsin Statutes for the purpose of considering personal histories of specific persons, 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.
- 11) Consider Purchase of Fire Department property, 120 S First Street. The Village Board may convene in closed session as authorized by Section 19.85 (1)(e) of Wisconsin Statutes for purposes of the investing of public funds.
- 12) The Village Board may reconvene to open session to discuss and take action on the subject matters discussed in closed session.
- 13) Adjourn

UPON REASONABLE NOTICE, EFFORTS WILL BE MADE TO ACCOMMODATE THE NEEDS OF DISABLED INDIVIDUALS THROUGH APPROPRIATE AIDS AND SERVICES. FOR INFORMATION OR TO REQUEST THIS SERVICE, CONTACT ALYSSA GROSS, CLERK, AT 138 E MAIN STREET, MOUNT HOREB, WI (608) 437-6884.

VILLAGE OF MOUNT HOREB
VILLAGE BOARD MEETING MINUTES
DECEMBER 5, 2018

The Village Board met in regular session in the Board Room of the Municipal Building, 138 E. Main Street, Mount Horeb, WI.

Call to Order/Roll Call: Village President Littel called the meeting to order at 7:00pm. Present were Trustees Monroe, Yauchler, Scott, Hill, and Goltz. Trustee Czyzewski was absent. Also present were Administrator Nic Owen, Assistant Administrator Kathy Hagen, Clerk/Deputy Treasurer Alyssa Gross, and Youth-In-Government Students Sara Fritz, Levi Carr, Kaitlyn Aney, and Declan Smith. The Pledge of Allegiance was recited.

Public Comments: None

Consent Agenda: Scott asked that the SIP for JT Klein be removed from the consent agenda. Monroe moved, Scott seconded to approve the remaining consent agenda items: November 7 and November 28, 2018 Village Board minutes; **Operator's Licenses** for approval: William Gramann, Jesse Kietzke, Valerie Fischer, Lucas Farrell, Reba McClone, and Marie Raboin; **Operator's License for denial: Justin Riley**; Schedule For Appointment Of Agent By Corp/Nonprofit Organization or Limited Liability Company for Eugenia Fletcher for WiscoBoxes LLC; Ordinance 2018-14, **"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM R-2 TWO FAMILY RESIDENTIAL TO R-1 SINGLE FAMILY RESIDENTIAL FOR FIRST ADDITION TO STEINER PLAT LOT 10"**; **Certified Survey Map** for Alan and Mary Hendrickson for First Addition to Steiner Plat Lots 10 and 11; Ordinance 2018-15, **"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF LOT 25 STONE HAVEN ESTATES NO. 2 SUBDIVISION, PARCEL 0607-072-6875-9 FROM R-3 MULTI-FAMILY RESIDENTIAL TO PD-1 PLANNED DEVELOPMENT"**; Ordinance 2018-13, **"AN ORDINANCE TO AMEND CHAPTER 17-14 OF THE ZONING CODE OF ORDINANCES REGARDING DESIGN REVIEW"**. Motion carried by unanimous voice vote. Danny Afable from JT Klein Co. was present to answer any questions. Scott asked him if this project was dependent on getting money from somewhere, in which he said yes. He said the tax credit awards are announced around the first half of April. Scott thanked the person who prepared the presentation, saying it was great and very detailed. Scott moved, Yauchler seconded to approve the Specific Implementation Plan for proposed 37-unit multi-family affordable apartment project by JT Klein Co on the west corner of Cox Drive and Springdale Street. Motion approved by unanimous voice vote.

Consider annual review of registered agents of alcohol serving establishments: Clerk Gross explained this item. Scott moved, Monroe seconded that every agent be reviewed on an annual basis. Motion carried by unanimous voice vote.

Consider Ordinance 2018-**06, "AN ORDINANCE TO CREATE 9.12.5"** relating to sexting: Littel explained the background of this item. There were many unanswered questions that needed clarification. Goltz moved, Yauchler seconded to table this item until further information is obtained from the Municipal Court Clerk and Judge. Motion carried by unanimous voice vote.

Consider Ordinance 2018-**16, "AN ORDINANCE AMENDING SECTION 9.17 OF THE MUNICIPAL CODE OF THE VILLAGE OF MOUNT HOREB RELATED TO THE USE OF TOBACCO PRODUCTS"**: Owen explained this item. Yauchler moved, Monroe seconded to approve the Ordinance. Motion carried by unanimous voice vote.

Committee reports: Committee reports were heard with none requiring Village Board action.

Village President's report: Littel wished everyone a Merry Christmas, Happy New Year, and safe travels.

Village Administrator's report: Owen did not have anything to report.

Village Clerk/Deputy Treasurer's report: Gross gave details about the holiday food drive going on in the Village/Utility office.

Adjournment: There being no further business before the Board, Monroe moved, Goltz seconded to adjourn the meeting at 7:33pm. Motion carried by voice vote.

Minutes by Alyssa Gross, Clerk/Deputy Treasurer

VILLAGE OF MOUNT HOREB
ORDINANCE 2019-01

AN ORDINANCE TO CREATE 9.12.5

The Village Board of the Village of Mount Horeb, Dane County, Wisconsin ordains as follows:

CHAPTER 9 PUBLIC PEACE AND GOOD ORDER of the Code of Ordinances is amended to add (addition in bold):

9.12.5: SEXTING PROHIBITED

(1) FINDINGS. The Village Board of Mount Horeb has determined that the sharing of explicit images and related activities between minors represents a concern for the health, safety, welfare, peace, and order to the citizens of the Village of Mount Horeb. The Village Board has further determined that prohibiting sharing of explicit images and related activities between minors will serve to deter such activities within the Village.

(2) DEFINITIONS. For the purposes of this Subsection:

(a) "Nudity" means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a noticeably erect state.

(b) "Minor" means any person under the age of 18 years.

(3) A minor commits the offense of sexting if he or she knowingly:

(a) Uses a computer, telephone, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity, as defined in this subsection, and is harmful to minors as defined in this subsection.

(b) Possesses a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity, as defined above. A minor does not violate this paragraph if all of the following apply:

1. The minor did not solicit the photograph or video.
2. The minor took reasonable steps to report the photograph or video to a school or law enforcement official.
3. The minor did not transmit or distribute the photograph or video to a third party other than a law enforcement official.

(c) Uses a computer, telephone, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any text message, correspondence, or message of a sexual nature when it:

1. Predominantly appeals to an indecent, shameful, or morbid interest;
2. Is blatantly offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors;
3. Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.

(d) Solicits the transmission or distribution of any text, correspondence, message, photograph, or video from another minor that would itself be prohibited under this Subsection.

The foregoing ordinance was duly adopted by the Village Board of the Village of Mount Horeb at a meeting held on January 2, 2019.

APPROVED:

Randy J Littel, Village President

ATTEST:

Alyssa Gross, Village Clerk

ADOPTED: _____

POSTED/PUBLISHED: _____