

**CITY OF CEDARBURG
COMMON COUNCIL
May 12, 2014**

**CC20140512-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, May 12, 2014 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Kinzel called the meeting to order at 7:00 p.m.

ROLL CALL: Present – Common Council – Mayor Kip Kinzel, Council Members John Czarniecki, Ron Reimer, Art Filter, Paul Radtke, Michael Maher, Patricia Thome, Mike O’Keefe

Also Present – City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Director of Engineering & Public Works Tom Wiza, Deputy City Clerk Amy Kletzien, Police Chief Thomas Frank, Police & Fire Commissioners John Hammen and Robert Carroll, Library Director Linda Pierschalla, interested citizens

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.

APPROVAL OF MINUTES

Motion made by Council Member Maher, seconded by Council Member O’Keefe, to approve the April 28, 2014 Council minutes. Motion carried without a negative vote with Council Member Radtke abstaining.

COMMENTS & SUGGESTIONS FROM CITIZENS

Jean Opitz, 5132 Country Club Beach Rd., Port Washington, WI, introduced herself to the Common Council. She is running for State Representative of the 60th District. Her goal in running is to make Wisconsin livable and affordable. She is for small government, lower taxes, job creation and reforming government.

PRESENTATIONS

OATH OF OFFICE

Police Chief Frank introduced Patrol Officer Thomas J. Develice to the Common Council as the newest member of the Cedarburg Police Department.

Deputy City Clerk Kletzien administered the oath of office to Patrol Officer Develice.

PRESENTATION OF THE 2013 AUDIT REPORT

Brian Helf of Reilly, Penner and Benton presented the results of the 2013 City audit. The City received a clean opinion with no exceptions and his firm had full cooperation of the staff. There was one change in accounting principles due to a new accounting standard from the Government Accounting Standards Board. It did not change anything; however, it added subheadings for deferred outflows and inflows.

Graphs

- General Fund Revenues – The main source of revenue is taxes and intergovernmental revenue.
- General Fund Expenses – 80% of expenses are Protection of Persons and Property, Public Works and Governmental Operations.
- Fund Balance – stayed consistent.
- Governmental Revenues and Governmental Expenses – increase in capital outlay due to the library construction.
- Local Tax Levy – \$8.2 million
- Utility Operations – Sewer and Utility shows a loss due to depreciation. It is not an actual cash outlay.
- Financial results were as follows:
 - Operating Results – The General Fund decreased by approximately \$100,000. The ending fund balance was \$2.1 million and \$1.7 million is unassigned.
 - Funds are similar to last year.
 - The General Fund (budget to actual) – slightly more than 100% of the budgeted revenue was achieved. Expenses came in on budget.
 - No new borrowing in 2013. Approximately \$900,000 was repaid on debt.
 - Margin of indebtedness – The City has \$37 million in debt available. The City currently has \$8 million of debt.
 - Equity breakdown – Total Capital Assets net of related debt is \$82 million in 2013. The increase is due to the construction of the Library. The Restricted net Assets were \$6 million. Unrestricted Governmental net Assets were \$3 million. Unrestricted – business type net Assets were approximately \$13 million.

Management Letter

Mr. Helf highlighted that the City will need to end the expenditure period by 2022 on TIF District #2.

Reilly, Penner & Benton encountered no significant difficulties in dealing with management in performing and completing the audit. He thanked City Administrator/Treasurer Mertes and her staff for a job well done.

In answer to Council Member Reimer's question, City Administrator/Treasurer Mertes stated that there is a Capital Improvement Fund that is assigned for environmental expenses. There has not been any change to the account because the amount is unknown.

NEW BUSINESS

CONSIDER AWARD OF ENGINEERING SERVICES CONTRACT FOR THE 2014 NR216 STORM WATER COMPLIANCE REPORTING

Director Wiza explained that as part of the NR216 storm water permit, the DNR requires an on-going Illicit Discharge Detection program to test for storm water pollutants in various outfalls. AECOM has been providing this service for the past few years along with compiling the required comprehensive annual report.

Director Wiza asked AECOM to provide a “bare bones” proposal as previous proposals have averaged \$15,000, but the City typically only expends approximately \$10,000.

When the contract came up for review last year, it was suggested that the City ask additional firms for a quote. Director Wiza expressed the following concerns: 1) the DNR has been fully satisfied with the reports and format provided by AECOM, and it is uncertain what a new firm might provide, 2) the past working relationship with AECOM has minimized required staff time; whereas, it is likely a new firm will need more direction and oversight, and 3) the new phosphorus regulation and Total Maximum Daily Load (TMDL) requirement for Cedar Creek may change the approach to this in future years. As a result, Director Wiza recommended approval of the engineering services contract extension with AECOM for an estimated total of \$10,670.

Motion made by Council Member Reimer, seconded by Council Member Radtke, to award the engineering services contract for the 2014 NR216 storm water compliance reporting to AECOM in an amount not to exceed \$10,670. Motion carried without a negative vote.

CONSIDER OUTDOOR ALCOHOL BEVERAGE LICENSE FOR THE STILT HOUSE RESTAURANT AT W62 N630 WASHINGTON AVENUE

Co-owner Gordon Goggin of the Stilt House presented the decorative wrought iron fence that will be used around their proposed outdoor seating area as suggested by the Landmarks Commission.

Mr. Goggin’s has been working with Economic Development Coordinator Sheffield to address parking concerns and he has been working with the Bicycle Federation of Wisconsin to establish bike parking. He has volunteered to offset some of the cost as well as give up the parking space in front of the restaurant.

In answer to Mayor Kinzel’s question, Mr. Goggin’s stated that the area on the north side of the building has paver brick and the fence will be very close to the paver brick or approximately four feet off the building. A single row of tables will run from the sidewalk to the creek. There will be a gate that will allow egress only in the case of an emergency. The primary point of entering and exiting will be through the staircase/door in the middle of the north side of the building.

In answer to Council Member Filter's questions, Mr. Goggins stated that there is room between the tables and the fence for movement. The business plans to operate the outdoor area during their normal operating hours of 11 a.m. – midnight on Friday and Saturday.

In answer to Council Member Filter's question, Chief Frank stated that he will review the hours of normal operation of surrounding beer gardens.

Motion made by Council Member Reimer, seconded by Council Member O'Keefe, to approve the Outdoor Alcohol Beverage License for the Stilt House Restaurant at W62 N630 Washington Avenue.

Council Member Thome confirmed that the fencing will be removed during the off season.

Karen Johnson, N68 W5671 Bridge Commons Ct., expressed concern for the lack of space within the seating area. She felt that it may be tempting to serve patrons from the other side of the fencing.

In answer to Council Member Radtke's questions, Mr. Goggins plans on approximately 10 – 12 tables in this space and they will not allow smoking in this area.

Ann Denk, W62 N598 Washington Avenue, stated that she is a building and business owner for over 26 years, with her building located within a half block of the Stilt House. She complimented the Stilt House as a wonderful addition to the downtown and applauded their vibrancy and extended continued success. She asked the Council to consider some important points before moving forward with their decision to approve the Outdoor Alcohol Beverage License.

- Parking is already stressed and is possibly being pressed beyond its breaking point. Increasing the footprint beyond the walls of the building will increase the stress to this fragile situation and should be a strong consideration in this decision.
- Ann Denk referenced the consideration of Ordinance No. 2008-07 establishing guidelines for outdoor alcohol licenses from 2008. These guidelines suggested reviewing each applicant on a case-by-case basis, taking into consideration the size of the outdoor seating area and its location in respect to adjacent residential uses. This location is very tight, virtually taking away existing parking from either staff or patrons and squeezing the area where trash and recycling would be controlled.
- Consider adjacent residential homes – there are 21 additional families, beside the home located next door, within a one block distance in each direction along Washington Avenue.
- Economic Development Board minutes of March 25, 2014 stated “The Board recognizes the importance of people residing in the downtown area as being a benefit to local businesses.” She asked the Council to respect those who live downtown Cedarburg as they move forward with their decision.
- Noise is a concern as the weather warms and since the laws of no smoking were enacted, homeowners are forced to close their windows on spring and summer nights, turn on the air conditioning or fans to give ambient noise to sleep.

In closing, Ann Denk urged the Council to make a decision that does not incorporate alcohol into this outdoor driveway space. She stated that is important to work with what the building has to offer and not to redefine the space just to advance the business. It is equally important, not to impede on others property or others property rights to advance ones goals.

In answer to Council Member Filter's question, Chief Frank stated that he is not aware of any complaints regarding the Stilt House; however, he would want to check the records.

Janis Kinens, W63 N642 Washington Avenue, stated that they have been affected more directly by the increase in demand for parking than anyone else. During Lent the church had record attendance (90 – 100 people) and people were able to park with no complaints. Signs were put out for the elderly and was supported by Keith Reid. He spoke in support of the outdoor seating at the Stilt House. They are a great addition to the community. It can be difficult to keep a business going in Cedarburg and with mutual support and encouragement among business owners and other entities and residents, the City can continue to be a successful and vibrant community.

Carol Kavanaugh, W62 N563 Washington Avenue (Washington Square Apartments), stated that she lives behind Morton's and she does not hear the noise and it does not impose on the tenants. She looks forward to having outdoor seating at the Stilt House.

Dave Polacek, W62 N667 Riveredge Dr., stated that he lives less than a block away from the Stilt House and he has not heard any noise. The clientele visiting the Stilt House is different than some of the other establishments and he does not think that the outdoor seating will be an issue.

Harald Tomesch, W64 N713 Washington Avenue, commented that he is a Pastor that held a bible study at their winery during Lent. He had a difficult time convincing people to use their parking lot with 8 – 14 parking spaces available. The Plan Commission made a recommendation that the City do a better job of highlighting available parking spaces with signage and that would help. Most patrons of the Stilt House are 50+ and it is a different clientele that looks for high quality wine and beers with a nice evening experience at the restaurant.

Karen Johnson stated that her understanding is the Stilt House does not have outside service at this time; therefore, there is no noise to hear yet. There are businesses in Cedarburg that are disruptive in the evening. If there is going to be outside activity at the Stilt House, she suggested there should be guidelines to control noise, time of service and require receptacles for cigarettes. She expressed concern for the small space and the noise that will be generated.

In answer to Council Member Filter's question, Mayor Kinzel confirmed that the license can always be reviewed, if needed.

City Attorney Herbrand stated that the recommendation from the Plan Commission had three conditions:

- A decorative three foot high wrought iron or steel fence being placed between the planter boxes.

- The tables and chairs being placed up against the building instead of the staggered pattern as shown in the plans.
- A clear path shall be maintained from the building exits through the outdoor area for emergency purposes.

He questioned whether the Council wanted to include these conditions in their approval of the Outdoor Alcohol Beverage License.

Mayor Kinzel suggested omitting the second condition, as the owners will layout the tables to allow the best traffic flow.

Laura Boeck-Singers, owner of property to the north, clarified that the red line drawn on the pavement is not the property line. This line was drawn by Mr. Goggins on an unencumbered area of easement. The property line is over approximately 4.5 feet. She questioned whether the beer tapping trailer will be moved as indicated in an earlier meeting.

Mayor Kinzel stated that this will need to be addressed with the owner and Building Inspector Baier.

Council Member Thome confirmed with Mr. Goggins that this space is intended as a dining area with alcohol service and is not an outdoor bar.

Council Member Reimer amended the motion to include that a decorative three foot high wrought iron or steel fence be placed between the planter boxes and a clear path shall be maintained from the building exits through the outdoor area for emergency purposes. Council Member O'Keefe agreed to the amendment.

Motion carried without a negative vote.

CONSIDER OUTDOOR ALCOHOL BEVERAGE LICENSE FOR THE CHISELLED GRAPE WINERY AT W64 N713 WASHINGTON AVENUE

Harald Tomesch, co-owner of Chiselled Grape Winery, is requesting approval of an Outdoor Alcohol Beverage License to serve wine within an enclosed area on the north half of the front yard of their business site. The seating area will be enclosed by a 38 inch high decorative wrought iron fence with an arbor structure over the entrance to the patio. Within the service area they proposed four tables with chairs and a circular wine tasting table. They will stop serving at 9 p.m. The Landmarks and Plan Commissions unanimously recommended approval as proposed.

Council Member Thome confirmed that the fencing will be removed in the off-season.

Council Member O'Keefe stated that he understood if the pavers remained in place in the off-season; however, the fence should be removed. He stated that this is an underutilized area north of Bridge Road across from Cedar Creek Winery and he liked the set-up.

Mayor Kinzel stated that the Chiselled Grape Winery is a welcome addition to downtown Cedarburg.

Motion made by Council Member Maher, seconded by Council Member O'Keefe, to approve an Outdoor Alcohol Beverage License for the Chiselled Grape Winery. Motion carried without a negative vote.

CONSIDER ORDINANCE NO. 2014-07 ALLOWING THE CITY ATTORNEY TO APPOINT ASSISTANTS

City Attorney Herbrand stated that the proposed ordinance would allow him to appoint assistant City Attorneys from his firm on an as-needed basis as allowed in the State Statutes, subject to the approval by the City Administrator/Treasurer. Compensation would be in accordance with the contract for legal services with Houseman & Feind.

Council Member Reimer expressed concern for the proposed wording in Ordinance No. 2014-07, specifically, who would approve the appointment and whether the appointment is an Assistant City Attorney or an assistant to the City Attorney.

After further discussion, City Attorney Herbrand agreed to bring back a revised ordinance for consideration by the Common Council.

CONSIDER PURCHASE OR LEASE OPTION FOR LIBRARY COPY MACHINES AND PROCESS FOR FUTURE PURCHASES

Library Director Pierschalla stated that the Library Board is seeking input from the Council regarding the purchase of copy machines versus the lease of the machines, which has typically been done in the past. Surplus funds from the building project would be used to cover the cost of the purchase of four machines and would remove the yearly operational expense of a lease (\$8,000 savings). The Library Board did approve this purchase at their April 16 meeting.

The Common Council expressed concern for purchasing versus leasing the machines and using the cost savings from the building project to purchase copiers.

Library Director Pierschalla appreciated the comments from the Council and introduced Chris Lipski from Ross Imaging to explain the purchase.

Mr. Lipski explained that a service contract is included in a purchase or a lease. The Library is unique because they are tax exempt and by purchasing the equipment they will not be assessed personal property tax. He further explained that the proposed models incorporate advanced technology and should easily last seven years, which is the standard period required to make parts for the machines, or much longer. These models allow room to grow. Mr. Lipski stated that Director Pierschalla negotiated a three year locked maintenance rate on the machines. The Library will be saving \$8,000 by purchasing the machines and will also save on paying personal property taxes.

The Common Council discussed the process for future purchases.

Council Member Reimer explained that State Statutes give the Library Board control of the expenditures of all moneys collected. However, the Library Board's use of any disbursement or gift shall be consistent with the intent of the donor of the gift, bequest or endowment and with the agreement between the Library Board and the charitable organization or community foundation. The City provided \$6.2 million to build a library and that brings conditions. The money is to be used for construction of a library.

Council Member Thome respects the responsibilities of the Library Board and approves of physical construction; however, she struggles with using construction money to buy equipment with a short lifespan.

Council Member Maher stated that they have received a large unrestricted donation that could fund the copiers.

Mayor Kinzel explained that it will help if the project is completed under budget and it would be better if the purchase was made with different funds.

Director Pierschalla stated that the RFID and copiers were in the original plan and were pulled out because that may have caused the project to be over budget. With the Library finishing under budget, the Board was comfortable adding these items back into the project.

Council Member Radtke agreed that the RFID is necessary and should not have been removed from the project.

Council Member O'Keefe stated that the Library Board has not been frivolous to-date.

Mayor Kinzel expressed concern for spending every available dollar for the Library project. The next Library budget will be more difficult because of the added expenses of a larger library. He wants to save taxpayer money, as much as possible.

The Council commended the Library Board for a job well done on the progress of the new Library.

UPDATE OF THE PROGRESS AND PROJECTIONS FOR THE SOUTH END OF THE CREEK WALK PROJECT

Director Wiza reviewed the Creek Walk project with the Common Council. He stated that the original bid was \$95,000 over budget so the patio extension over the tailrace was eliminated with a contract change order. There have been challenges in the current project involving a harsh winter and DNR permitting. The project began late; however, Beyer Construction has been working diligently on the project. The contractor has assured the City that the project will be finished in time to meet the deadline for the grant money but they are asking for a time extension from June 6 to June 20 for the completion date. Director Wiza agreed that this was a reasonable request and questioned whether this could be done administratively.

City Attorney Herbrand stated that it is up to the will of the Council to allow staff to make this decision.

In answer to Council Member O'Keefe's question, Director Wiza stated that moving the completion date to June 20 will allow enough time to complete the paperwork required for the grant money.

In answer to Council Member Reimer's question, Director Wiza stated that he will review the work on the Creek Walk and determine that it is completed.

It was the consensus of the Common Council to allow Director Wiza the authority to grant the time extension on the Creek Walk project.

In answer to Council Member O'Keefe's question, Director Wiza stated that there is a fine in place if there is a breach of contract and by allowing the time extension the contractor will meet the deadline.

In answer to Council Member Czarnecki's question, City Attorney Herbrand stated that standard weather conditions should not affect the current contract and the completion date of the Creek Walk project.

In answer to Council Member Radtke's question, Director Wiza stated that the DNR is strict on their deadlines and they have indicated to the City that they have granted the final period adjustment on the project.

CONSIDER LEGAL SERVICES AGREEMENT WITH ATTORNEY RON STADLER

City Administrator/Treasurer Mertes stated that Attorney Stadler has represented the City in police matters and union negotiations in the past. City Attorney Herbrand asked for separate representation for employment law.

Motion made by Council Member Filter, seconded by Council Member Reimer, to approve the legal services agreement with Attorney Stadler. Motion carried without a negative vote.

PRESENTATION OF THE 2013 ANNUAL POLICE DEPARTMENT REPORT

Police Chief Frank presented a summary report of the Police Department activities for 2013. He acknowledged the Police and Fire Commission and their contributions. The following facts were presented:

- Violent crimes consisted of one robbery.
- Property crimes increased to 130 in 2013, compared to 127 in 2012.
- Stolen property increased to \$109,669, compared to \$30,392 in 2012.
- 24 felonies and 67 misdemeanors occurred in 2013, compared to 21 felonies and 90 misdemeanors in 2012.
- 787 reports were investigated in 2013, compared to 729 in 2012.

- Calls for service increased from 11,661 to 21,324.
- 3,856 people were assisted in 2013, compared to 3,490 in 2012.
- Citizens at the station decreased from 8,413 in 2012 to 6,968 in 2013.
- Telephone calls decreased from 14,724 in 2012 to 14,326 in 2013.
- 911 calls increased to 2,953 in 2013, compared to 944 in 2012.
- 176 alarms were responded to in 2013, compared to 150 in 2012.
- Department activities included 370 non-traffic arrests in 2013, compared to 304 in 2012; 1,307 traffic arrests compared to 1,853 in 2012.
- Warnings for non-traffic offenses decreased to 872 in 2013 from 1,853 in 2012.
- Traffic warnings decreased to 3,036 in 2013 from 3,517 in 2012.
- 180 speeding tickets were issued in 2013, compared to 227 in 2012.
- OWI offenses decreased to 25 in 2013, compared to 29 in 2012.
- Arrests for adult alcohol offenses increased to 30 in 2013, compared to 24 in 2012.
- Juvenile arrests increased to 36 in 2013 from 19 in 2012.
- 17 tobacco violations occurred in 2013, compared to 11 in 2012.
- Drug offenses increased to 41 in 2013, compared to 32 in 2012.
- 316 bicycle/skateboard warnings were issued compared to 321 in 2012.
- Worthless checks increased to \$7,883 in 2013 from \$3,684 in 2012, with 33 investigations.
- 166 accidents occurred in 2013 with 26 injuries compared to 183 accidents with 31 injuries in 2012.
- Community policing included 105,850 checked doors with 305 open, 2,380 vacation checks, 193 vehicle lockouts, 798 rescue squad calls, 212 fire calls, Safety Town and Safety Camp for 190 students, School Liaison Officer, child safety seat inspections (58), Safety Days, Website, Tele-care program, Hunter Safety program (50 participants), renting of the Community Room (104 public meetings), and the DMV vehicle registration program resulted in 745 transactions totaling \$6,083 in profit to the City.

Chief Frank explained that the increase in 911 calls and calls for service is because the station began recording on the same basis as other area Police Departments.

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

The Cedarburg Police Department participates in Mutual Aid with two officers and one negotiator on the Ozaukee Special Response Team and one officer plus the K-9 on the Ozaukee Drug Enforcement Unit. Assists to other departments totaled 78 in 2013, compared to 58 in 2012.

Equipment changes consisted of one unmarked vehicle replacement, adding plate carriers to all the squad cars, upgrading the dispatch console for ergonomics and functionality, and magnifying optics on all patrol rifles.

Detective McNerney and Officer Kell received Distinguished Service Awards for their active shooter training. Officer Schellinger received the Top Shot Award for having the high score in yearly competition. Uniform Award Ribbons have been awarded throughout the year to dispatchers and police officers.

CONSIDER ACH TRANSFERS FOR THE PERIOD 4/24/14 THROUGH 5/7/14, AND PAYROLL FOR THE PERIOD 4/13/14 THROUGH 4/26/14

Motion made by Council Member Filter, seconded by Council Member O’Keefe, to approve ACH transfers for the period 4/24/14 through 5/7/14 and payroll for the period 4/13/14 through 4/26/14. Motion carried without a negative vote.

LICENSE APPLICATIONS

Motion made by Council Member O’Keefe, seconded by Council Member Radtke, to approve new Operator’s License applications for the period ending June 30, 2014 for: Gregory J. Jourdain, Leigh Kuykendall, Glenda R. Nagel, and Ann M. Speirs. Motion carried without a negative vote.

Motion made by Council Member Radtke, seconded by Council Member Czarnecki, to authorize issuance of the 2014-2015 alcohol, operator, and cigarette licenses as listed:

Issuance of alcohol licenses for the period ending June 30, 2015:

Class “A” Beer Retailer’s License

Speedway LLC Owned by MPC Investment LLC
(Speedway LLC #4203)
Michael R. Weber – agent
W63 N121 Washington Avenue

“Class A” Liquor Retailer’s License

Frill, Inc.
Lynn Knutson – agent
W63 N680 Washington Avenue

“Class A” Liquor & Class “A” Fermented Malt Beverage License

Bonus Inc.
(Olsen’s Piggly Wiggly)
Ryan Olsen - agent

Toto’s, Inc.
(Otto’s Wine & Spirits)
John Striepling - agent

COMMON COUNCIL

12

May 12, 2014

CC20140512-

UNAPPROVED

W61 N286 Washington Avenue

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

Kelley's Inc.
(Kelley's Drive Thru Market)
Timothy Kelley – agent
W61 N506 Washington Avenue

W63 N157 Washington Avenue

Wisconsin CVS Pharmacy LLC
(CVS/Pharmacy #8775)
Dione C. Jeffery – agent
W63 N152 Washington Avenue

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

“Class B” Intoxicating Liquor & Class “B” Fermented Malt Beverage License

Ernie's Wine Bar LLC
Benjamin M. Grade - agent
N49 W5471 Portland Road

RCB Group Inc.
(Maxwell's)
Richard C. Buser – agent
W63 N699 Washington Avenue

Kowloon Chinese Restaurant, Inc.
Henry A. Liang - agent
W63 N145 Washington Avenue

Steven W. Banas
(August Weber Haus)
W63 N678 Washington Avenue

Morton's Wisconsin, LLC
(Mortons Wisconsin Inn)
Chris Morton - agent
N56 W6339 Center Street

Dreblow Jr & Weidmann
(L & G Express)
N50 W5586 Portland Road

BLCB LLC
(Stagecoach Inn)
Brook J. Brown - agent
W61 N520 Washington Avenue

C. Wieslers Inc.
Michael G. Jackson - agent
W61 N493 Washington Avenue

Fineco, LLC
(Grapes & Tastes)
Daniel S. Pals – agent
W63 N140 Washington Avenue

Silvas, LLC
(Las Fajitas Restaurant)
Martha I. Garcia – agent
W63 N146 Washington Avenue

Thomas Restaurants LLC
(Tomaso's)
Nicole Schemenauer - agent
W63 N688 Washington Avenue

RCB Group Inc.
(Stonewall Pub)
Richard C. Buser - agent
W62 N550 Washington Avenue

COMMON COUNCIL

13

May 12, 2014

CC20140512-

UNAPPROVED

Cedars III LLC
Michael Kowalkowski – agent
W53 N404 Park Lane
MacBeebs LLC
Owned by Catherine Heebner
(Farmstead Restaurant)
Catherine Heebner – agent
W62 N238 Washington Ave.

Anvil Pub & Grille LLC
Donna M. Taylor – agent
N70 W6340 Bridge Rd.
Peter Wollner Post 288
of the American Legion
James A. Lee – agent
W57 N481 Hilbert Avenue

Settlers Inn LLC
Joan D. Dorsey – agent
W63 N657 Washington Avenue

Silver Creek BrewPub LLC
Todd Schneeberger – agent
N57 W6172 Portland Road

Easy Street Pub & Grill, LLC
Constance Lynn Brush – agent
W62 N559 Washington Avenue

Cedarburg Cultural Center, Inc.
Stephanie Hayes – agent
W62 N546 Washington Avenue

Class “B” Fermented Malt Beverage and “Class C” Wine License

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

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

Pigments Art Studio LLC
Brenda M. Schilke – Agent
N61 W6321 Turner Street

P.J. Piper LLC
(P.J. Piper Pancake House)
Judith Fergadakis – agent
W61 N514 Washington Avenue

J.L. Joyce Enterprises, Inc.
(Jim’s Grille)
James Joyce – agent
W63 N144 Washington Avenue

Otte Restaurants LLC
Romano’s Pizzeria
John M. Otte - agent
W63 N540 Hanover Avenue

Sals Pizzeria – Cedarburg Inc.
Bekim Elmazi – agent
W63 N635 Washington Ave.

Stilthouse Gastropub, Inc.
(Stilt House Restaurant)
Keith M. Reid – agent
W62 N630 Washington Ave.

Class “B” Fermented Malt Beverage License

Bonus Inc.

JW’s 19th Tee, LLC

Db/Olsen's Piggly Wiggly
Ryan L. Olsen – agent
(Pavilion/Columbia St. Mary's Center)
W67 N866/N890 Washington Avenue

Moxie Girl Catering
Jodi L. Wisnefske – agent
(Pavilion/Columbia St. Mary's Center)
W67 N866/N890 Washington Avenue

Messina II, Inc.
Carmelo Raffaele – agent
(Pavilion/Columbia St. Mary's Center)
W67 N866/N890 Washington Avenue

“Class B” Wine License

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

The Chiselled Grape Winery, LLC.
Harald G. Tomesch – agent
W64 N713 Washington Avenue

Issuance of Cigarette Licenses for period ending June 30, 2015:

Super Sales USA, Inc. (Citgo)
W62 N174 Washington Avenue

Wisconsin CVS Pharmacy, LLC (#8775)
W63 N152 Washington Avenue

Bonus Inc. (Olsen's Piggly Wiggly)
W61 N286 Washington Avenue

Speedway, LLC (#4203)
W63 N121 Washington Avenue

Toto's Inc. (Otto's Wine & Spirits)
W63 N157 Washington Avenue

Walgreen Co. #13620
W62 N190 Washington Avenue

Kelley's Inc. (Kelley's Drive Thru Market)
W61 N506 Washington Avenue

Fineco, LLC (Grapes & Tastes)
W63 N140 Washington Avenue

Issuance of renewal Operator's Licenses for period ending June 30, 2015:

COMMON COUNCIL**15****May 12, 2014****CC20140512-****UNAPPROVED**

Mark S. Adgate
Hannah C. Aronson
Kathleen E. Austin
Stephanie J. Baldwin
Patricia M. Bartlein
Deborah Bath
Andrew J. Baule
Dena C. Baule
Joey M. Baumle
Rober E. Behling
Nicholas L. Behling
Morgan K. Behm
Lindsey J. Berndt
Michael C. Besaw
Karla M. Biermann
Michael Bourbonais
Evan N. Bray
Michael C. Brehm
Daniel M. Burbach
Candace A. Burger
Abigail J. Buske
Joseph M. Buth
Christine M. Christon
Joel M. Christophersen
Eva M. Danner
Steve F. Danner
Whitney H. Dobson
Monica J. Dorsey
Thomas M. Dorsey
Shelley M. Doxtator
Gordon K. Dreblow
Jean M. Dreblow
Lindsey L. Duba
Jonathan Dunne
Devon H. Erbes
Krystal E. Eynon
Christina N. Gabrielson
Fatima I. Garcia
Mario A. Garcia Ortega
Marie L. Glander
Andrew T. Golden
Ariana I. Gomez
Allan H. Haas
Angela L. Habermann
Christine M. Habich

Zachary A. Lauterbach
James A. Lee
Mariya Litvak
Dennis H. Loberger
Craig E. Lowdermilk
Jane B. Lukens
Chris A. Massie
Josette Mattias
Bradley J. Mayer
Josh P. McCutcheon
Gloria R. Mitchelson
Glenda R. Nagel
Richard H. Nielsen
Janet J. O'Donnell
Ryan L. Olsen
Chad M. Olson
Daniel S. Pals
Sheryl L. Pals
Allen W. Parnell
Nathan Pipkorn
Mary B. Pistiner
David L. Polzin
Krystal L. Poppe
Melissa M. Radtke
Robert A. Rhiel
Daniel F. Riederer
John W. Riege
Elizabeth F. Riley
Zach R. Ringel
Shaw H. Ruppel
Ann M. Ruska
Deborah A. Sajdak
Brett T. Schemenauer
Julie A. Schlabach
Elizabeth N. Schmidt
Keith K. Schopp
Susan E. Schrader
Alan M. Schroeder
Stacy A. Seatz
Patricia L. Shepard
Richard Siefert
Steven R. Sievers
Neil P. Soukup
Ann M. Speirs
Aaron A. Staats

Gina A. Heidemann
Norine C. Helmlinger
Jill A. Hepburn
Bradley J. Herian
Christine M. Hesse
Thomas H. Hesse
James C. Hoberg
Donna M. Hollis-Booth
BJ Homayouni
Chris M. Homayouni
Michael E. Hubbard
Sarah M. Hyde
Brian M. Jackson
Katherine A. Jackson
Teri L. Jackson
Matthew C. Jackson
Carren L. Jackson
Nicholas J. Jacoby
Dennis F. Jaeger
Andrea L. Johannsen
Gregory J. Jourdain
Mary A. Karegeannes
Mary Lee Katzka
Jennifer S. Kelley
Randall H. Kison
Bruce K. Knutson
Mike Kolwalkowski
James D. Lake

Mary K. Steinbrecher
Laura J. Stuetgen
Michael C. Styles
Michelle L. Taylor
Ashley Thierfelder
Jodie E. Thierfelder
Judith M. Thill
Scott R. Thomas
Spencer Thomas
Kelly E. Timple
Harald G. Tomesch
Melissa A. Tonn
Gerald E. Truchan
Nekana L. Voith
Richard J. Von Trebra
Gerald E. Walker
Nathan Walters
Clary B. Wamhoff
Larry D. Weidmann
Theodore J. Weissinger
Michelle L. Welch
Tanner M. Welch
John A. Welk
Courtney M. Wendorf
Patrick R. Weyer
Gina R. Wildner
Jeffrey A. Wrobbel
Julie A. Zens

Motion carried without a negative vote.

Motion made by Council Member Radtke, seconded by Council Member Thome, 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 25, July 13, August 31, and October 5 from 8:00 a.m. to 6:00 p.m. Motion carried without a negative vote.

Motion made by Council Member O’Keefe, seconded by Council Member Thome, to authorize issuance of a Festival Celebration Permit to Festivals of Cedarburg, Inc. for Strawberry Festival to be held on June 28, 2014 from 10:00 a.m. until 6:00 p.m. and on June 29, 2013 from 10:00 a.m. until 5:00 p.m. Motion carried without a negative vote.

CONSIDER USE OF A CONSTRUCTION MANAGER ON THE PROPOSED PUBLIC WORKS FACILITY

Director Wiza reviewed the differences between the two methods. The use of a construction manager involves a more complex contractual relationship, where the City enters into direct contracts with the architect, construction manager, material supplies, and all of the trade contractors. Using a general contractor, the City simply contracts with the architect and general contractor.

In answer to Council Member Filter's question, Director Wiza stated that this budget will not be impacted because work will not begin until next spring.

Motion made by Council Member Filter, seconded by Council Member O'Keefe, to approve the use of a construction manager on the proposed public works facility. Motion carried without a negative vote.

LIBRARY FUNDRAISING UPDATE AND LIBRARY BUILDING UPDATE

Council Member Maher stated that the Cedarburg Fire Department donated \$10,000 and an AED to the new Library.

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Maher recognized the Treasurer's office for a job well done on the financial report.

MAYOR'S REPORT

Mayor Kinzel issued Proclamations for:

- Arbor Day
- National Police Week - May 11-17
- Older Americans Month – May 2014

ADJOURNMENT

Motion made by Council Member Filter, seconded by Council Member O'Keefe, to adjourn the meeting at 9:28 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC, WCPC
Deputy City Clerk