

**CITY OF CEDARBURG  
COMMON COUNCIL  
August 12, 2019**

**CC20190812-1  
UNAPPROVED**

A special meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, August 12, 2019, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor O'Keefe called the meeting to order at 6:34 p.m.

Roll Call:           Present - Mayor Michael O'Keefe, Council Members Sherry Bublitz, Jack Arnett, Kristin Burkart, Rick Verhaalen, Garan Chivinski, Patricia Thome, Rod Galbraith

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Assistant City Attorney Johnathan Woodward on behalf of the Police Department, Police Chief Thomas Frank, Deputy City Clerk Amy Kletzien, interested citizens and news media

**STATEMENT OF PUBLIC NOTICE**

At Mayor O'Keefe's request, Deputy City Clerk Kletzien verified that notice of this meeting was provided to the public by forwarding the agenda to the City's official newspaper, the *News Graphic*, to all news media and citizens who requested copies, and by posting in accordance with the Wisconsin Open Meetings Law.

**NEW BUSINESS**

**HEARING ON POSSIBLE NON-RENEWAL OF AN OPERATOR'S LICENSE FOR CRAIG LOWDERMILK**

Craig Lowdermilk was not in attendance for the hearing on possible non-renewal of an Operator license. Police Chief Frank provided testimony along with a recommendation that the Council deny the license renewal application for Craig Lowdermilk based on three arrests and convictions (1997, 2004 and 2018) for operating while under the influence of an intoxicant. Based on a third drunk driving arrest, it is a serious conviction and directly relates to licensed activity.

Attorney Johnathan Woodward submitted certified documents of the second and third offense convictions, as part of the record. Attorney Johnathan Woodward asked the Council to make a motion denying the renewal of Mr. Lowdermilk's Operator license on the basis that he is a habitual law offender and lacks fitness for the trust to be reposed.

**CLOSED SESSION**

Motion made by Council Member Burkart, seconded by Council Member Thome, to adjourn to closed session at 6:37 p.m. pursuant to State Statutes 19.85(1)(a) to deliberate concerning a case which is the subject of any judicial or quasi-judicial trial or hearing before the Common Council. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Burkart, Verhaalen, Chivinski, Thome, and Galbraith voting aye.

**RECONVENE TO OPEN SESSION**

Motion made by Council Member Bublitz, seconded by Council Member Chivinski, to reconvene to open session at 6:39 p.m. Motion carried on a roll call vote with Council Member Bublitz, Arnett, Burkart, Verhaalen, Chivinski, Thome, and Galbraith voting aye.

**SET FORTH FINDINGS AND DECISION REGARDING RENEWAL OF OPERATOR'S LICENSE OF CRAIG LOWDERMILK**

Motion made by Council Member Verhaalen, seconded by Council Member Burkart, to deny the Operator license renewal for Craig Lowdermilk based on his three OWI convictions and on Police Chief Frank's recommendation. Motion carried without a negative vote.

**ADJOURNMENT**

Motion made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 6:41 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC  
Deputy City Clerk