

**CITY OF CEDARBURG  
COMMON COUNCIL  
June 10, 2013**

**CC20130610-1  
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, June 10, 2013 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Kinzel 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 Kip Kinzel, Council Members Chris Reimer, Ron Reimer, Art Filter, Michael Maher, Mike O’Keefe

Excused - Council Members Paul Radtke and Doug Yip

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Kaye Vance, City Clerk Constance McHugh, Deputy City Clerk Amy Kletzien, Director of Engineering and Public Works Tom Wiza, Police Chief Thomas Frank, Emergency Management Deputy Director Frank Even, Light & Water General Manager Dale Lythjohan, Cedarburg Schools Superintendent Dr. Daryl Herrick, Cedarburg School Board Members Kevin Kennedy, Dave Krier, Jeff Brey, Chris Reimer, Cedarburg High School Principle Jeff Nelson, interested citizens and news media

**STATEMENT OF PUBLIC NOTICE**

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

**APPROVAL OF MINUTES**

Motion made by Council Member C. Reimer, seconded by Council Member Maher, to approve the minutes of the May 13, 2013 Council meeting. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**COMMENTS & SUGGESTIONS FROM CITIZENS** - None

**CONSIDER RESOLUTION NO. 2013-08 COMMENDING DR. DARYL HERRICK OF THE CEDARBURG SCHOOL DISTRICT FOR HIS YEARS OF SERVICE**

Motion made by Council Member C. Reimer, seconded by Council Member R. Reimer, to adopt Resolution No. 2013-08 commending Dr. Daryl Herrick of the Cedarburg School District for his years of service. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**LIBRARY FUNDRAISING UPDATE AND LIBRARY BUILDING UPDATE**

City Administrator/Treasurer Mertes presented a spreadsheet showing the sources and uses of funds and yearly cash flow for the new public Library project, as of June 3, 2013.

Council Member Filter asked how the fundraising is doing from month-to-month.

City Administrator/Treasurer Mertes stated that the Friends of the Library meet quarterly and that is when the fundraising figures are updated. They last met in April with a balance of \$285,411 and their next meeting will be in July.

Council Member Filter asked that a column be added to the spreadsheet for July to show the difference in funds between meetings.

In answer to Council Member C. Reimer's question, City Administrator/Treasurer Mertes stated that the fundraising is \$147,000 short.

Council Member O'Keefe suggested that a "Donate Now" button be added to the Friends of the Library webpage and Facebook page to accept donations.

Council Member Maher stated that a sub-committee is working hard on fundraising and is focusing on the pledges that were made for the new Library and were never collected. This committee will also be adding a donation option to the website.

In answer to Council Member R. Reimer's question, Director Wiza explained that because the building will be in the floodplain, the DNR insisted that the first floor be built two feet above the 100 year floodplain. Their standard requirement is to also provide 15 foot dry land access all the way around the building, which is not possible in this case because there are only five foot setbacks on some sides. This produced some discussion with the DNR and they were satisfied that the City had the outside walls certified by a professional engineer indicating they were flood proof. It was decided not to go through a variance process because of this certification and proving that the City had dry land emergency access with wheeled vehicles. All requirements have been met with the DNR.

**EMERGENCY MANAGEMENT UPDATE/CONSIDER APPOINTMENT OF  
EMERGENCY MANAGEMENT DIRECTOR**

City Administrator/Treasurer Mertes explained that the Council amended the ordinance pertaining to Emergency Management, which also created Auxiliary Police. As part of the amended ordinance, the Common Council shall appoint the Emergency Management Director. Due to liability issues, it is recommended that a full time employee of the City be appointed. The amended ordinance also changed the Director's responsibilities and made the County's Emergency Management Department more heavily relied upon. The main duty of the City's Director is to develop an Emergency Management Plan, which the City already has in place, and to be responsible for all the State and Federal paperwork required when a disaster occurs. City Administrator/Treasurer Mertes provided a survey of Emergency Directors in Ozaukee County.

In answer to Council Member Filter's question regarding the policies of the North Shore, Mayor Kinzel stated that the information was narrowed to include Ozaukee County only.

Deputy Director Even explained that he learned from attending conventions that approximately 90% of municipalities have volunteer directors and only two or three cities have full time directors.

In answer to Deputy Director Even's question, City Attorney Vance explained that the changes to Emergency Government are due to new requirements for municipalities to have an Emergency Management Plan that is compatible with the State's plan and have a head of Emergency Management Services. The City adopted its ordinance to be consistent with the State; therefore, it requires the appointment of an Emergency Management Director. If there is an emergency and something happens during an emergency, the individual is considered an employee for all respective purposes for liability, insurance coverage, etc.

In answer to Mayor Kinzel's question, City Attorney Vance stated that it is acceptable to have an appointed volunteer report to the City Director in an emergency because he would be the head. If an appointee gets injured or something else happens they will be under the City's umbrella; however the City's appointed Director is the responsible person when there is an actual emergency. That person would coordinate any action with the County and State.

In answer to Council Member C. Reimer's question, City Attorney Vance stated that Chief Frank could be appointed as the Director of Emergency Management.

Council Member O'Keefe stated that Chief Frank is already a City employee and has all of the required training. He also has a chain of command where he could delegate work if needed.

Mayor Kinzel stated that there is an Emergency Management Plan.

Chief Frank stated that if the Council goes in this direction of appointing him as Director, he suggested heavily involving Kevin Runkel, Frank Even and John Stroik in the command structure to work on the Plan and maintain it.

Motion made by Council Member O'Keefe, seconded by Council Member C. Reimer, to add Emergency Management Director duties to Police Chief Frank's job description to control the chain of command in an emergency and to delegate duties as needed.

In answer to Council Member C. Reimer's question, Police Chief Frank stated that he will become more involved in the organizational meetings and will meet with Mark Owen from the County to coordinate services with the City. Chief Frank stated that he will continue to involve Kevin Runkel, Frank Even and John Stroik.

In answer to Council Member R. Reimer's question, City Attorney Vance stated that concerns in terms of liabilities are minimized.

Deputy Director Even asked about chain of command and whether Police Chief Frank can serve both duties in an emergency.

City Attorney Vance stated that during an emergency, the head of Emergency Management on behalf of his or her respective local unit of government can contract or work with any other person to provide what is needed in response to the disaster. It involves coordination of the County and

State and to be a point of contact. During the emergency if Chief Frank needs to contract with additional help, he has the authority to do that.

Council Member R. Reimer stated that Emergency Management is a position or a small team, it is not an organization unless the Common Council so chooses to have an organization. It is not supervised by a committee. It needs a chain of command and that role would be filled with Police Chief Frank. If it were a new person or position in the City, he provided a list of duties; however, with the appointment of Police Chief Frank that will be solved. He expressed concern for the plan that was written under previous Wisconsin State Statutes; as a result someone needs to look at the plan to make sure it is line with current Statutes Chapter 323 and it is followed according to the City's ordinance.

In answer to Deputy Director Even's question, City Attorney Vance stated that it is not possible to have Police Chief Frank in charge and also keep the current Emergency Management Director title to report to him.

Council Member R. Reimer explained that State Statute requires the City to name a Director.

City Attorney Vance added that it should be an employee of the City with the qualifications to provide continuity.

Council Member R. Reimer stated that the City's Emergency Management Plan needs to be approved by the Common Council.

Council Member C. Reimer confirmed with City Attorney Vance that the current motion will address all of the legal and liability issues in question.

Council Member R. Reimer stated that according to the survey provided by City Administrator/Treasurer Mertes, the individual does not by State Statute have to be an employee of the City.

City Attorney Vance explained that State Statutes do say that the person who is appointed director is considered an employee when activated. This Director position is continuous in terms of developing the plan and preparing for an emergency.

City Attorney Vance answered Council Member R. Reimer's question, stating that in those discrete points in time when there is an emergency the volunteers will be covered by the City's liability policy. This is the main reason for chain of command and continuity.

Council Member Filter suggested voting on this item.

Frank Even stated that the Common Council will have the opportunity to adopt the Emergency Management Plan after all of the City Departments approve their portions of the plan.

Council Member R. Reimer stated that there are two requirements of the City in State Statutes Chapter 323. The City needs to designate a head of Emergency Management, which will be Police Chief Frank, and the Council is responsible for developing and adopting the Emergency Management Plan. He asked that the minutes reflect that the City wants the appointed Emergency

Management Director to cause the plan to be developed and brought to the Common Council for adoption.

In answer to Council Member C. Reimer's question, City Attorney Vance confirmed that it is better for liability purposes to have a City employee appointed as Director of Emergency Management.

Council Member Filter confirmed that Police Chief Frank will have the authority to designate people to help him and assist in the Emergency Management Plan.

City Attorney Vance stated that Statutes often say it is the Council's responsibility for developing and enacting; however, it is the staff that actually does it and brings it to the Council.

Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER ORDINANCE NO. 2013-11 REVISING SEC. 2-6-90 THROUGH SEC. 2-6-94 OF THE PERSONNEL CODE PERTAINING TO RETIREMENT, RESIGNATION, AND SEPARATION OF EMPLOYMENT**

City Administrator/Treasurer Mertes stated that the Council directed staff to add wording on the process of the exit interviews. The language was added for all departments, except the Police Department, that exit interviews will be done by the Payroll Officer and the results forwarded to the Department Head. If there is an issue with the Department Head the results will be forwarded to the City Administrator and if there is an issue with the City Administrator the results will be forwarded to the Mayor. All exit interviews at the Police Department will be handled by the Police Chief, as their policies are established separately and enforced by the Police and Fire Commission.

Motion made by Council Member Filter, seconded by Council Member C. Reimer, to adopt Ordinance No. 2013-11 revising Sec. 2-6-90 through Sec. 2-6-94 of the Personnel Code pertaining to retirement, resignation and separation of employment. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER REQUEST OF FINECO, LLC, DBA GRAPES AND TASTES, DAN PALS, AGENT TO AMEND THE PREMISES DESCRIPTION OF GRAPES AND TASTES TO INCLUDE SPACE AT W63 N134 WASHINGTON AVENUE ON A TEMPORARY BASIS DUE TO A FIRE**

City Clerk McHugh explained that Grapes and Tastes is requesting another extension of their liquor license premise description because repairs to the fire damaged store they previously occupied are still not completed. On February 11, 2013 the Council granted a temporary premise description until July 1, 2013.

City Attorney Vance added that there is an issue with the current premise location because it does not meet the requirements for on premise consumption of alcohol. This is a gray area legally because they do not have the required equipment for a tavern or restaurant; specifically sinks.

In answer to Council Member R. Reimer's question, City Attorney Vance stated that the structure at the temporary location is safe. Council Member R. Reimer suggested that Building Inspector Baier conduct an inspection.

City Attorney Vance stated that the location is approved for occupancy, if the business is not a tavern or a restaurant. It is not approved for the preconditions of granting a liquor license.

Council Member C. Reimer stated that Grapes and Tastes have not done anything wrong and under the circumstances their premise description should be extended at the temporary location.

In answer to Council Member Filter's question, City Clerk McHugh confirmed that the liquor licenses for Grapes & Tastes were approved for their primary location at the last Council meeting.

Motion made by Council Member C. Reimer, seconded by Council Member Filter, to grant the request of Fineco, LLC, dba Grapes and Tastes, Dan Pals, Agent to amend the premises description of Grapes and Tastes to include the space at W63 N134 Washington Avenue for 90 days to expire September 30, 2013. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**NEW BUSINESS**

**CONSIDER CERTIFIED SURVEY MAP (CSM) FOR REDEEMER LUTHERAN CHURCH AT W76 N627 WAUWATOSA ROAD AND W78 N631 WAUWATOSA ROAD**

Director Wiza explained that Redeemer Church on Wauwatosa Road submitted a Certified Survey Map to the City. The Plan Commission recommended approval at their April 9, 2013 meeting, providing the property owner clearly acknowledges the conditions of Outlot 1. Director Wiza stated that these issues have been resolved and it is coming to the Council because there is a 30 foot wide water main easement across the front of the parcel and also a utility easement on the side. The CSM needs to be approved because the City is accepting the public easements.

In answer to Council Member Filter's question, Director Wiza said the CSM meets all of the City's standards. They are creating one lot and one outlot to the west of the frontage parcel. They may be considering a sale of the outlot to another party.

Motion made by Council Member C. Reimer, seconded by Council Member Filter, to adopt the Certified Survey Map (CSM) for Redeemer Lutheran Church at W76 N627 Wauwatosa Road and W78 N631 Wauwatosa Road.

In answer to Council Member R. Reimer's question, Director Wiza stated the outlot is landlocked; however, there is an access easement to the outlot. If they would have created two lots, the church would have had to go through the Department of Transportation for access at that location onto Hwy. 181. The State may ultimately grant it; however, all of the facts are unknown and the buyer may not need the access.

Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER ORDINANCE NO. 2013-12 AMENDING SEC. 7-14-1 OF THE MUNICIPAL CODE OF ORDINANCES REVISING THE FESTIVAL CELEBRATION PERMIT TO INCLUDE OKTOBERFEST**

City Administrator/Treasurer Mertes explained that the ordinance governing festivals has been modified to include Oktoberfest and to eliminate the Easter Parade and the Bike Classic Festival as these events are no longer held.

Council Member Filter confirmed with City Administrator/Treasurer Mertes that the Council took action at a recent Council meeting to allow the festival to be held in the parking lot of the Community Center.

In answer to Council Member R. Reimer's question, City Clerk McHugh explained that the Council extended the festival footprint to Western Road last year and this is also reflected in this ordinance.

Motion made by Council Member C. Reimer, seconded by Council Member O'Keefe, to adopt Ordinance No. 2013-12 amending Sec. 7-14-1 of the Municipal Code of Ordinances revising the Festival Celebration permit to include Oktoberfest. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER APPLICATIONS FROM CEDARBURG ART MUSEUM, INC., JILL HEPBURN, AGENT FOR A "CLASS B" LIQUOR AND CLASS "B" BEER LICENSE FOR THE CEDARBURG ART MUSEUM, W63 N675 WASHINGTON AVENUE, FOR THE PERIOD ENDING JUNE 30, 2013 AND THE PERIOD JULY 1, 2013- JUNE 30, 2014**

Motion made by Council Member C. Reimer, seconded by Council Member R. Reimer, to grant the applications from Cedarburg Art Museum, Inc., Jill Hepburn, Agent for a "Class B" Liquor and Class "B" Beer License for the Cedarburg Art Museum, W63 N675 Washington Avenue, for the period ending June 30, 2013 and the period July 1, 2013 – June 20, 2014.

In answer to Council Member Maher's question, City Clerk McHugh confirmed that this is the last remaining available liquor license.

Council Member Filter asked for the hours of operation and the number of days of the year that the license will be used. He expressed concern for granting the last available liquor license. He stated that he would like it to be granted to a restaurant that would be open six days per week.

Jill Hepburn explained that the actual hours of the Art Museum will be Wednesday through Sunday from 10 a.m. – 5 p.m. They would be operating similar to the Cultural Center, where alcohol would be available for gallery openings, shows and special events, mainly in the evenings. They would not be operating as a restaurant or bar with this license and they would not be serving alcohol at all times.

In answer to Council Member Filter's question, City Clerk McHugh explained that a "Class C" wine license is only available for restaurants.

City Attorney Vance stated that a Class "B" beer license is not allowed for this type of business because is not supposed to be granted for any premises where any other business is conducted with

connection with the premise. It does not apply to a Class "B" licensed premise connected with hotels, restaurants, combination grocery stores and taverns, combination novelty stores and taverns, bowling centers or recreation premises, a club, society or lodge that has been in existence for 6 months or more prior to the date of filing application for the Class "B" license and a movie theater. This is the last available liquor license and it is a public policy basis to reserve it for a restaurant downtown. It was confirmed by the State that a liquor license cannot be granted unless the applicant qualifies for the Class "B" beer license. City Attorney Vance stated that there are many concerns both legal and policy with this particular request.

In answer to Council Member O'Keefe's question, City Attorney Vance stated that minors or school groups could not tour the museum with alcohol available.

Jill Hepburn stated that they would not be serving alcohol with school groups in the museum. She stated that the Cultural Center has this exact license that the Art Museum is applying for and they use it in the same way that it would be used by the Cedarburg Art Museum. They would manage the license as responsible business owners.

City Attorney Vance stated that the Cedarburg Cultural Center license was granted before 1992.

Jill Hepburn stated that the Cultural Center's license was up for renewal this evening and she understood that this remaining alcohol license has been available since Klug's closed.

City Clerk McHugh stated that the license was formerly held by Don Benito's.

Mayor Kinzel stated that he fully supports the Cedarburg Art Museum; however, he expressed concern for granting the last full liquor license while discussing new developments and not having one available for any new restaurant that would need one to succeed.

Jill Hepburn stated that the license would allow the Museum to do some fun programming that would enhance the City's economic viability. She asked if the City had the right amount of licenses.

City Attorney Vance stated that the number of licenses is regulated by State Statutes.

In answer to Council Member C. Reimer's question, City Clerk McHugh stated that temporary Class "B" licenses are not available to individuals or businesses. They are only available to bona fide clubs, fair associations or agricultural societies, churches, lodges or societies and veterans' organizations. A non-profit organization does not necessarily meet the qualifications. The qualified organization must also be in existence for six months prior to applying for a temporary license.

In answer to Jill Hepburn's question, City Clerk McHugh stated that a friends group to the Museum could apply for a Temporary Class "B"/"Class B" Retailer's License to serve beer with each application; however, only two licenses for wine can be granted to the same organization in a 12 month period.

City Clerk McHugh stated that with a "Class B" combination license the business will be operating as a bar and will need to meet all sanitation requirements with the proper sinks.

In answer to Jill Hepburn's question, City Clerk McHugh stated that a temporary Class "B" license can allow events to be held outside.

Jill Hepburn expressed concern for not being able to offer wine at all Art Museum events.

Council Member Maher stated that he expressed concern when the Council granted a full liquor license to Grapes and Tastes. He stated that precedent has already been set.

Mayor Kinzel expressed concern for vacant properties in the City that may want to apply for a liquor license for a restaurant.

Council Member R. Reimer opined that the City should hold on to the last two available liquor licenses in the future.

Motion failed with Council Members C. Reimer, R. Reimer, Filter, Maher and O'Keefe opposed and Council Members Radtke and Yip excused.

**CONSIDER THE REQUEST OF ALBERT YEE OF WORLD ON A PLATE, INC. TO AMEND THE PREMISE DESCRIPTION OF KALUA HAWAIIAN BBQ AND TIKI BAR AT W62 N547 WASHINGTON AVENUE TO SELL/SERVE ALCOHOL OUTSIDE IN FRONT OF THE BUSINESS DURING FESTIVALS**

City Clerk McHugh explained that the owner of Kalua BBQ and Tiki Bar is seeking permission to sell and serve alcohol in the street in front of the business during festivals.

Motion made by Council Member C. Reimer, seconded by Council Member O'Keefe, to approve the request of Albert Yee of World on a Plate, Inc. to amend the premise description of Kalua Hawaiian BBQ and Tiki Bar at W62 N547 Washington Avenue to sell/serve alcohol outside in the front of the business during festivals.

In answer to Council Member Filter's question, City Clerk McHugh confirmed that this request does not apply to the beer garden request from Albert Yee.

Council Member Filter asked if Police Chief Frank had any comments.

Police Chief Frank stated that there a number of these licenses during festivals, and while he certainly wants to keep an eye on alcohol consumption; one additional license should not cause any problems.

Mayor Kinzel stated that Festivals has conducted classes with vendors and they are working on being proactive in respect to serving alcohol.

Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER PROPOSAL FROM BLUE WATERS GROUP FOR WEBSITE DESIGN SERVICES**

City Administrator/Treasurer Mertes explained that she has been meeting with website designers along with Police Chief Frank. Most of the vendors wanted to enhance the current website and they were more interested in having the website redesigned to make it more interactive. Patrick Strickler of the Blue Water Group submitted a proposal to create a new and improved web presence for the City of Cedarburg for \$7,500. She stated that the proposal was reviewed by Council Member Radtke and he is in favor of it.

Council Member Maher stated that he also is in favor of the proposal and was looking forward to an updated website.

Council Member R. Reimer asked if the website will be platform specific. Council Member Maher stated that he was able to open a sample of their website design in multiple types of hardware.

Motion made by Council Member Maher, seconded by Council Member C. Reimer, to accept the proposal from Blue Waters Group for website design services in an open platform design not to exceed \$7,500. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER ORDINANCE NO. 2013-13 APPROPRIATING FUNDS FOR A HEALTH INSURANCE CONSULTANT**

City Administrator/Treasurer Mertes stated that the Common Council has authorized staff to hire a health insurance consultant and committed to a \$12,000 contract that was to be split 50/50 with Light and Water at the March 11, 2013 Council meeting. Ordinance No. 2013-03 is appropriating these funds.

Motion made by Council Member C. Reimer to adopt Ordinance No. 2013-13 appropriating funds for a health insurance consultant.

In answer to Council Member R. Reimer's question, City Administrator/Treasurer Mertes stated that the General Fund balance was at 23% of the maximum suggested amount at the end of 2012. She stated that this expenditure and the website design expenditure will result in a drop of .02% in the General Fund balance.

In answer to Council Member C. Reimer's question, City Administrator/Treasurer Mertes stated that the balance will be 22.9% and the suggested range is 25% or 2 – 3 months of expenditures.

In answer to Council Member O'Keefe's question, City Administrator/Treasurer Mertes stated that the consultant has already been hired and they will be providing education on the health care reform bill and the changes to all City employees. They will also be distributing a nine page survey that each employee, eligible for insurance, will need to complete. The consultant has many resources available and they are sharing them with the City.

The motion to adopt Ordinance No. 2013-13 was seconded by Council Member Maher and carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER CREATION OF A TID AS AN ECONOMIC DEVELOPMENT INCENTIVE FOR THE PROPERTIES AT THE NORTHWEST CORNER OF MILL STREET AND WASHINGTON AVENUE**

Mayor Kinzel stated that a request has been submitted by Cornerstone Buildings, LLC to develop the properties at the northwest corner of Mill Street and Washington Avenue with the use of a TID.

City Administrator/Treasurer Mertes stated that she has been working with Planner Marchek. This would be the first time that this is done in the City; however, it is common in other communities and Planner Marchek has experience in working with these incentive type TIDs. This program will be much different than the TID on Hwy. 60. The risk would be very minimal on this project as long as the developers' agreement is properly done. The City would only payout the incentive funds if they are available through the TID. The tax increment that is earned each year needs to offset the City's expenses. The funding available after the City is satisfied would then be paid to the developer based on the agreement. The property is being recommended because it has been vacant for so long and it is a much smaller TID than Hwy 60, no infrastructure is needed, the project has a developer and it is only two parcels of land. Tonight's action is only approving the concept. If approved, a resolution will be considered at the next Council meeting authorizing the creation of the TID.

City Administrator/Treasurer Mertes explained that the TID would need to be setup and adopted by September 30, 2013 otherwise it will not be effective until January 1, 2014. In this case, the only expenses that the City could apply to the TID would be the actual creation expenses.

In answer to Mayor Kinzel's question, City Administrator/Treasurer Mertes explained that Ehlers provided a Tax Increment Projection Worksheet. The construction years are estimated at 27 years but it could end as early as 15 years. There will not be any borrowing on behalf of the City. The additional value at the end of 2013 is estimated at \$375,000, and beginning 2014 the actual value of the property will increase by \$375,000 which will bring \$7,600 to the TID. As the value of the property increases, the tax increment will increase from year-to-year. It is estimated that administrative costs will be \$4,000 - \$5,000 for the City for filing with the State and the annual audit. Planner Marchek does not believe it is appropriate for him to create the plan and review the development; therefore, Ehlers could do the project plan for \$11,500 (reduced from \$14,000). After 15 years, the tax increments would amount to \$290,000 that the TID would earn. City expenses would need to be backed out from year to year, but there would be funds available to reimburse the developer annually for his costs.

In answer to Mayor Kinzel's question, City Administrator/Treasurer Mertes confirmed that the developer will have his taxes returned to him until the TID is paid off (pay as you go).

Motion made by Council Member C. Reimer, seconded by Council Member Maher, to approve in concept the creation of a TID as an economic development incentive for the properties at the northwest corner of Mill Street and Washington Avenue.

Council Member Filter asked City Attorney Vance for a legal finding on the TID before the Council considered the final development at the next Council meeting.

City Attorney Vance stated that there needs to be an underlying finding that the property would not develop unless it is a TID.

City Administrator/Treasurer Mertes confirmed that there has not been any interest in the property since it has been vacant (except for the former Library proposal).

Mayor Kinzel stated that it is pretty special to have the stone house (Stone Manor Bridal) preserved and moved to this property. It would add charm to the downtown and he agreed with the plan.

In answer to Council Member Filter's question, City Administrator/Treasurer Mertes stated that the length of the TID can be adjusted during the process.

Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER NEW OPERATOR'S LICENSE APPLICATIONS FOR THE PERIOD  
ENDING JUNE 30, 2013**

Motion made by Council Member O'Keefe, seconded by Council Member C. Reimer, to authorize issuance of new Operator's Licenses for the period ending June 30, 2013 for: Saul Morales Espinosa, Deborah Ann Sajdak, Jeanne M. Turnquist, John C. Wallus. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**AUTHORIZE ISSUANCE OF 2013-2014 ALCOHOL AND OPERATOR LICENSES**

Motion made by Council Member C. Reimer, seconded by Council Member Filter, to authorize issuance of 2013-2014 Alcohol and Operator's Licenses for the period ending June 30, 2014 for the following:

**"CLASS B" LIQUOR AND CLASS "B" BEER RETAILER'S LICENSE**

Easy Street Pub & Grill, LLC  
Constance Lynn Brush - agent  
W62 N559 Washington Ave.

Cedarburg Cultural Center Inc.  
Lauren R. Hofland – agent  
W62 N546 Washington Avenue

**"CLASS A" LIQUOR AND CLASS "A" BEER RETAILER'S LICENSE**

Walgreen Co.  
(Walgreen's #13620)  
Emily M. Leix – agent  
W62 N190 Washington Avenue

New Operator's Licenses for period ending June 30, 2014

Sabrina D. Armstrong  
Shirley A. DeVona

Robert A. Kitzerow  
Allen W. Parnell

Renewal Operator's Licenses for period ending June 30, 2014:

Walter Hale Alverson  
Roger E. Behling  
Nicholas L. Behling  
Evan N. Bray  
Christopher R. Bumpke  
Daniel M. Burbach  
Adam C. Buth  
Benjamin S. Clithero  
Cassandra R.A. Duesing  
Bethany S. Dykstra  
Saul Morales Espinosa  
Krystal E. Eynon  
Casandra M. Flores  
Ashley N. Gorski  
Angela L. Habermann  
Christine M. Habich  
Jill A. Hepburn  
Christopher M. Homayouni  
Sarah M. Hyde  
Katherine A. Jackson  
Nicholas J. Jacoby  
Dennis F. Jaeger  
Mark A. Kennedy  
Edmund A. Kwaterski Jr

Kristen M. Klug  
Randall H. Kison  
Kathryn C. Moore  
Annette M. Mytko  
Sharleen M. Pokora  
David L. Polzin  
Christian T. Puls  
John W. Riege  
Deborah Ann Sajdak  
James M. Salp  
Susan E. Schrader  
Barseana N. Simond  
Gene Szudrowitz  
Ashley E. Thierfelder  
Spencer D. Thomas  
Jeanne M. Turnquist  
Jamee Vaughn  
John C. Wallus  
Gerald E. Walker  
Kenneth L. Weintraub  
Joseph P. Willbrandt  
Kristine R. Wuenne  
Douglas E. Yip  
James W. Zipter.

**CONSIDER PAYMENT OF BILLS FOR THE PERIOD 5/10/13 THROUGH 6/3/13, ACH TRANSFERS FOR THE PERIOD 5/10/13 THROUGH 6/5/13, AND PAYROLL FOR THE PERIOD 4/28/13 THROUGH 5/25/13**

Motion made by Council Member C. Reimer, seconded by Council Member O'Keefe, to authorize payment of bills for the period 5/10/13 through 6/3/13, ACH transfers for the period 5/10/13 through 6/5/13, and payroll for the period 4/28/13 through 5/25/13. Motion carried without a negative vote with Council Members Radtke and Yip excused.

**CONSIDER RESOLUTION NO. 2013-09 OPPOSING THE LEGISLATURE'S PROPOSED BILL REQUIRING ANY CHALLENGE OR APPEAL OF A MUNICIPAL FEE BE MADE TO THE STATE'S TAX APPEALS COMMISSION**

The remaining agenda items were not acted on due to a lack of quorum after Council Member C. Reimer asked to be excused.

**ADJOURNMENT**

Motion made by Council Member C. Reimer, seconded by Council Member Filter, to adjourn the meeting at 8:22 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC  
Deputy City Clerk