

**CITY OF CEDARBURG
COMMON COUNCIL
May 10, 2010**

**CC20100510-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, May 10, 2010 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Myers called the meeting to order at 7:00 p.m. The meeting began with a moment of silence followed by the Pledge of Allegiance.

Roll Call: Present - Common Council – Mayor Gregory P. Myers, Council Members Chris Reimer, Art Filter, Paul Radtke, Michael Maher, Kip Kinzel, Robert Loomis

Excused - Council Member Ron Reimer

Also Present - City Attorney Kaye Vance, City Administrator/Treasurer Christy Mertes, Deputy City Clerk Amy Kletzien, Director of Engineering and Public Works Tom Wiza, City Planner Jon Censky, Parks, Recreation and Forestry Director Mikko Hilvo, Library Director Mary Marquardt, Police Chief Tom Frank, Fire Chief Rich Van Dinter, Emergency Management Director Frank Even and Deputy Director Kevin Runkel, interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor Myers' 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. Citizens present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

CONSIDER MAYOR MYERS' APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS

Motion made by Council Member C. Reimer, seconded by Council Member Radtke, to confirm the following Mayoral appointments:

Board of Appeals- 3 year term

Vera Brissman, Chair
Linda Smith (04/30/13)
Dick Dieffenbach, 2nd Alt. (04/30/13)

Design Review Board- 2 year term

Victor DiCristo (04/30/12)
Patrick Doughman (04/30/12)
Norma Klimke (04/30/12)
Julia Oliver (04/30/11)

Economic Development Board – 3 year term

Robert Guse (04/30/13)
Mike Ruzika (04/30/13)

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Daniel Den Boer (04/30/13)

Landmarks Comm. – 3 yr. term

James Pape (04/30/13)

Richard Ellefson (04/30/13)

Tomi Fay Forbes (04/30/13)

Robert Helf (04/30/13)

Community Pool Commission - 2 year term (formerly Leisure Services)

Nina Walker (04/30/12)

Raymond Ronchetti (04/30/12)

Library Board- 3 year term

Sue Karlman (04/30/13)

Vonna Pitel – school dist. (04/30/12)

Elizabeth Bryde (04/30/13)

Steve Ruggieri (04/30/11)

Art Palleon (04/30/13)

Debra Goecks (04/30/12)

Parks, Recreation and Forestry Board – 2 year term

Lynne Buehler (04/30/12)

Kristofor Hanson (04/30/12)

Plan Commission – 3 year term

Mark Burgoyne (04/30/13)

Keith Kaiman (04/30/13)

Police & Fire Commission – 5 year term

Steve Weber (04/30/15)

Public Art Committee – 2 year term

Mark Hargarten (04/30/12)

Charles Radtke (04/30/12)

Karen Reimer (04/30/12)

Public Works Commission – 2 year term

Bill Oakes (04/30/12)

Sandy Beck (04/30/12)

Board of Review – 5 year term

Eric Hofhine (04/30/15)

Julia Oliver (04/30/15)

Sewerage Commission- 2 year term

Robert Dries (04/30/12)

Mark Schoenenberger (04/30/12)

Jim Slavin (04/30/12)

Kristofor Hanson (04/30/12)

Motion carried without a negative vote with Council Member R. Reimer excused.

Deputy City Clerk Kletzien administered oaths of office to board, commission and committee members who were in attendance.

PRESENTATION – MAYOR MYERS’ COUNCIL MEMBER APPOINTMENTS

Mayor Myers presented his Council Member appointments as follows:

Council Member Chris Reimer (1st District)

Personnel Committee
Ad hoc City/School Committee
Ad hoc Debt/Investment Advisory Committee
Ad hoc Revolving Loan Fund Committee

Council Member Ronald Reimer (2nd District)

Design Review Board
Public Art Committee
Public Works Commission

Council Member Art Filter (3rd District)

Sewerage Commission
Personnel Committee
Ad hoc City/Fire Department Committee
Ad hoc County Fair Committee
Mid-Moraine Legislative Committee

Council Member Paul Radtke (4th District)

Community Pool Commission
Parks, Recreation and Forestry Board
Ad hoc City/Fire Department Committee
Festival Committee Liaison
Ad hoc Downtown Master Plan Committee

Council Member Michael Maher (5th District)

Economic Development Board
Library Board
Ad hoc City/School Committee
Ad hoc Enhancement Award Committee
Mid-Moraine Alternate

Council Member Kip Kinzel (6th District)

Personnel Committee
Landmarks Commission
Ad hoc County Fair Committee
Ad hoc Debt/Investment Advisory Committee
Ad hoc Athletic Field Committee
Ad hoc Revolving Loan Fund Committee

Council Member Bob Loomis (7th District)

Light & Water Commission
Ad hoc City/Fire Department Committee
Ad hoc County Fair Committee
Ad hoc Debt/Investment Committee
Ad hoc Revolving Loan Fund Committee

PRESENTATION – 2009 FIRE DEPARTMENT REPORT

Fire Chief Van Dinter presented the 2009 Fire Department report.

Chief Van Dinter said that the Cedarburg Fire Department continues to show that they are dedicated and committed to helping citizens in need.

The Department's primary objective of delivering outstanding service to the community was again very successful. In 2009, the call volume remained at a comparable level to 2008. Total call volume totaled 964 runs, 6 less than 2008. Rescue calls totaled 736 and fire calls totaled 178. There were 49 mutual aid calls in 2009. The Department responded to 6 structure fires totaling \$1,245,000 in losses. No civilians were injured due to fire; however, one firefighter was injured with costs totaling \$1,285 for medical care.

Chief Van Dinter said that training continues to be a priority for the Department. Members logged over 6,200 hours of training. Seven firefighters were sent to state certification courses. Four members completed the Emergency Medical Technician – Basic Course and three Emergency Medical Technicians were Intermediate certified.

The Fire Department has 74 active members and this represents 765 years of service.

The Department stays on top of apparatus by replacing pieces of equipment when necessary. All capital equipment is purchased from fundraising efforts and ambulance fees. Tax dollars do not fund the purchase of equipment. Engine 162 was replaced last year for \$560,000. With the many festivals and celebrations, the Department added a 1970 Cushman, 48 volt battery powered, utility cart that was converted into a patient transport unit along with two Cannondale Enforcement Bicycles. The Department provided 755 hours of stand-by coverage for festivals and Cedarburg football games.

The Cedarburg Fire Department's Bureau of Public Education and Fire Prevention actively promote the Department's core objective of protecting life and property and believes that prevention, rather than reaction, is the safest and most cost-effective way to further this objective. In 2009, the Bureau coordinated at least 40 public education events, with approximately 250 hours of department personnel participation.

Craig Boerner was promoted to Lieutenant of the Engineers and Melissa Gall was promoted to Lieutenant of the Rescue Squad. The Department lost members Aubrey Dickmann, Edward Scheer, and Lawrence Thomas.

Roger Rahn retired after many years as the Fire Inspector.

Chief Van Dinter concluded by saying that he is proud of the Cedarburg Fire Department for always striving to be the best. They put the community ahead of themselves and their contribution of time and energy is second to none. The Department is a gem to the community.

Council Member Loomis said that he appreciates the efforts of the Volunteer Fire Department and their dedication to the community. He praised the Department for their fundraising efforts and

equipment purchases at no cost to the City taxpayer. Council Member Loomis thanked the Department for their beautification efforts by adding a park and statue outside of the Fire Station.

Fire Chief Van Dinter said that the Department wanted to honor the men and women serving the organization. The memorial parkway will have a statue featuring different generations. Fundraising efforts are underway to raise the remaining \$30,000 to complete the project by October 1.

Council Member Radtke expressed a debt of gratitude and pride in the Cedarburg Fire Department.

Mayor Myers asked that Chief Van Dinter express the Council's deep gratitude and thank you for being true professionals and for providing first class fire protection to the citizens of Cedarburg.

PRESENTATION – 2009 POLICE DEPARTMENT REPORT

Police Chief Frank presented a summary report of the Police Department for 2009. He acknowledged the Police and Fire Commission and their contributions. The following facts were presented:

- Violent crimes consisted of one armed robbery
- Property crimes decreased to 134 in 2009 compared to 137 in 2008
- Stolen property decreased from \$138,529 in 2008 to \$52,266 in 2009
- 13 felonies and 81 misdemeanors occurred in 2009 compared to 15 felonies and 76 misdemeanors in 2008
- 998 reports were investigated in 2009 compared to 1,040 in 2008
- Calls for service decreased from 14,902 to 13,836
- 2,174 people were assisted in 2009 compared to 2,705 in 2008
- Citizens at the station decreased from 8,644 in 2008 to 8,017 in 2009
- Telephone calls decreased from 16,688 in 2008 to 15,375 in 2009
- 911 calls increased to 1,238 in 2009 compared to 1,071 in 2008
- 152 alarms were received in 2009 compared to 166 in 2008
- Department activities included 480 non-traffic arrests in 2009 compared to 506 in 2008; 1,603 traffic arrests compared to 1,900 in 2008
- Warnings for non-traffic offenses increased to 675 in 2009 from 541 in 2008
- Traffic warnings increased to 3,168 in 2009 from 2,616 in 2008
- 294 speeding tickets were issued in 2009 compared to 319 in 2008
- OWI offenses increased to 42 in 2009 compared to 40 in 2008
- Arrests for adult alcohol offenses increased to 120 in 2009 compared to 70 in 2008
- Juvenile arrests decreased from 40 in 2008 to 29 in 2009
- 14 tobacco violations occurred in 2009 compared to 17 in 2008
- Drug Offenses increased to 46 in 2009 compared to 29 in 2008
- 96 bicycle/skateboard warnings were issued compared to 78 in 2008
- Worthless checks decreased from \$8,023 in 2008 to \$5,326 in 2009, with 47 investigations and \$1,645 recovered
- 175 accidents occurred in 2009 with 33 injuries compared to 225 accidents with 31 injuries in 2008

- Community policing included 107,515 checked doors with 128 open, 1,931 vacation checks, 185 vehicle lockouts, 756 rescue squad calls, 191 fire calls, police video and Fleet Watch, D.A.R.E. program for 294 fifth grade students, Safety Town and Safety Camp for 190 students, School Liaison Officer, child safety seat inspections (56), Safety Days, Website, Tele-care program, Hunter Safety program (55 participants), renting of the Community Room (150), DMV vehicle registration program resulted in 529 transactions totaling \$5,144 in profit to the City, Crime Reports.com, and conducting the Citizens Police Academy

Chief Frank summarized the overtime and training hours, which dropped significantly in 2009, adding that Emergency Management helps with traffic control and parades/runs/walks, which reduces overtime.

The K-9 unit had 30 vehicle stops in 2009 resulting in 16 THC, 8 drug paraphernalia and 2 cocaine arrests. Six school searches resulted in 6 marijuana and 1 prescription drug violations. The K-9 unit assisted Ozaukee County with 22 arrests including 1 cocaine and 7 drug paraphernalia arrests. The K-9 unit was involved in 5 searches within the County for people relating to crimes.

The Cedarburg Police Department participates in Mutual Aid with two officers on the Ozaukee Special Response Team and one officer plus the K-9 on the Ozaukee Drug Enforcement Unit. Assists to other departments totaled 213 in 2009.

Equipment changes consisted of replacing one-half of the Department's portable radios, upgrading the phone system from analog to a digital system, K-9 unit start-up through donations, and \$25,000 in video enhancement equipment from federal grants.

A Valor Award was given to Patrol Officer Eric Linsmeyer for his response to the fire at Tomaso's Restaurant and waking a resident from an upper apartment. Lifesaving Awards were given to Patrol Officers Thomas Schellinger and David Dudash for saving a non-responsive cardiac victim with a defibrillator.

APPROVAL OF MINUTES

Motion made by Council Member Kinzel, seconded by Council Member Filter, to approve the minutes of the April 20, 2010 Regular and Organizational Meetings. Motion carried without a negative vote with Council Member R. Reimer excused and Council Member Radtke abstaining.

COMMENTS & SUGGESTIONS FROM CITIZENS - None

CONSIDER APPOINTING KEVIN RUNKEL AS EMERGENCY MANAGEMENT DIRECTOR

Motion made by Council Member Loomis, seconded by Council Member C. Reimer, to confirm the appointment of Kevin Runkel as Emergency Management Director. Motion carried without a negative vote with Council Member R. Reimer excused.

Deputy City Clerk Kletzien administered the oath of office to Mr. Runkel.

CONSIDER AWARD OF ENGINEERING SERVICES CONTRACT TO AECOM FOR 2010 NR 216 STORMWATER COMPLIANCE ASSISTANCE

Director Wiza explained that as part of the City's NR 216 storm water permit, the DNR requires an on-going Illicit Discharge Detection program which mandates testing for storm water pollutants in various outfalls. The program involves dry weather flow sampling and lab testing to search for specific pollutants. Whenever test readings come back positive, a follow-up investigation to determine the source is required.

In the past few years AECOM has provided this service for the City and they have also compiled the required comprehensive annual report.

Motion made by Council Member C. Reimer, seconded by Council Member Kinzel, to award an Engineering Services Contract to AECOM for 2010 NR 216 stormwater compliance assistance in an amount not-to-exceed \$19,820. Motion carried unanimously on a roll call vote with Council Member R. Reimer excused.

CONSIDER APPLICATION OF EASY STREET PUB & GRILL, LLC, DANIEL W. BRUSH, DBA EASY STREET PUB & GRILL, FOR A CLASS "B" BEER AND "CLASS B" LIQUOR LICENSE AT W62 N559 WASHINGTON AVENUE

The owner of R.J. Thirsty's has sold the business to Daniel Brush of Easy Street Pub & Grille, LLC. Mr. Brush has applied for the Class "B" beer and "Class B" liquor license for the new licensing year beginning July 1, 2010 and ending June 30, 2011.

Motion made by Council Member Filter, seconded by Council Member Maher, to approve the application of Easy Street Pub & Grill, LLC, Daniel W. Brush, DBA Easy Street Pub & Grill, for a Class "B" beer and "Class B" liquor license at W62 N559 Washington Avenue. Motion carried without a negative vote with Council Member R. Reimer excused.

CONSIDER APPLICATION OF CEDARS III, LLC, MICHAEL KOWALKOWSKI, AGENT, DBA CEDARS III, FOR A CLASS "B" BEER AND "CLASS B" LIQUOR LICENSE AT W53 N404 PARK LANE AND CONSIDER REQUEST TO BE EXEMPT FROM SEC. 7-2-18(b) OF THE MUNICIPAL CODE PERTAINING TO CANCELLATION OF LICENSES DUE TO NON-USE

Effective June 1, 2010 Cedar Creek Lanes will be closing their business and surrendering its Class "B" beer and "Class B" liquor licenses. Cedars III, LLC will be taking over the bar and bowling alley and has applied for the liquor licenses. Cedars III will begin remodeling on June 2, 2010 and will be closed during the remodeling and will reopen on September 1. They are asking for an exemption from the minimums set by the Code, which is being open for business within 30 days or 30 consecutive days or more of non-use of the license.

Motion made by Council Member Filter, seconded by Council Member Kinzel, to approve the application of Cedars III, LLC, Michael Kowalkowski, agent, dba Cedars III, for a Class "B" beer and "Class B" liquor license at W53 N404 Park Lane and approve the request to be exempt from

Sec. 7-2-18(b) of the Municipal Code pertaining to cancellation of licenses due to non-use. Motion carried without a negative vote with Council Member R. Reimer excused.

CONSIDER APPLICATION FOR AN OUTDOOR ALCOHOL BEVERAGE LICENSE FOR CEDARS III, W53 N404 PARK LANE

Mayor Myers stated that the applicant is proposing to construct a 30'x30' deck to the rear of the building to serve alcoholic beverages. The deck has been reviewed by the Plan Commission and was approved with the following modifications in an effort to soften the potential noise associated with outdoor activity:

- Establish hours for the use of the deck to be between the hours of noon and 9:00 p.m. Sunday through Thursday, and noon and 10:00 p.m. on Friday and Saturday.
- The proposed 36" rail fencing along the north side of the deck be replaced with a 7-foot high stockade style fence.
- The stairs leading down from the deck be eliminated, or fenced-off if those steps are required by building code to discourage customers from leaving the deck with their drinks.

The City Building Inspector has reviewed the deck plans and advises that the Code does not require these stairs; therefore, they will be eliminated.

Kirk Drees, W53 N424 Park Circle, expressed concern for 50-100 people in view of his backyard. He opined that a 900 sq. ft. deck will hold many people and the noise level will escalate.

Mayor Myers explained that the Plan Commission took the neighbors into consideration when they made their modifications.

In answer to Council Member Loomis' question, Police Chief Frank stated that three to four calls have been received from a neighbor in regard to Ernie's Wine Bar outdoor seating area and the officers determined that the noise level was not too high.

Mayor Myers assured Mr. Drees that the license can be revoked or addressed at anytime in the future if there are substantiated complaints.

Council Member Kinzel stated that quite a few outdoor alcohol beverage licenses have been issued and there have not been any problems even though there were many concerns beforehand.

Owner Kevin Taylor stated that their main reason for building the deck is to accommodate people who smoke, once the smoking ban goes into affect in July. The deck will be for the patrons who smoke and there will not be any amplified music.

Council Member Radtke understands the concerns of neighbors; however, various other outdoor alcohol beverage licenses have been successful and this particular license can be revisited if needed.

Motion made by Council Member Kinzel, seconded by Council Member Radtke, to approve an outdoor alcohol beverage license for Cedars III, W53 N404 Park Lane. Motion carried without a negative vote with Council Member R. Reimer excused.

CONSIDER APPLICATION FOR AN OUTDOOR ALCOHOL BEVERAGE LICENSE FOR THE VINTAGE CAFÉ AND CITY DELI, W63 N674 WASHINGTON AVENUE

Planner Censky explained that the Vintage Café and City Deli has been using an existing patio behind their building at W63 N674 Washington Avenue to serve food and drink for up to 20 customers. Occasionally, they have offered those customers alcoholic drinks without the knowledge that an Outdoor Alcohol Beverage License was required for such service. When the new owner came in to renew the liquor license she was informed of the requirement and she immediately applied for the appropriate license.

The patio is located directly behind their building in an area that is very secluded and out of view from Washington Avenue and neighboring properties. The applicant has indicated that, weather permitting; they propose to use the outdoor patio on a seasonal basis daily from 11:00 a.m. to 6:30 p.m. Since the business has been operating the facility for the past few years without incidence, the Plan Commission recommended approval.

Motion made by Council Member Kinzel, seconded by Council Member C. Reimer, to accept the application for an Outdoor Alcohol Beverage License for the Vintage Café and City Deli, W63 N674 Washington Avenue. Motion carried without a negative vote with Council Member R. Reimer excused.

CONSIDER REQUEST FROM THE DIRECTOR OF PARKS, RECREATION AND FORESTRY TO LOWER THE FEES FOR NON-RESIDENT RECREATION PROGRAMS

Director Hilvo stated that the doubled fees for non-resident recreation programs have resulted in a drastic decrease in participation. He requested that non-resident fees be changed from double the resident fee to an additional \$15 above the current resident rate.

In answer to Council Member Loomis' question, Director Hilvo stated that there will be less of a loss to the programs if the fee is reduced. The baseball program has lost several thousand dollars and that will affect the field maintenance and equipment purchases.

Motion made by Council Member Radtke, seconded by Council Member Loomis, to approve lowering the fees for non-resident recreation programs.

Council Member Loomis stated that the reason for doubling the fees was the loss of participation by the Town and the additional need to finance administration. To-date, the Town of Cedarburg is setting up their own programs and under pricing the City to gain market share of the programs. It is a ludicrous situation for both communities to support their own Recreation Directors and Departments.

Mayor Myers opined that the Town should have a hard time justifying the cost to hire a Recreation Director over participating with the City on recreation programming.

Council Member Kinzel stated that the Town is not using proper accounting because they cannot pay for staff based on what they are charging.

Director Hilvo stated that the current recreation programs in the City are all user based. The non-covered administration is being paid through special revenues.

Council Member Radtke stated that that the Town is paying much more to establish their own programs, in lieu of paying the City for sharing the recreation programs.

Motion carried without a negative vote with Council Member R. Reimer excused.

CONSIDER RESOLUTION NO. 2010-09 APPROVING A LOAN FROM THE TRUST FUNDS OF THE STATE OF WISCONSIN FOR THE FINANCING OF THE WASHINGTON AVENUE RECONSTRUCTION PROJECT

City Administrator/Treasurer Mertes stated that the borrowing was budgeted for the year. It was to occur with the Library project borrowing, but since that has been delayed it must be done separately. The State Trust Fund Loan is the best option. For this type of borrowing from the State of Wisconsin at 4.25%, the American Reinvesting Recovery Act will allow a 35% credit back to the City for the interest paid on the loan. The ad hoc Debt Advisory Committee approved this loan structure at their April 14, 2010 meeting.

Council Member Loomis stated that the net cost is less than 3% and is very competitive borrowing with no pre-payment penalty.

Motion made by Council Member Loomis, seconded by Council Member C. Reimer, to adopt Resolution No. 2010-09 approving a loan from the Trust Funds of the State of Wisconsin for the financing of the Washington Avenue reconstruction project. Motion carried unanimously on a roll call vote with Council Member R. Reimer excused.

CONSIDER RESOLUTION NO. 2010-10 DESIGNATING AND AUTHORIZING SIGNATURES FOR THE CITY OF CEDARBURG CHECKING AND SAVINGS ACCOUNTS FOR THE ENSUING YEAR

Motion made by Council Member Kinzel, seconded by Council Member Loomis, to adopt Resolution No. 2010-10 designating and authorizing signatures for the City of Cedarburg checking and savings accounts for the ensuing year. Motion carried without a negative vote with Council Member R. Reimer excused.

CONSIDER ISSUES RELATING TO MEDIATION WITH THE TOWN OF CEDARBURG

City Attorney Vance explained that a letter has been mailed to Mediator Patrick Snyder requesting an open meeting format rather than a mediation session occur on May 26, at 6:00 p.m. She urged the Council Members to contact her prior to May 26 with any questions.

Council Member Loomis stated that he agrees with all of the issues that are to be presented that evening. The two main goals/objectives are to make peace and protect the City taxpayer's interests.

Council Member Radtke agreed that it is important to remain as one community.

In answer to Council Member Filter's question, City Attorney Vance stated that all of the talking points were almost agreed upon at one point.

DISCUSS CREEK WALK PROJECT AND DNR GRANT

Council Member Radtke explained that the ad hoc Creek Walk Committee is looking to start the engineering portion of the south section of the creek walk (south of Columbia Road). The DNR is offering grants with matching funds. Should the City fund the engineering and proceed with the project, the DNR would reimburse the City for 50% of the expense.

Paul Rushing said that he wants to keep the momentum going on the creek walk, now that the north section is completed. After completing the south section of the creek walk, the only remaining section will be between Advent Church and the August Weber Haus. Paul Rushing recently received a commitment from a private donor for \$25,000 towards the completion of the south section. Paul Rushing reviewed the proposed plans and materials for the project. He asked if the City would fund \$10,000 for engineering work to be done by student interns who will be closely supervised by Paul Rushing. Hiring an engineering firm would be more costly.

It was determined that the funds are available and it was the consensus of the Common Council to show support for the project.

Motion made by Council Member Loomis, seconded by Council Member C. Reimer, to approve funding engineering services for the south section of the creek walk with the source of funding to be determined by City Administrator/Treasurer Mertes and Mayor Myers.

Council Member Maher expressed concern for the impact of the creek walk on the Silver Creek BrewPub.

Paul Rushing indicated that the Silver Creek BrewPub is very much in favor of the creek walk going past their business. The plans are to expand the patio and add to the character of the space.

Paul Rushing opined that completing the south section will build momentum and interest in completing the final section.

Council Member Radtke stated that the ad hoc Creek Walk Committee will be updating the Common Council on their proposed master plan. The creek walk will be far more than a nature trail.

Mayor Myers stated that he is committed to completing the creek walk one step at a time and he urged the Common Council to move forward with the project.

Motion carried with Council Members C. Reimer, Filter, Radtke, Kinzel, and Loomis voting in favor, Council Member Maher voting present, and Council Member R. Reimer excused.

LICENSE APPLICATIONS

Motion made by Council Member C. Reimer, seconded by Council Member Kinzel, to authorize issuance of new Operator's License applications for the period ending June 30, 2010 for: Mark E. Sparks, Peggi S. Gehling, Todd J. Savard, and Dawn M. Bolser. Motion carried without a negative vote with Council Member R. Reimer excused.

Motion made by Council Member Kinzel, seconded by Council Member Filter, to deny a bartender license application for Julia C. Martinez based on Police Chief Frank's recommendation. Motion carried without a negative vote with Council Member R. Reimer excused.

Motion made by Council Member C. Reimer, seconded by Council Member Kinzel, to authorize issuance of premises, cigarette, and operator licenses, for the period ending June 30, 2011:

Class A Liquor & Fermented Malt Beverage License

Bonus, Inc.
Olsen's Piggly Wiggly
(agent - Layton Olsen)
W61 N286 Washington Avenue

Toto's, Inc.
Otto's Beverage Center
(agent - John Striepling)
W63 N157 Washington Avenue

Super Sales USA, Inc.
Citgo Super Sales - Cedarburg
(agent - Douglas Gall)
W62 N174 Washington Avenue

Class A Retailer's License (Beer Only)

Speedway SuperAmerica, LLC
(Speedway #4203)
(agent - William A. Sumner)
W63 N121 Washington Avenue

Class B Wine License

Wollersheim Winery, Inc.
Cedar Creek Winery
(agent - Constance J. Niebauer)
N70 W6340 Bridge Road

Class B Fermented Malt Beverage License

Donna M. Taylor
Cream & Crepe Café
N70 W6340 Bridge Rd.

Otte Restaurant, LLC/dba Romano's
John M. Otte - agent
W63 N540 Hanover Avenue

Sal's Pizza, LLC
(agent - Drew Roberts)
W63 N635 Washington Ave.

J.L. Joyce Enterprises Inc./dba Rich's
(agent - James P. Joyce)
W63 N144 Washington Ave.

Morales Restaurants, LLC
Vintage Café & City Deli
(agent - Debra A. McQuaid)
W63 N674 Washington Ave.

The Lazy Susan, Inc.
(agent - Sherry S. Menacher)
W61 N497 Washington Ave.

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Select Display, Inc./dba The Hub
(agent – Richard G. Lanser)
W63 N631 Washington Ave.

Class B Intoxicating Liquor & Fermented Malt Beverage License

Settler's Inn, LLC
(agent – Joan D. Dorsey)
W63 N657 Washington Ave.

C. Wiesler's Inc.
(agent – Michael G. Jackson)
W61 N493 Washington Ave.

Christopher Morton/Timothy Ryan
T.J. Ryans
W62 N599 Washington Ave.

Christopher Morton/Timothy Ryan
Mortons' Wiscons Inn
N56 W6339 Center Street

Easy Street Pub & Grill, LLC
(agent – Daniel W. Brush)
W62 N559 Washington Ave.

Larry Weidmann/ Gordon Dreblow
L & G Express
N50 W5586 Portland Road

Thomas Restaurants, LLC/dba Tomaso's
(agent - Scott Thomas)
W63 N688 Washington Ave.

New Fortune
(agent - Jerry Phoa)
W62 N547 Washington Ave.

Ernie's Wine Bar, LLC
(agent – Benjamin M. Grade)
N49 W5471 Portland Rd.

RCB Group, Inc./dba The Stonewall Pub
(agent – Richard Buser)
W63 N550 Washington Ave.

RCB Group, Inc./dba Maxwell's
(agent – Richard Buser)
W63 N699 Washington Ave.

Henry A. Liang
Kowloon Chinese Restaurant
W63 N145 Washington Ave.

Anvil Pub & Grille, LLC
(agent – Donna M. Taylor)
N70 W6340 Bridge Rd.

Cedars III, LLC
(agent – Michael Kowalkowski)
W53 N404 Park Lane

Jose Herrera
Jalisco's
W63 N146 Washington Ave.

BLCB, LLC/dba Stagecoach Inn
(agent – Brook Brown)
W61 N520 Washington Ave.

MacBeebs, LLC/dba The Farmstead
(agent – Catherine Heebner)
W62 N238 Washington Ave.

Peter Wollner Post #288
American Legion
(agent - Gene Szudrowitz)
W57 N481 Hilbert Avenue

Fineco, LLC/dba Grapes & Tastes
(agent – Joan E. Fine)
W63 N140 Washington Ave.

Silver Creek BrewPub, LLC
(agent – Todd Schneeberger)
N57 W6172 Portland Rd.

Steve W. Banas
The August Weber Haus
W63 N678 Washington Ave.

Class C Wine License

Otte Restaurant, LLC/dba Romano's
(agent – John M. Otte)
W63 N540 Hanover Avenue

Donna M. Taylor
Cream & Crepe Cafe
N70 W6340 Bridge Rd.

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Sal's Pizza, LLC
(agent – Drew Roberts)
W63 N635 Washington Ave.

Select Display, Inc./dba The Hub
(agent – Richard G. Lanser)
W63 N631 Washington Ave.

The Lazy Susan, Inc.
(agent – Sherry S. Menacher)
W61 N497 Washington Ave.

Morales Restaurants, LLC
Vintage Café & City Deli
(agent – Debra A. McQuaid)
W63 N674 Washington Ave

Wholesale Beer License

Silver Creek Brewing Co.
(agent – Todd Schneeberger)
N57 W6172 Portland Road

Cigarette Licenses for period ending June 30, 2011:

Toto's, Inc.
W63 N157 Washington Ave.

Speedway SuperAmerica LLC #4203
W63 N121 Washington Ave

Walgreen Co. #13620
W62 N190 Washington Ave.

Bonus, Inc.
W61 N286 Washington Ave.

Super Sales USA, Inc.
W62 N174 Washington Ave.

Fineco LLC (Grapes & Tastes)
W63 N140 Washington Ave.

Christopher Morton/Timothy Ryan (Mortons Wiscons Inn)
N56 W6339 Center Street

New Operator's License for period ending June 30, 2011:

Dennis H. Loberger
Jeffrey A. Wrobbel
Katheren Venturini

Kevin W. Taylor
Sharon A. Barth
Michael Kowalkowski

Renewal Operator's License for period ending June 30, 2011:

Steve F. Danner
Christine L. Pope
Robert J. Nieman
Norine C. Helmlinger
Carol A. Pokrandt
Joel M. Christophersen
Diane E. Joslin
Laurie J. Stuetgen
Teri L. Jackson
Scott L. Powers
Emily J. Crass
Sharon L. Nelson
Shirley M. Hetchler
Debra A. Simenc
Deborah Bath
Larry D. Weidmann
Thomas M. Dorsey
Morgyn R. Easterday
Mark A. Kennedy
Mark E. Sparks

Stephanie J. Baldwin
Matthew G. Brockmeier
Richard H. Nielsen
Patricia A. Buhrow
Richard L. Von Trebra
JoAnn M. Morton
Ryan L. Olson
JoAnn M. Morton
Steve R. Sievers
Susan K.A. deShazer
Sherry S. Menacher
Gordon K. Dreblow
Dawn M. Bolser
Bradley H. Fine
Rubicelia Hernandez
Todd J. Savard
Peggi S. Gehling
Jodie E. Thierfelder
Lindsey Berndt
Krystal L. Poppe

Thomas J. Drefahl
Chris Massie
Michael P. Smith
James C. Hoberg
Gene Szudrowitz
Thomas L. Ingram
Marcene L. Jacobs

James W. Zipter
Michael A. Bourbonais
Elizabeth N. Schmidt
Sally A. Anderson
Roxanne L. Gresch
Dawn M. Hollis-Booth
Mary K. Steinbrecher

In answer to Council Member Maher's question, Mayor Myers stated that the Common Council needs to be more protective of future business and the issuance of liquor licenses.

Motion carried without a negative vote.

Motion made by Council Member Loomis, seconded by C. Reimer, to authorize issuance of Temporary Class "B" Retailer's Licenses to Cedarburg Fire Department Inc. for Maxwell Street Days, Firemen's Park, W65 N796 Washington Avenue, for May 29, July 17, September 4, and October 2 from 3:00 p.m. until 10:00 p.m. and on May 30, July 18, September 5, and October 3 from 8:00 a.m. to 6:00 p.m. Motion carried without a negative vote with Council Member R. Reimer excused.

Motion made by Council Member Filter, seconded by Council Member Kinzel, to authorize issuance of a Festival Celebration Permit to Festivals of Cedarburg, Inc. for Strawberry Festival to be held on June 26, 2010 from 10:00 a.m. until 6:00 p.m. and on June 27, 2010 from 10:00 a.m. until 5:00 p.m. Motion carried without a negative vote with Council Member R. Reimer excused.

Motion made by Council Member C. Reimer, seconded by Council Member Kinzel, to authorize issuance of a Horse and Carriage License to Sid Prom, Paradise Ranch, 2408 Spring Hill Drive, Cedarburg, WI. Motion carried without a negative vote with Council Member R. Reimer excused.

CITY ADMINISTRATOR'S REPORT

City Administrator Treasurer Mertes explained that the Council received a draft copy of the year-end audit report and to contact her with any questions. Reilly, Penner and Benton will make their presentation to the Common Council on June 28.

COMMENTS & SUGGESTIONS BY CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS - None

MAYOR'S REPORT

Mayor Myers issued a Proclamation for Poppy Day on May 7, 2010 urging all patriotic citizens to wear a poppy as evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms, which we continue to enjoy as American citizens.

ADJOURNMENT

Motion made by Council Member C. Reimer, seconded by Council Member Kinzel, to adjourn the meeting at 8:45 p.m. Motion carried without a negative vote with Council Member R. Reimer excused.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk