

**CITY OF CEDARBURG
COMMON COUNCIL
August 8, 2022**

**CC20220808-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, August 8, 2022 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers and online utilizing the Zoom app.

Mayor O’Keefe called the meeting to order at 7:00 p.m.

Roll Call: Present - Mayor Michael O’Keefe, Council Members Sherry Bublitz, Jack Arnett, Rick Verhaalen, Robert Simpson (7:13 p.m.), Patricia Thome, Angus Forbes

Excused - Council Member Kristin Burkart

Also Present - City Administrator Mikko Hilvo, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Captain Ryan Fitting, Director of Engineering and Public Works Mike Wieser, interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor O’Keefe’s request, Deputy City Clerk Kletzien verified that notice of this meeting was provided to the public by forwarding the agenda to the City’s official newspaper, the *News Graphic*, to all news media and citizens who requested copies, and by posting in accordance with the Wisconsin Open Meetings Law. Citizen’s present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION FROM POLICE CHIEF MCNERNEY TO DENY THE ISSUANCE OF A NEW OPERATOR’S LICENSE TO MICHAEL SCOTT DORSEY

Captain Ryan Fitting explained Michael Dorsey’s record and the reason for the recommendation by Police Chief McNerney to deny the issuance of a new Operator License to Michael Scott Dorsey.

Motion made by Council Member Verhaalen, seconded by Council Member Bublitz, to deny the issuance of a new Operator License to Michael Scott Dorsey based on the recommendation of Police Chief McNerney, as presented by Captain Ryan Fitting. Motion carried without a negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PREMISE DESCRIPTION CHANGE FOR HANDEN DISTILLERY, W62 N590 WASHINGTON AVENUE, TO INCLUDE

THE AREA IN THE STREET DIRECTLY IN FRONT OF THE BUSINESS TO ALLOW FOR SALES OF ALCOHOL DURING FESTIVALS

Deputy City Clerk Kletzien explained that the City issued a Class “B” Fermented Malt Beverage license to Handen Distillery for the 2022-2023 licensing period and their Distillery License is issued through the State of Wisconsin.

Discussion was held on the sale of alcohol during Festivals, as only beer and wine are sold on the street by licensed premises per Festival guidelines.

Motion made by Council Member Thome, seconded by Council Member Bublitz, to extend the premise description for Handen Distillery, W62 N590 Washington Avenue to include the area in the street directly in front of their business to sell beer as licensed by the City and possibly wine if allowed under the Distillery License for Strawberry Festival and Wine & Harvest Festival. Motion carried without a negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE GRANTING OF TEMPORARY CLASS “B”/”CLASS B” RETAILER’S LICENSE TO CEDARBURG FRIENDS OF PARKS & RECREATION FOR COUNTRY IN THE BURG, CEDAR CREEK PARK, N52 W5925 PORTLAND ROAD FOR AUGUST 26 AND 27, 2022 FROM 3:00 P.M. TO SALES UNTIL 10:00 P.M. AND CONSUMPTION UNTIL 10:30 P.M.

Alex Uhan explained that the gates to Country in the Burg open at 4:30 p.m. and the entertainment ends at 10:30 p.m. with the crowd disbursed by 11:00 p.m. and no alcohol leaving Cedar Creek Park. The Common Council approved the extension last year with no incidents.

Motion made by Council Member Arnett, seconded by Council Member Forbes, to authorize the granting of a Temporary Class “B”/”Class B” Retailer’s License to Cedarburg Friends of Parks & Recreation for Country in the Burg at Cedar Creek Park, N52 W5925 Portland Road for August 26 and 27, 2022 from 3:00 p.m. to sales until 10:00 p.m. and consumption until 10:30 p.m. Motion carried without a negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON ERIE INSURANCE CLAIM FOR DAMAGE TO THE HIGHLAND ROAD BRIDGE

City Attorney Herbrand explained that a vehicle hit the side of the Highland Road Bridge on November 9, 2021 causing damage to it. Based on the Police report the person driving the vehicle was at fault and responsible for the damage caused by the incident. Erie Insurance is requesting a property damage release in the amount of \$38,500.

Director Wieser contacted several companies who would be able to make the repairs. Two companies responded with the lowest bid submitted by Structurwerks for \$38,500. This bid was acceptable by the City and the responsible persons insurance company. The work will be done this summer/fall. No additional costs will be incurred by the City.

Motion made by Council Member Verhaalen, seconded by Council Member Forbes, to approve the settlement for the Erie Insurance claim for damage to the Highland Road bridge for \$38,500. Motion carried without a negative vote with Council Member Burkart excused.

CONSENT AGENDA

Motion made by Council Member Bublitz, seconded by Council Member Simpson, to approve the following consent agenda items. Motion carried without a negative vote with Council Member Burkart excused.

- July 25, 2022 Common Council meeting minutes.
- New and renewal 2022-2023 Operator Licenses for Kathleen E. Bert, Kathlyn T. Geracie, Cameron Glavin, Sarah Hardy, Carie R. Jommen, and Sherry A. Wegner.
- Issuance of a Festival Celebration Permit to Festivals of Cedarburg, Inc. for Wine & Harvest Festival to be held on Saturday, September 17, 2022 from 10:00 a.m. - 8:30 p.m. and on Sunday, September 18, 2022 from 10:00 a.m. – 5:00 p.m.
- Issuance of a Festival Celebration Permit to Festivals of Cedarburg, Inc. for Oktoberfest to be held on Saturday, October 1, 2022 from 11:00 a.m. - 8:00 p.m. and on Sunday, October 2, 2022 from 10:00 a.m. – 5:00 p.m.
- Payment of bills dated 7/16/22 through 7/31/22, transfers for the period 7/20/22 through 7/31/22 and payroll for period 7/10/22 through 7/23/22.

CITY ADMINISTRATOR'S REPORT - None

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Verhaalen requested that a copy of the draft Common Council agenda be emailed to all the Council Members on the Monday preceding the Council meeting with the understanding that items may change before it's distribution.

Council Member Bublitz stated that Diversity Committee Member Rev. John Norquist will update the Common Council on the accomplishments and future plans for the Committee at the August 29 Council meeting. She encouraged the Common Council Members to join the upcoming Fireside Chats. Council Member Bublitz also requested that Diversity Committee agendas and minutes be distributed to all Council Members.

MAYOR REPORT - None

ADJOURNMENT

Motion made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 7:24 p.m. Motion carried without a negative vote with Council Member Burkart excused.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk