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**CITY OF WATERLOO COUNCIL AGENDA**  
**COUNCIL CHAMBER OF THE MUNICIPAL BUILDING – 136 N. MONROE STREET**  
**Thursday July 11, 2019 – 7:00 p.m.**

**Revised 7/10/2019 5:19 PM**

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and news media, that a public meeting will be held to consider the following:

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL
2. MEETING MINUTES APPROVAL: June 20, 2019
3. PUBLIC COMMENT
4. CONSENT AGENDA ITEMS
5. MEETING SUMMARIES - SINCE LAST COUNCIL MEETING
  - a. 2019-06-25 Plan Commission
  - b. 2019-07-11 Public Works & Property Committee
  - c. 2019-07-11 Public Safety & Health Committee
  - d. 2019-07-09 Karl Junginger Memorial Library Board Agenda
  - e. 2019-07-09 Waterloo Water & Light Commission Meeting Agenda
  - f. 2019-07-08 EMS Agenda
6. RECOMMENDATIONS OF BOARDS, COMMITTEES & COMMISSIONS
  - a. Plan Commission
    - i. Certified Survey Map, Waterloo Properties Inc - Expanding Lots 30 & 31 (520 & 530 McKay Way) 15 ft. South Into Municipally Owned Outlot 6
6. UNFINISHED BUSINESS
  - a. Public Safety & Property Committee
    - Ordinance #2019-04 Amending Section §120-2 Definitions - Alarm Systems Of The Municipal Code
    - Ordinance #2019-05 Amending Section §120-3 False Alarms Of The Municipal Code
    - Ordinance #2019-06 Striking And Recreating Section §200-4 Burning Regulations
7. NEW BUSINESS
  - a. 2019 Pavement Surface Evaluations And Ratings (PASER) Presentation, Mitch Leisses Kunkel Engineering
  - b. Liquor License Application, Katie Creek LLC (Trade Name: The Bridge), 134 East Madison Street
    - Agent Appointment Of Colin Gorder For Katie Creek LLC To Sell Fermented Malt Beverages And/Or Intoxicating Liquor
    - Class B Beer And Class B Liquor License
  - c. Granting New And Renewed Operator's Licenses For The License Period Ending June 30, 2021 (5)
  - d. Legislative Review Request, June 26, 2019 Parks Commission Grievance
8. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS
9. ADJOURNMENT

A handwritten signature in black ink that reads 'Mo Hansen'.

Mo Hansen  
Clerk/Treasurer

Posted and Emailed: 07/03/2019 **UPDATED 7/10-2019**

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.

**CITY OF WATERLOO COMMON COUNCIL**  
**MEETING MINUTES: June 20, 2019**

Digital audio files are archived with these written minutes additionally serving as the official record.

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL. Mayor Quimby called the meeting to order at 7:00 p.m. Alderpersons present: Kuhl, Rhynes, Griffin, Thomas, Stinnett and Petts. Absent: Schoenwetter. Others present: WLOO videographers; Diane Graff, the Courier; Library Director Kelli Mountford; Parks Coordinator Gabe Haberkorn; Public Works Director Chad Yerges; Utility Superintendent Barry Sorenson Police Chief Denis Sorenson and Clerk/Treasurer Mo Hansen. The pledge of allegiance was recited.

MEETING MINUTES APPROVAL: June 6, 2019. MOTION: Moved by Petts, seconded by Rhynes to approve the minutes as presented. VOICE VOTE: Motion carried.

CITIZEN INPUT / PUBLIC COMMENT. None.

CONSENT AGENDA ITEMS. MOTION: Moved by Petts, seconded by Thomas to approve the consent agenda items. VOICE VOTE. Motion carried.

- a. May Reports Of City Officials And Contract Service Providers.
  - i. Parks Coordinator
  - ii. Fire & EMS (April and May)
  - iii. Building Inspection - Building, Plumbing, & Electrical Permits
  - iv. Public Works
  - v. Police
  - vi. Karl Junginger Memorial Library
  - vii. Waterloo Water & Light Commission Minutes
  - viii. Watertown Humane Society

**MEETING SUMMARIES - SINCE LAST COUNCIL MEETING**

- a. 6-20 Finance, Insurance & Personnel Committee. Thomas said Tax Incremental Finance and Budgets were reviewed.
- b. 6-19 Community Development Authority. No quorum.
- c. 6-17 Waterloo Fire. No comments.
- d. 6-12 Parks Commission. Stinnett said volunteers were needed for July 4<sup>th</sup>; and invited all to 2<sup>nd</sup> concert series in the park event.
- e. 5-31 Local Government 101, League of Municipalities Seminar. Kuhl and Rhynes said the meeting was a great experience with information conveyed quickly. Quimby said future budgeting consideration should include fund attendance fees.

**RECOMMENDATION OF BOARDS, COMMITTEES AND COMMISSIONS**

- a. Public Works & Property Committee
  - i. Resolution #2019-18 Authorizing Emergency Contingency Funds In An Amount Not To Exceed \$9,780 For Central Avenue Repairs / Replacement Of Storm Sewer And Three Storm Sewer Structures. DISCUSSION: Yerges said a 2<sup>nd</sup> quote was received earlier in the day from Krause Excavating for \$7,650. He recommended amending the resolution to award to Krause. MOTION: Moved by Petts, seconded by Stinnett to adopt the resolution substituting Krause as vendor and \$7,650 as the amount. ROLL CALL VOTE: Ayes: Rhynes, Kuhl, Griffin, Thomas, Stinnett and Petts. Noes: none, with Schoenwetter absent. Motion carried.
  - ii. Resolution #2019-19 Entering Into A Road Maintenance Agreement With The Town Of Portland. DISCUSSION: Yerges reviewed the agreement, addressing questions and saying the written agreement documents what has been practice for years. MOTION: Moved by Petts, seconded by Stinnett to approve the resolution as presented. VOICE VOTE: Motion carried.
- b. Public Safety & Property Committee. MOTION: Moved by Thomas, seconded by Kuhl to table consideration of the three ordinances below until the next meeting. VOICE VOTE: Motion carried.
  - i. Ordinance #2019-04 Striking And Recreating Section §120-2 Alarms Systems
  - ii. Ordinance #2019-05 Striking And Recreating Section §120-3 False Alarms
  - iii. Ordinance #2019-06 Striking And Recreating Section §200-4 Burning Regulations
- c. Finance, Insurance & Personnel Committee
  - i. May Monthly Financial Statements
    1. General Disbursements - \$841,780.15. MOTION: Moved by Thomas, seconded by Griffin to approve disbursements in the stated amount. ROLL CALL VOTE: Ayes:

- Rhynes, Kuhl, Griffin, Thomas, Stinnett and Petts. Noes: none with Schoenwetter absent. Motion carried.
2. Payroll - \$69,513.64. MOTION: Moved by Thomas, seconded by Griffin to approve payroll in the stated amount. ROLL CALL VOTE: Ayes: Rhynes, Kuhl, Griffin, Thomas, Stinnett and Petts. Noes: none with Schoenwetter absent. Motion carried.
  3. Treasurer's Report & Budget Report. MOTION: Moved by Thomas, seconded by Kuhl to approve the reports. ROLL CALL VOTE: Ayes: Rhynes, Kuhl, Griffin, Thomas, Stinnett and Petts. Noes: none with Schoenwetter absent. Motion carried

#### NEW BUSINESS

- a. Granting New And Renewed Operator's Licenses For The License Period Beginning July 1, 2019 And Ending June 30, 2021 (76). MOTION: Moved by Petts, seconded by Rhynes to grant the licenses as presented. VOICE VOTE: Motion carried.
- b. Resolution #2019-20 Authorizing The Submittal Of A Petition For County Highway Aid And An Application For Bridge Aid From Jefferson County. MOTION: Moved by Stinnett, seconded by Petts to approve the resolution as presented. VOICE VOTE: Motion carried.
- c. Considering An Alternate Regular City Council Meeting Night. After a brief discussion, no action taken.
- d. Authorizing A Police Officer Hiring Process To Fill A Vacancy Due To A Resignation. DISCUSSION: Attendees were made aware of the vacancy. It was determined that the Police Chief has the authority to initiate a hiring process. No action taken.

#### FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

- a. 2019 Facility Tour Orientation, Elected/Appointed Officials, June 26<sup>th</sup> 3 pm – 5 pm. Noted

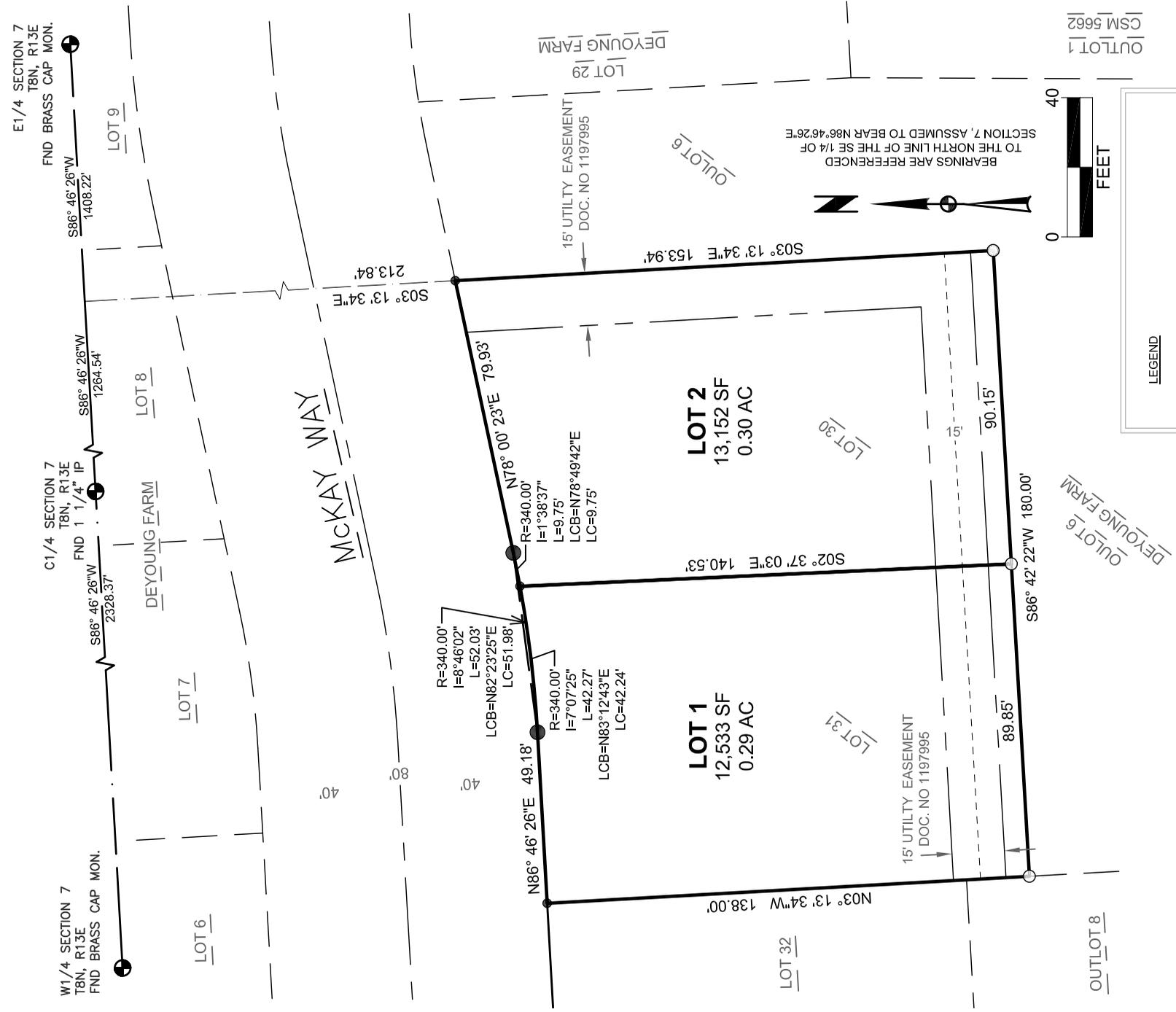
ADJOURNMENT. Moved by Thomas, seconded by Griffin to adjourn. Motion carried. Time: 7:25 p.m.



Attest:  
Mo Hansen, Clerk/Treasurer

# CERTIFIED SURVEY MAP No. DRAFT

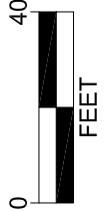
LOT 30-31 AND PART OF OUTLOT 6, DEYOUNG FARM, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGE 24, AS DOCUMENT NUMBER 1197995, JEFFERSON COUNTY REGISTRY AND LOCATED IN THE NW 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 8 NORTH, RANGE 13 EAST, CITY PF WATERLOO, JEFFERSON COUNTY, WISCONSIN.



**LEGEND**

- 3/4" SOLID IRON REBAR FOUND
- 1-1/4" SOLID IRON REBAR FOUND
- 1-1/4" SOLID IRON REBAR SET, WT. 4.30 lbs/ft
- ( ) INDICATES RECORDED AS

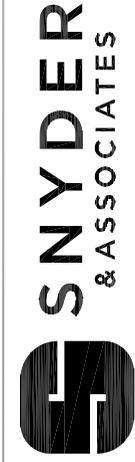
DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT



C.S.M. NO. DRAFT

DOC. NO. \_\_\_\_\_

VOL. \_\_\_\_\_ PAGE \_\_\_\_\_



**SURVEYED FOR:**  
Waterloo Properties, Inc.  
5375 Mariners Cove Dr #112  
Madison, WI 53704

**SURVEYED BY:**  
Snyder & Associates, Inc.  
5010 Voges Road  
Madison, WI 53718  
(608) 838-0444  
www.snyder-associates.com

FN: 119,0604.30  
DATE: 06-20-19  
**REVISIONS:**  
REV1  
REV2  
REV3

# **CERTIFIED SURVEY MAP No.**      **DRAFT**

LOT 30-31 AND PART OF OUTLOT 6 , DEYOUNG FARM, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGE 24, AS DOCUMENT NUMBER 1197995, JEFFERSON COUNTY REGISTRY AND LOCATED IN THE NW 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 8 NORTH, RANGE 13 EAST, CITY PF WATERLOO, JEFFERSON COUNTY, WISCONSIN.

## **SURVEYOR'S CERTIFICATE**

I, Eric E. Lirndaas, Professional Land Surveyor, hereby certify that under the directions of Waterloo Properties Inc. and the City of Waterloo, owners of said land, I have surveyed, divided and mapped this Certified Survey Map; that such Certified Survey Map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is more fully described as follows:

Being Lot 30-31 and part of Outlot 6, DEYOUNG FARM, as recorded in Volume 13 of Plats, on Page 24, as Document Number 1197995, Jefferson County Registry, located in the City of Waterloo, Jefferson County, Wisconsin, more fully described as follows:

Commencing at the East Quarter Corner of Section 7, Town 8 North, Range 13 East; thence S86°46'26"W along the north line of the Southeast 1/4 Quarter, 1408.22 feet; thence S03°13'34"E, 213.84 feet to the NE corner of said Lot 30 and being the Point of Beginning; thence continuing N03°13'34"E, 153.94 feet; thence S86°42'22"W, 160.00 feet to a point on the east line of Outlot 8; thence N03°13'34"W, 138.00 feet to the northwest corner of said Lot 31 being on the southerly right of way of McKay Way; thence N86°46'26"E, 49.18 feet along said right of way to a curve to the left; thence along an arc of curve 52.03 feet with a radius of 340.00 feet whose cord bears N82°23'25"E, 51.98 feet; thence N78°00'23"W, 79.93' to the Point of Beginning.

This description contains 25,685 square feet or 0.59 acres more or less.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Signed: **DRAFT**

Eric E. Lirndaas, P.L.S. No. 2919  
Snyder & Associates, Inc.  
5010 Voges Road  
Madison, WI 53718

## **OWNERS CERTIFICATE**

Waterloo Propertyless Inc., as owner, hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on the map hereon. We further certify that this Certified Survey Map is required by S.236.34 to be submitted to the City of Waterloo for approval. Witness the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Waterloo Properties, Inc.

By: \_\_\_\_\_

State of Wisconsin )

)ss

County of Dane )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, the above named \_\_\_\_\_, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin \_\_\_\_\_ My Commission expires: \_\_\_\_\_

## **CITY OF WATERLOO APPROVAL**

Approved for recording per the City of Waterloo Plan Commission action of \_\_\_\_\_ and City of Waterloo Common Council action of \_\_\_\_\_.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Mo Hansen, City Clerk

## **REGISTER OF DEEDS CERTIFICATE**

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2019, at \_\_\_\_\_ o'clock \_\_\_\_\_, m. and recorded in Volume \_\_\_\_\_ of Certified Survey Maps on pages \_\_\_\_\_ as Doc. No. \_\_\_\_\_.

C.S.M. NO. \_\_\_\_\_  
DOC. NO. \_\_\_\_\_  
VOL. \_\_\_\_\_ PAGE \_\_\_\_\_



**SNYDER**  
& ASSOCIATES

SURVEYED FOR:  
Waterloo Properties, Inc.  
5375 Mariners Cove Dr #112  
Madison, WI 53704

SURVEYED BY:  
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FN: 119,0604.30  
DATE: 06-20-19  
REVISIONS:  
REV1  
REV2  
REV3



136 North Monroe Street, Waterloo, Wisconsin 53594-1198  
Phone (920) 478-3025  
Fax (920) 478-2021

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**ORDINANCE #2019-04**

**AMENDING SECTION §120-2 DEFINITIONS - ALARM SYSTEMS OF THE  
MUNICIPAL CODE**

The Common Council of the City of Waterloo, Wisconsin does hereby ordain as follows:

**SECTION 1:** Section §120-2 Definitions - Alarm Systems is hereby amended as follows:

**§ 120-2 Definitions.**

As used in this article, the following terms shall have the meaning indicated:

**ALARM BUSINESS**

Any business operated by a person for profit which alters, installs, leases, maintains, monitors, replaces, sells, services or responds to an alarm system or which causes any of these activities to take place.

**ALARM RESIDENTIAL**

1. A single occupant residence that has an automated alarm system that will activate an alarm company.
2. A multi occupancy residence that is owned by a single person or company for profit.

**ALARM SYSTEM**

One or more devices installed or placed to signal the presence of a hazard requiring urgent attention to which the Fire Department or Police Department is expected to respond.

**ALARM USER**

Any person who owns or rents the premises on which an alarm system is maintained within the City or the Waterloo Fire District.

**FALSE ALARM**

The activation of an alarm system through negligence of the owner or lessee of an alarm system or of his employees or agents, the activation of an alarm system through mechanical failure or malfunction because of improper maintenance by the alarm user, or the activation of an alarm system because of improper installation and/or use of equipment by the alarm business, but does not include alarms caused by tornadoes, earthquakes or other violent conditions or acts of God.

**FIRE ALARM**

An alarm system signaling the presence of fire or smoke.

**SECTION 2:** This ordinance shall take effect and be in force after its passage and publication in a manner provided for by law.

**Acted on and adopted** at a regular meeting of the Common Council on \_\_\_\_\_, 2019.

**City of Waterloo**

Signed: \_\_\_\_\_  
Jenifer Quimby, Mayor

Attest:

\_\_\_\_\_  
Mo Hansen  
City Clerk/Treasurer

Date Adopted: \_\_\_\_\_  
Date Published: The Courier, \_\_\_\_\_

Struck Text = ~~Struck text example.~~  
Added Text = Added text is underlined.



136 North Monroe Street, Waterloo, Wisconsin 53594-1198  
Phone (920) 478-3025  
Fax (920) 478-2021

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**ORDINANCE #2019-05**

**AMENDING SECTION §120-3 FALSE ALARMS OF THE MUNICIPAL CODE**

The Common Council of the City of Waterloo, Wisconsin does hereby ordain as follows:

**SECTION 1:** Section §120-3 False Alarms is hereby amended as follows:

§ 120-3 **False alarms.**

- A. Fees. An alarm user shall pay to the ~~Clerk-Treasurer~~ Fire Department, within 10 days after activation, the following service fees for false fire alarms which occur within a ~~continuous six-month period~~ calendar year (January 1 – December 31).
- (1) First false alarm: \$0.
  - (2) Second false alarm: \$100.
  - (3) Each subsequent false alarm: ~~\$200~~ \$300.
- B. Determination of false alarm. The Fire Chief shall determine whether or not the activation of an alarm was a false alarm as defined in Section § 120-2.
- C. Correction of alarm deficiencies. An alarm user shall correct any deficiencies in equipment or operation of his alarm system within 15 days following either his/her actual knowledge of such deficiency or the mailing of a written notice from the Fire Department, whichever date is earlier. In the event that such deficiency cannot be corrected within the fifteen-day period, the alarm system shall be deactivated until such corrections are completed.
- D. Appeal. Any person aggrieved by any provision of this section may, within five business days, submit a written appeal to the Council. The Council shall hear the matter at a time scheduled by the City Clerk and render its decision, in writing, within three days.

**SECTION 2:** This ordinance shall take effect and be in force after its passage and publication in a manner provided for by law.

**Acted on and adopted** at a regular meeting of the Common Council on \_\_\_\_\_, 2019.

**City of Waterloo**

Signed: \_\_\_\_\_  
Jenifer Quimby, Mayor

Attest:

\_\_\_\_\_  
Mo Hansen  
City Clerk/Treasurer

Date Adopted: \_\_\_\_\_  
Date Published: The Courier, \_\_\_\_\_



136 North Monroe Street, Waterloo, Wisconsin 53594-1198  
Phone (920) 478-3025  
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**ORDINANCE #2019-06**

**STRIKING AND RECREATING SECTION §200-4 OF THE MUNICIPAL CODE  
BURNING REGULATIONS**

The Common Council of the City of Waterloo, Wisconsin does hereby ordain as follows:

**SECTION 1:** Section §200-4 Alarm Systems is hereby struck and recreated as follows:

- A. Outdoor burning prohibited. No person shall cause, allow or permit outdoor burning of refuse, garbage, plant life, leaves or other combustible material within the City, except as permitted under Subsection C.
- B. Incinerators prohibited. It shall be unlawful for any person to operate and maintain or cause to be operated and maintained any incinerator within the City, except as permitted under Subsection C.
- C. Exceptions.
- 1) Outdoor burning in connection with the preparation of food.
  - 2) The burning of refuse in a properly designed, operated and maintained incinerator, duly licensed by the Wisconsin Department of Natural Resources to be effective for the purpose of air pollution control, or outdoor burning by the City of Waterloo pursuant to a permit by the Wisconsin Department of Natural Resources.
  - 3) Small outdoor flames for welding, acetylene torches, safety flares, heating tar or similar applications.
  - 4) Any outdoor burning for which a person has obtained a permit from the Waterloo Fire Department.
  - 5) A fire set for the purpose of training public or private firefighting personnel.
  - 6) A fire set or required by a public officer for the abatement of nuisances and which is necessary in carrying out public health functions.
- D. Permit required.
- 1) The Waterloo Fire Department shall issue a permit for outdoor fires (apply at Waterloo City Hall):
    - a) When it can be shown by the applicant that such outdoor burning is necessary and not contrary to the interests of public health; or
    - b) When the fire is a campfire or a fire used solely for recreational purposes or for ceremonial occasions.
  - 2) No permit shall be issued within one year of the date of the prior revocation of an outdoor fire permit previously obtained by the applicant.
  - 3) This permit shall expire on December 31 of the year issued.
  - 4) This permit does not allow for the installation of a heating source for any building.
  - 5) There shall be no annual permit fee.

E. Responsibility of permit holder. The permit holder shall have the following responsibilities:

- 1) To adhere to all health and fire prevention codes.
- 2) To have adult (18 years of age or older) supervisory personnel present at the site of the outdoor burning.
- 3) To comply with the following conditions, which shall be set forth on the permit issued to the applicant:
  - a) Any fire deemed to be a public health nuisance by the Fire Chief or his or her designee shall be extinguished.
  - b) This permit shall apply to all manufactured burning rings, fireplaces, fire pits, chimneys or like devices.
  - c) No manufactured device shall be placed on any combustible surface.
  - d) The fire must be completely extinguished before the fire location may be left unsupervised.
  - e) The fire shall be no larger than four feet in diameter, subject to the exceptions listed below.
  - f) No flammable liquids shall be used to start or support the burning.
  - g) Only virgin wood and charcoal fuel will be allowed to be burned. "Virgin wood" means wood and other wood products, such as bark, but not to include sawdust, which have had no chemical treatments or finishes applied.
  - h) Under no circumstances shall plastics, trash, garbage, oils, hydrocarbon fuels, furniture, fabrics, leaves, yard waste, synthetic materials of any kind, pressure-treated wood or wood that has been finished with paints, varnishes, laminates or a similar finish be burned.
  - i) The fire shall be located at least 10 feet from property lines and at least 20 feet from any building or structure. This does not apply to manufactured devices.
  - j) A functional extinguishing aid must be present, such as a fire extinguisher, garden hose, etc.
- 4) Exceptions. A bonfire exceeding the size restrictions set forth in Subsection E(3)(e) will be permitted for churches, organized schools, and civic organizations and only if application for site review has been made and approved by the Waterloo Fire Department. Such bonfire shall be no more than 10 feet in diameter or 10 feet by 10 feet square and no more than six feet high and must comply with all other provisions of the permit.

F. Emergency provisions. Notwithstanding any other provision of this section, the Fire Chief, in times of extreme dryness or drought, deficiency in the water supply or by reason of any other emergency, is authorized to prohibit the setting of any fires upon any lands within the City by providing published notice of the declared emergency and the scope of the declaration in the local newspaper on the date that the emergency is declared to begin and by providing published notice broadcast through local radio or cable television.

**SECTION 2:** This ordinance shall take effect and be in force after its passage and publication in a manner provided for by law.

**Acted on and adopted** at a regular meeting of the Common Council on \_\_\_\_\_, 2019.

**City of Waterloo**

Signed: \_\_\_\_\_  
Jenifer Quimby, Mayor

Attest:

\_\_\_\_\_  
Mo Hansen  
City Clerk/Treasurer

Date Adopted: \_\_\_\_\_

Date Published: The Courier, \_\_\_\_\_

Note: Current text proposed to be struck is attached for reference.

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Current Text Proposed To Be Struck Attached For Reference

§ 200-4 **Burning regulations.**

No person shall burn any leaves, trash or rubbish within the City without the permission of the Fire Chief.



July 1, 2019

Mr. Mo Hansen  
Clerk/Treasurer  
City of Waterloo  
136 North Monroe Street  
Waterloo, Wisconsin 53594

**Re: City of Waterloo | 2019 WISLR Ratings and Report**

107 PARALLEL STREET  
BEAVER DAM, WI 53916

1115 S. MAIN STREET  
WEST BEND, WI 53095

920-356-9447  
FAX 920-356-9454  
KUNKELENGINEERING.COM

Dear Mr. Hansen,

Kunkel Engineering Group inspected the public roadways, 18.0 miles in length, under the City of Waterloo's jurisdiction for statutory biennial reporting of the pavement condition to the Wisconsin Department of Transportation on Thursday, June 7, 2019. The results of that inspection, in the form of an Excel spreadsheet, are attached to this transmittal for your review and have been submitted to the State through the WISLR site.

A weighted overall pavement rating was determined using the WISLR inventory prior to the inspection and compared to a weighted rating computed after the field inspection. The weighted rating is the product of the length of roadway multiplied by the rating (a scale of 1 to 10, worst to best) for that section of roadway, summed and divided by the total length of the City's roadways. The weighted rating prior to the inspection was 5.385, as rated in 2017. The 2019 weighted rating, after the inspection, is 5.561.

As you can see from the ratings, there is an improvement in ratings over the last two years, which is a change in the previous trends over the past six to eight years. This indicates the City should continue to allocate additional dollars to the maintenance fund whenever possible.

Mo, should you or representatives of the City Council have any questions or comments, please do not hesitate to contact me.

Sincerely,

**KUNKEL ENGINEERING GROUP**

Mitchell Leisses  
Office/Project Manager

Enclosures

cc: Chad Yerges, DPW Director



**City of Waterloo  
2019 WISLR Pavement Ratings**

Rating	Type	Year	Width	On Route	At Route	At Offset	Toward Route	Section Length	Local ID	Weighted Rating
1	65	1981	34	Adams St	E Madison St / STH 19 / STH 89	0	Pierce St	422		0.0044
1	35	1980	36	E Polk St	Adams St	0	Jefferson St	370		0.0039
2	35	1959	14	Fisher Rd	E Madison St / STH 89	0	Termini	1320		0.0278
2	70	1992	16	Lincoln St	Milwaukee Ave	0	Knowlton St	16		0.0003
2	70	1976	34	Maple Dr	Chestnut St	0	Termini	264		0.0056
2	70	1967	34	Minnehaha Ln	Minnetonka Way	158	Indian Hills Dr	740		0.0156
2	70	1964	34	Riverside Dr	Crestview Dr	0	Bradford Dr	528		0.0111
2	70	1964	34	Riverside Dr	Streator Ln	0	W Dickenson St	422		0.0089
2	70	1998	37	Rood Ave	E Madison St / STH 19 / STH 89	0	Pierce St	475		0.0100
2	70	1955	34	Streator Ln	Bradford Dr	0	Crestview Dr	317		0.0067
2	70	1959	31	Taylor St	Van Buren St	0	Harrison St	317		0.0067
2	65	1975	20	Van Buren St	W Madison St / STH 19	0	Taylor St	264		0.0056
2	65	1975	20	Van Buren St	Taylor St	0	Termini	211		0.0044
3	40	1961	30	Central Ave	Pierce St	0	Termini	106		0.0033
3	70	1969	20	Gregor Ln	E Madison St / STH 19 / STH 89	0	Tremaine St	422		0.0133
3	70	1969	20	Gregor Ln	Tremaine St	0	Termini	475		0.0150
3	70	1975	31	Harrison St	Milwaukee Ave	0	Knowlton St	581		0.0183
3	65	1994	34	Henry Ct	Henry St / Lum Ave	0	Termini	264		0.0083
3	70	1968	34	Indian Hills Dr	Minnehaha Ln	508	Minnetonka Way	736		0.0232
3	70	1975	22	Jackson St	Termini	0	W Madison St / STH 19	475	122-01	0.0150
3	70	1963	28	Jefferson St	E Polk St	0	Leschinger St	528	123-02	0.0167
3	65	1975	31	Jefferson St	Leschinger St	0	Peschel St / Termini	158	123-02	0.0050
3	70	2003	21	Leschinger St	S Washington St	0	Jefferson St	739	123-31	0.0233
3	70	1992	16	Lincoln St	Knowlton St	0	Termini	196	n/a	0.0062
3	70	1992	16	Lincoln St	Knowlton St	196	Termini	15		0.0005
3	70	1968	34	Maple Dr	Oak St	0	Birch St	211		0.0067
3	70	1976	34	Maple Dr	Birch St	0	Chestnut St	106		0.0033
3	70	1978	29	Milwaukee Ave	Jackson St	0	Harrison St	317	123-41	0.0100
3	70	1969	18	Milwaukee Ave	Van Buren St	0	Termini	1373		0.0433
3	70	1998	37	Pierce St	Adams St	0	Rood Ave	317	123-47	0.0100
3	70	1998	37	Pierce St	Rood Ave	0	Central Ave	370	123-47	0.0117
3	70	1998	37	Pierce St	Central Ave	0	Railroad Ave	317	123-47	0.0100
3	65	1980	28	Van Buren St	W Polk St	317	Milwaukee Ave	792	177-60	0.0250
3	65	1980	28	Van Buren St	Milwaukee Ave	0	Knowlton St	581	177-60	0.0183
3	65	1976	20	Waterloo Rd	Monroe St S / CTH O	0	Sunset View Ln / Waterloo Rd	2534		0.0800
4	70	1962	34	Adams St	Pierce St	0	E Polk St	422		0.0178
4	65	1985	31	E Dickenson St	W Dickenson St / STH 89	0	Lum Ave	264		0.0111
4	65	1985	31	E Dickenson St	Lum Ave	0	Park Ave	317		0.0133
4	70	1979	40	Henry St	STH 89	0	Henry Ct / Lum Ave	475		0.0200
4	70	1968	34	Hickory Ln	E Madison St / STH 89	0	Termini	422		0.0178
4	70	1963	28	Jefferson St	E Madison St / STH 19 / STH 89	0	Pierce St	475	123-02	0.0200
4	70	1963	28	Jefferson St	Pierce St	0	E Polk St	370	123-02	0.0156
4	70	1968	34	Maple Dr	E Madison St / STH 89	0	Oak St	264		0.0111
4	70	2003	34	Mohawk Ct	Minnetonka Way	0	Termini	370		0.0156
4	70	2003	28	Monroe St S	W Polk St	0	Termini	211	n/a	0.0089
5	70	1992	40	Anna St	STH 89	0	Jaystone Ter	422		0.0222
5	70	1992	40	Anna St	Jaystone Ter	0	Lum Ave	422		0.0222
5	70	1992	40	Anna St	Lum Ave	0	Anna Ct / Termini	317		0.0167
5	70	1994	34	Beech Rd	Oak St	0	Termini	423		0.0223
5	65	1994	36	Central Ave	E Madison St / STH 19 / STH 89	0	Pierce St	475		0.0250
5	70	2004	34	Chestnut St	Maple Dr	0	Termini	739		0.0389
5	70	1998	36	Commercial Ave	Industrial Ln	0	Termini	53		0.0028
5	70	1982	34	Crestview Dr	Termini	0	Riverside Dr	211		0.0111
5	70	1982	34	Crestview Dr	Riverside Dr	0	Streator Ln	845		0.0445
5	70	1996	34	Crestview Dr	Streator Ln	0	Porter St	581		0.0306
5	70	2004	31	W Dickenson St	Riverside Dr	0	Edison St	264		0.0139
5	70	2004	31	W Dickenson St	Edison St	0	E Dickenson St / STH 89	370		0.0195
5	70	2004	34	Grove St	E Madison St / STH 89	0	Portland Rd / STH 19	422		0.0222
5	70	2003	31	Harrison St	W Madison St / STH 19	0	Taylor St	264	167-20	0.0139
5	70	2003	31	Harrison St	Taylor St	0	W Polk St	528	167-20	0.0278
5	70	2003	31	Harrison St	W Polk St	0	Milwaukee Ave	792	167-20	0.0417
5	65	1992	30	Hendricks St	E Madison St / STH 19 / STH 89	0	Cleveland St	422	001	0.0222
5	65	1992	30	Hendricks St	Cleveland St	0	Tremaine St	106	001	0.0056
5	65	1992	30	Hendricks St	Tremaine St	0	Termini	717	001	0.0377
5	70	1989	30	Hendricks St	Tremaine St	717	Termini	1395		0.0734
5	65	1992	34	Hendricks St	Tremaine St	2112	Termini	422		0.0222
5	70	1992	36	Herron Ct	Termini	0	Herron Dr / Hiawatha Trl	528		0.0278
5	70	1992	36	Herron Dr	Herron Ct / Hiawatha Trl	0	Termini	581		0.0306
5	70	1995	34	Hiawatha Trl	Indian Hills Dr	480	Herron Ct / Herron Dr	629		0.0331
5	70	1998	35	Indian Hills Dr	Minnehaha Ln	1244	Minnetonka Way	815		0.0429

**City of Waterloo  
2019 WISLR Pavement Ratings**

Rating	Type	Year	Width	On Route	At Route	At Offset	Toward Route	Section Length	Local ID	Weighted Rating
5	70	1998	36	Industrial Ln	Portland Rd / STH 19	0	Commercial Ave	459		0.0241
5	70	1998	36	Industrial Ln	Commercial Ave	0	Termini	581		0.0306
5	65	1994	30	Jackson St	W Madison St / STH 19	0	Taylor St	317	122-03	0.0167
5	65	1994	30	Jackson St	Taylor St	0	W Polk St	528	122-03	0.0278
5	65	1994	27	Jackson St	W Polk St	0	Squire St	317	122-02	0.0167
5	65	1994	27	Jackson St	Squire St	0	Milwaukee Ave	422	122-02	0.0222
5	65	1994	27	Jackson St	Milwaukee Ave	0	Knowlton St	634	122-02	0.0334
5	70	1970	33	Knowlton St	McKay Way	0	Van Buren St	1584	123-28	0.0833
5	70	2000	28	Knowlton St	Van Buren St	0	Harrison St	317		0.0167
5	70	2000	28	Knowlton St	Harrison St	0	Jackson St	158		0.0083
5	70	2000	28	Knowlton St	Jackson St	0	Lincoln St	370		0.0195
5	70	2000	28	Knowlton St	Lincoln St	0	Monroe St S	475		0.0250
5	70	1992	16	Lincoln St	Milwaukee Ave	16	Knowlton St	565	123-33	0.0297
5	70	1979	34	Minnehaha Ln	Minnetonka Way	0	Indian Hills Dr	158		0.0083
5	70	1999	35	Minnetonka Way	W Madison St / STH 19	0	Mohawk Ct	898		0.0472
5	70	1999	35	Minnetonka Way	Mohawk Ct	0	Indian Hills Dr	317		0.0167
5	70	1999	35	Minnetonka Way	Indian Hills Dr	0	Minnehaha Ln	422		0.0222
5	70	1999	35	Minnetonka Way	Minnehaha Ln	0	Streator Ln	475		0.0250
5	70	1999	35	Minnetonka Way	Streator Ln	0	Indian Hills Dr / Porter St	370		0.0195
5	70	1995	24	Monroe St S	Waterloo Rd / CTH O	0	McKay Way	2460		0.1294
5	70	1995	24	Monroe St S	McKay Way	0	S Washington St	708		0.0372
5	70	1995	34	Monroe St S	S Washington St	0	Knowlton St	158		0.0083
5	65	1997	34	Oak St	Maple Dr	0	Beech Rd	1267		0.0667
5	70	2008	31	Peschel St	Jefferson St	158	Termini	634		0.0334
5	70	1997	31	W Polk St	Jackson St	0	Harrison St	422	177-52	0.0222
5	65	1992	31	Porter St	STH 89	0	Lum Ave	264		0.0139
5	70	1964	34	Riverside Dr	Bradford Dr	0	Streator Ln	686		0.0361
5	65	2003	31	Spring St	Park Ave	0	Lum Ave	317		0.0167
5	70	2004	34	Streator Ln	Edison St	0	Riverside Dr	370		0.0195
5	70	1997	34	S Washington St	Monroe St S	0	Leschinger St	792		0.0417
5	70	1997	34	S Washington St	Leschinger St	0	W Polk St	475	151-01	0.0250
5	70	1997	34	S Washington St	W Polk St	0	Pierce St	370		0.0195
5	70	1997	34	S Washington St	Pierce St	0	E Madison St / STH 19 / STH 89	370		0.0195
6	70	1962	34	Adams St	E Polk St	0	Leschinger St	158		0.0100
6	70	1992	36	Anna Ct	Anna St	317	Termini	633		0.0400
6	70	2004	34	Birch St	Maple Dr	0	Termini	158		0.0100
6	65	2005	36	Clarkson Rd	STH 73 Conn / Clarkson Rd	10613	Hickory Ln / Clarkson Rd	2429	107-03	0.1533
6	70	2004	31	W Dickenson St	Bradford Dr	0	Riverside Dr	211		0.0133
6	70	2010	33	Indian Hills Dr	Minnetonka Way / Porter St	0	Hiawatha Trl	158		0.0100
6	70	2010	33	Indian Hills Dr	Hiawatha Trl	0	Minnehaha Ln	158		0.0100
6	70	2010	33	Indian Hills Dr	Minnehaha Ln	0	Minnetonka Way	508		0.0321
6	70	1994	36	Jills Ct	Lum Ave	0	Termini	370		0.0234
6	70	1962	34	Leschinger St	Jefferson St	0	Adams St	324	123-32	0.0205
6	70	1959	30	Leschinger St	Jefferson St	324	Adams St	46		0.0029
6	70	1962	34	Leschinger St	Jefferson St	370	Adams St	317		0.0200
6	70	2004	18	Milwaukee Ave	Harrison St	0	Van Buren St	370		0.0234
6	70	2003	32	W Polk St	S Washington St	0	Monroe St S	370	177-50	0.0234
6	70	2003	32	W Polk St	Monroe St S	0	Jackson St	581	177-51	0.0367
6	70	1997	32	W Polk St	Harrison St	0	Van Buren St	317	177-53	0.0200
6	70	2004	20	Squire St	Termini	0	Jackson St	211		0.0133
6	70	1961	34	Streator Ln	Riverside Dr	0	Bradford Dr	317		0.0200
6	55	1964	31	Taylor St	Harrison St	0	Jackson St	422		0.0266
6	65	1981	22	Taylor St	Jackson St	0	Termini	211		0.0133
6	65	1993	25	Taylor St	Termini	0	Mead St / Monroe St S	211		0.0133
7	55	2005	36	Bluegrass Trl	Termini	0	Lexington Way	432		0.0318
7	70	2001	34	Bradford Dr	Riverside Dr	0	Streator Ln	528		0.0389
7	70	2001	34	Bradford Dr	Streator Ln	0	W Dickenson St	370		0.0273
7	70	2001	34	Bradford Dr	W Dickenson St	0	Porter St	370		0.0273
7	70	2011	22	Clarkson Rd	STH 89 / Clarkson Rd	0	Lum Ave	1056	107-03	0.0778
7	70	2011	22	Clarkson Rd	Lum Ave	0	Clarkson Rd	950	107-03	0.0700
7	65	1981	24	Clarkson Rd	Heil St / CTH I / Clarkson Rd	0	Columbus St / Main St	211	107-03	0.0155
7	70	2006	36	Daniel Dr	McKay Way	0	Termini	138		0.0102
7	70	2006	36	Gene Dr	McKay Way	0	Termini	194		0.0143
7	70	1999	36	Goehl Rd	Jaystone Ter	106	Lum Ave	1003	167-01	0.0739
7	70	1992	36	Goehl Rd	Lum Ave	0	Bluegrass Trl / Lexington Way	1373	167-18	0.1011
7	70	1980	22	Heil St	Portland Rd / STH 19	0	Clarkson Rd / CTH I	422		0.0311
7	70	2010	36	Hiawatha Trl	Indian Hills Dr	0	Herron Ct / Herron Dr	480		0.0354
7	70	1992	36	Jamie St	Jaystone Ter	0	Termini	211		0.0155
7	70	1994	36	Jason Dr	Lum Ave	0	Termini	264		0.0194
7	70	1992	36	Jaystone Ter	Anna St	0	Pearl St	370	122-25	0.0273

**City of Waterloo  
2019 WISLR Pavement Ratings**

Rating	Type	Year	Width	On Route	At Route	At Offset	Toward Route	Section Length	Local ID	Weighted Rating
7	70	1992	36	Jaystone Ter	Pearl St	0	Jamie St	370	122-25	0.0273
7	70	1992	36	Jaystone Ter	Jamie St	0	Goehl Rd	106	122-25	0.0078
7	70	2006	36	Julia Way	McKay Way	0	Termini	245		0.0180
7	70	1996	28	Lum Ave	Spring St	0	Porter St	106		0.0078
7	70	1979	34	Lum Ave	Porter St	0	Henry Ct / Henry St	686		0.0505
7	70	1996	40	Lum Ave	Henry Ct / Henry St	0	Anna St	950		0.0700
7	70	1996	40	Lum Ave	Anna St	0	Sunrise Ct	264		0.0194
7	70	1996	40	Lum Ave	Sunrise Ct	0	Jason Dr	158		0.0116
7	70	1996	40	Lum Ave	Jason Dr	0	Jills Ct	158		0.0116
7	70	1996	40	Lum Ave	Jills Ct	0	Goehl Rd	475		0.0350
7	70	1996	40	Lum Ave	Goehl Rd	0	Clarkson Rd	475		0.0350
7	70	1970	20	McKay Way	W Madison St / STH 19	0	Knowlton St	845	123-29	0.0622
7	70	1970	20	McKay Way	W Madison St / STH 19	845	Knowlton St	634	123-29	0.0467
7	70	1998	40	McKay Way	Knowlton St	0	Julia Way	627		0.0462
7	75	2006	40	McKay Way	Knowlton St	627	Julia Way	112		0.0082
7	70	2006	40	McKay Way	Knowlton St	739	Julia Way	96		0.0071
7	75	2006	40	McKay Way	Knowlton St	835	Julia Way	19		0.0014
7	70	2006	40	McKay Way	Julia Way	0	Gene Dr	757		0.0558
7	70	2006	40	McKay Way	Gene Dr	0	Daniel Dr	876		0.0645
7	70	2006	40	McKay Way	Daniel Dr	0	Monroe St S	785		0.0578
7	65	1975	20	Mead St	Termini	0	Monroe St S	158		0.0116
7	70	1995	34	Monroe St S	Knowlton St	0	Milwaukee Ave	105		0.0077
7	70	1997	34	Monroe St S	Knowlton St	105	Milwaukee Ave	70		0.0052
7	70	2003	34	Monroe St S	Knowlton St	175	Milwaukee Ave	511	n/a	0.0376
7	70	2003	28	Monroe St S	Milwaukee Ave	0	W Polk St	739	n/a	0.0544
7	65	1982	49	Monroe St S	Termini	0	Mead St / Taylor St	158		0.0116
7	65	1982	49	Monroe St S	Mead St / Taylor St	0	E Madison St / W Madison St / STH 19 / STH 89	211		0.0155
7	70	2004	31	Park Ave	Boorman St	0	E Dickenson St	264	n/a	0.0194
7	70	2004	31	Park Ave	E Dickenson St	0	Spring St	106	n/a	0.0078
7	57	2004	31	Park Ave	E Dickenson St	106	Spring St	211		0.0155
7	65	2009	32	Pierce St	S Washington St	0	Jefferson St	475	123-48	0.0350
7	55	2009	32	Pierce St	Jefferson St	0	Adams St	422	123-48	0.0311
7	70	1967	34	Streator Ln	Crestview Dr	0	Minnetonka Way	317		0.0233
7	70	1994	36	Sunrise Ct	Termini	0	Lum Ave	264		0.0194
8	70	2002	24	Bluegrass Trl	Termini	0	Goehl Rd / Lexington Way	158		0.0133
8	70	2002	24	Bluegrass Trl	Goehl Rd / Lexington Way	0	Termini	106		0.0089
8	70	2009	32	Boorman St	STH 89	0	Lum Ave	264	n/a	0.0222
8	70	2009	32	Boorman St	Lum Ave	0	Park Ave	317	n/a	0.0267
8	70	2016	36	Canal Rd	W Madison St / STH 19	0	Cherry Ln / Canal Rd	2482	112-02	0.2089
8	70	2005	36	Derby Dr	Lexington Way	0	Termini	186		0.0157
8	65	2005	36	Lexington Way	Bluegrass Trl / Goehl Rd	0	Derby Dr	422		0.0355
8	65	2005	36	Lexington Way	Bluegrass Trl / Goehl Rd	422	Derby Dr	317		0.0267
8	65	2005	36	Lexington Way	Bluegrass Trl / Goehl Rd	739	Derby Dr	224		0.0189
8	65	2005	36	Lexington Way	Derby Dr	0	Bluegrass Trl	452		0.0380
8	65	2005	36	Lexington Way	Bluegrass Trl	0	Clarkson Rd	215		0.0181
8	55	2009	32	Lum Ave	Boorman St	0	E Dickenson St	317		0.0267
8	70	1996	28	Lum Ave	E Dickenson St	0	Spring St	317		0.0267
8	70	2016	36	Milwaukee Ave	Monroe St S	0	Lincoln St	422	123-41	0.0355
8	70	2016	36	Milwaukee Ave	Lincoln St	0	Jackson St	211	123-41	0.0178
8	70	1992	36	Pearl St	Jaystone Ter	0	Termini	211		0.0178
8	70	2014	36	Railroad Ave	E Madison St / STH 89	0	Pierce St	581	142-01	0.0489
8	70	2014	36	Railroad Ave	Pierce St	0	Termini	53	142-01	0.0045
9	70	2018	30	Cleveland St	Mill St	0	Hendricks St	898		0.0850
9	70	2018	36	Commercial Ave	Industrial Ln	53	Termini	470		0.0445
9	70	2018	30	Mill St	E Madison St / STH 19 / STH 89	0	Cleveland St	528		0.0500
9	70	2018	30	Mill St	Cleveland St	0	Termini	739		0.0700
9	70	1963	52	Pierce St	Railroad Ave	0	Termini	158		0.0150
9	70	1999	35	Porter St	Indian Hills Dr / Minnetonka Way	0	Crestview Dr	475		0.0450
9	65	1989	34	Porter St	Crestview Dr	0	Bradford Dr	264		0.0250
9	65	1989	34	Porter St	Bradford Dr	0	Edison St	317		0.0300
9	65	1989	34	Porter St	Edison St	0	STH 89	317		0.0300
10	70	2019	28	Edison St	Termini	0	Franklin St	158		0.0166
10	70	2019	28	Edison St	Franklin St	0	Streator Ln	370		0.0389
10	70	2019	28	Edison St	Streator Ln	0	W Dickenson St	422		0.0444
10	70	2019	31	Edison St	W Dickenson St	0	Porter St	422		0.0444
10	70	2019	30	Franklin St	STH 89	0	Edison St	370		0.0389

**2019 Weighted Average 5.5605  
Total Miles 18.00**

Pd 610.00  
6-21-19  
# 34661

# Original Alcohol Beverage Retail License Application

Submit to municipal clerk.

For the license period beginning 7/1/19 20 19 ;  
ending 6/30 20 19 20 M.H.

TO THE GOVERNING BODY of the:  Town of }  
 Village of } Waterloo  
 City of }

County of Jefferson Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named  Individual  Partnership  Limited Liability Company  
 Corporation / Nonprofit Organization

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Kodie Creek LLC

Applicant's WI Seller's Permit No.: FEIN Number:	
LICENSE REQUESTED ▶	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100.00</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>500.00</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
<input checked="" type="checkbox"/> Publication fee	\$ <u>10.00</u>
<b>TOTAL FEE</b>	\$ <u>610.00</u>

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name (Last, First, M.I.)	Home Address	Post Office & Zip Code
President/Member	<u>Colin Gardner</u>	<u>President</u>	<u>679 Hurlbom Dr</u>	<u>Sumner WI 53590</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent ▶	<u>Colin Gardner</u>			
Directors/Managers				

3. Trade Name ▶ The Bridge Business Phone Number 920-253-8901  
4. Address of Premises ▶ 134 East Madison St Post Office & Zip Code ▶ Waterloo 53594

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 2009 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Basement, First Floor Bar
10. Legal description (omit if street address is given above): \_\_\_\_\_
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? \_\_\_\_\_
12. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277].  Yes  No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].  Yes  No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

[Signature]  
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk <u>6/21/2019</u>	Date reported to council / board <u>6/21/2019</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk <u>Ms H</u>
Date license granted	Date license issued	License number issued	

# Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
679 Hawthorn Dr		San Prairie	San Prairie	WI	53590
Home Address (street/route)		Post Office	City	State	Zip Code
Home Phone Number		Age	Date of Birth	Place of Birth	
920-253-2921		34	05/03/1983	Madison	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- Agent of Katje Creek LLC  
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

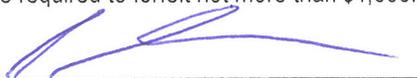
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 34 yrs
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
 If yes, describe status of charges pending. our 1st
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
 If yes, identify. Town of Madison Retail Alcohol License  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
 If yes, identify.  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Mega Rentals</u>	Employer's Address <u>2573 Advanced Rd Madison WI 53718</u>	Employed From <u>2013</u>	To <u>2014</u>
Employer's Name <u>Brickline</u>	Employer's Address <u>3342 Commercial Ave Madison, WI 53714</u>	Employed From <u>2014</u>	To <u>2019</u>

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

  
(Signature of Named Individual)

**CLASS B RETAILERS' LICENSE  
FOR THE SALE OF  
FERMENTED MALT BEVERAGES  
AND INTOXICATING LIQUORS**

*Turned In  
4/25/2018*

NO. 2 "B" B&L2017/2018

\$600.00

**WHEREAS**, the local governing body of the City of Waterloo, County of Jefferson, Wisconsin, has, upon application duly made, granted and authorized the issuance of a Retail Class "B" License to:

**Colin Gorder, Agent  
Katie Creek LLC  
(The Bridge)  
Seller's Permit #456-1023366177-04**

to sell Fermented Malt Beverages as defined by and pursuant to Section 125.26 of the Statutes of the State of Wisconsin and local ordinances and the said applicant has paid to the treasurer the sum of \$100.00 for such Class "B" Retailer's Fermented Malt Beverage license as required by local ordinances,

**AND WHEREAS**, the local governing body has granted and authorized the issuance of a "Class B" Intoxicating Liquor License to said applicant to sell intoxicating liquor as defined in and pursuant to Chapter 125.51(3) of the Statutes of the State of Wisconsin and local ordinances and the said applicant has paid to the treasurer the sum of \$500.00 for such "Class B" Intoxicating Liquor License as provided by local ordinances and has complied with all the requirements necessary for obtaining such a license,

**LICENSES ARE HEREBY ISSUED** to said applicant to sell, deal and traffic in, at retail, Fermented Malt Beverages and Intoxicating Liquors at the following described premises:

**The Bridge  
134 E. Madison Street  
Waterloo, Wisconsin  
(Main Floor Bar, Basement)**

**FOR THE PERIOD FROM JULY 1, 2017 TO JUNE 30, 2018.**

Given under my hand and the corporate seal of the City of Waterloo, Wisconsin this 2<sup>nd</sup> day of June 2017.

(Seal)

*Mo Hems*

\_\_\_\_\_  
Clerk/Treasurer

**From:** mhansen@waterloowi.us  
**Sent:** Friday, June 21, 2019 12:00 PM  
**To:** Angie Stinnett; City of Waterloo, Mayor; Eric Rhynes; h20loalder@gmail.com; jasonwtlw1@gmail.com; Jeanette Petts (Jeanette.petts@yahoo.com); Ron Griffin (griffinrepair@gmail.com); thomastr2000@yahoo.com  
**Cc:** 'dpsorenson@waterloowi.us'; 'Chris Butschke'  
**Subject:** City Council notice / application for Class B beer and Class B liquor license / Katie Creek LLC  
**Attachments:** PendingLiqApplication.pdf; LeagueLiqGuidebook.pdf

Mayor and City Council,

This email is notice that a Class B beer and Class B liquor license application from Katie Creek LLC at 134 East Madison Street has been submitted for municipal consideration. The agent is Colin Gorder. It is my understanding Colin Gorder is also a part of Graybryn Rentals LLC the entity that owns the two story property consisting of 1<sup>st</sup> floor commercial and second floor dwelling units.

Colin Gorder rescinded a similar liquor license on 4/25/2018. At that time a different entity sought and was granted a license to operate at this location. That operator did not apply for a license renewal for the period 7/1/2019 to 6/30/2020. You may recall a series of licenses were recently renewed.

- Chief Sorenson is researching the application. His preliminary research shows a June 12, 2019 OWI conviction for Colin Gorder.
- Waterloo Fire Department has brought safety concerns at 134 East Madison Street to the attention of Building Inspector Chris Butschke. Chris has issued a non-compliance order to remedy dwelling unit code violations within a certain number of days.

Background information.

1. [Can a municipality refuse to issue a license...](#) League FAQ 14
2. [Who has the privilege of an operator's license...](#) League FAQ 1
3. Proximity to church, school, hospital. Unless waived by a majority vote of the governing body, a liquor license may not be issued within 300 feet of the main entrance of any church, school, or hospital. Sec 125.68(3). See page 24 of the attached League manual. 134 East Madison Street is 155 feet from a church.
4. Arrest or conviction record. See page 18 of the attached League manual.

**mhansen@waterloowi.us**

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**From:** mhansen@waterloowi.us  
**Sent:** Friday, June 21, 2019 12:19 PM  
**To:** Angie Stinnett; City of Waterloo, Mayor; Eric Rhynes; h20loalder@gmail.com; jasonwtlw1@gmail.com; Jeanette Petts (Jeanette.petts@yahoo.com); Ron Griffin (griffinrepair@gmail.com); thomastr2000@yahoo.com  
**Cc:** 'William S Cole (wcole@axley.com)'  
**Subject:** More on 134 North Monroe Street / FW: Questions relating to Class "B" Beer and Class "B" Liquor application /  
**Attachments:** 20190621122142.pdf

Mayor & City Council,

Please see below from City Attorney Bill Cole. In this case the applicant voluntarily rescinded a license on 4/25/2018, with another entity holding a licensed in the intervening time. I'm assuming therefore this 6/21/2019 application could be considered initial.

-Mo

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**From:** William S. Cole [mailto:WCole@axley.com]  
**Sent:** Friday, June 21, 2019 11:21 AM  
**To:** 'mhansen@waterloowi.us' <mhansen@waterloowi.us>; Micheal D. Hahn <MHahn@axley.com>  
**Cc:** mayor@waterloowi.us  
**Subject:** RE: Questions relating to Class "B" Beer and Class "B" Liquor application /

Mo,

If this is an application for an INITIAL license, the city can deny based on any reasonable grounds (just can't be arbitrary or discriminatory).

If this is a RENEWAL application, then no, you can only revoke, suspend or refuse to renew based on the grounds stated in s. 125.12(2), Stats. That said, even if the license is renewed, the building can obviously still be shuttered if there are legitimate public health or safety issues.

Bill

**William S. Cole**

Phone: 608.283.6766

Axley Brynson, LLP

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**From:** [mhansen@waterloowi.us](mailto:mhansen@waterloowi.us) <[mhansen@waterloowi.us](mailto:mhansen@waterloowi.us)>  
**Sent:** Friday, June 21, 2019 9:45 AM  
**To:** William S. Cole <[WCole@axley.com](mailto:WCole@axley.com)>; Micheal D. Hahn <[MHahn@axley.com](mailto:MHahn@axley.com)>  
**Cc:** [mayor@waterloowi.us](mailto:mayor@waterloowi.us)  
**Subject:** Questions relating to Class "B" Beer and Class "B" Liquor application /

Bill or Micheal,

I am assuming the answer in no, but can you reply to this question.

Can a liquor licensed be denied based on unresolved building safety non-compliance issues, if the non-compliance matter is on the second level and the liquor license premise is described as “basement, first floor bar?”

- Subject property: 134 East Madison Street
  - Property owner Graybryn Rentals LLC is an LLC headed up by Colin Gorder.
  - License applicant is Katie Creek LLC, also Colin Gorder.
- Police Chief is gathering OWI information related to the agent.

Mo Hansen | Clerk/Treasurer | [City of Waterloo](#) | 920.478.3025



**From:** mhansen@waterloowi.us  
**Sent:** Friday, June 28, 2019 10:14 AM  
**To:** Angie Stinnett; City of Waterloo, Mayor; Eric Rhynes; h20loalder@gmail.com; jasonwtlw1@gmail.com; Jeanette Petts (Jeanette.petts@yahoo.com); Ron Griffin (griffinrepair@gmail.com); thomastr2000@yahoo.com  
**Cc:** 'AFK53594@yahoo.com'; 'vieth9569@gmail.com'; 'cstrobel@waterloofd.com'; 'dpw@waterloowi.us'; 'parks@waterloowi.us'; 'president@waterlooyouthsports.org'; 'Charles@cravecheese.com'  
**Subject:** June 26 citizen grievance filing - Parks Commission / report to Council  
**Attachments:** 2019-06-27email3PM.pdf; Administrative Review.pdf; MGiese6-27\_4-42pm.pdf

City Council with copy to Parks Commissioners:

Below and attached is my report to you on Waterloo resident Maureen Giese's grievance filed June 26, 2019.

1. At the request of Maureen Giese, I've asked Angie Stinnett and Gabe Haberkorn to meet with her on this matter.
2. Pursuant to [30-4\(L\)](#) of the municipal code, I am placing the agenda item: "Legislative Review Request, June 26, 2019 Parks Commission Grievance" on July 11, 2019 Council agenda.
  - a. Summary Points
    - i. A citizen may seek *relief* by way of asking for a legislative review, but there is no statutory obligation to hold a legislative review.
    - ii. In government It is better to shine light on grievances, than not.
    - iii. While it may serve as a vehicle for process improvement, the grievance does not merit a legislative review. I am recommending to the City Council that a legislative review is not warranted.

The full email thread is provided herein. The City Attorney has reviewed my steps provided in this communication. This concludes my report relating to this grievance.

Mo Hansen | Clerk/Treasurer | [City of Waterloo](#) | 920.478.3025

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**From:** mhansen@waterloowi.us [mailto:mhansen@waterloowi.us]  
**Sent:** Friday, June 28, 2019 8:53 AM  
**To:** 'Maureen Giese' <renie.giese@gmail.com>  
**Cc:** 'City of Waterloo, Mayor' <mayor@waterloowi.us>  
**Subject:** RE: Grievance Appeal Meeting

Maureen,

Thank you for an additional communication regarding your June 26, 2019 grievance involving the Parks Commission.

1. SUMMARY AS OF 6/28 - 6:52 am.

- You filed a grievance on June 26, 2019 via email.
- A request for a Municipal Administrative Review pursuant to Chapter 6 of the Municipal Code and Wisconsin Statutes was made. Additionally that day, by phone, you asked for a meeting with those involved.
- Serving in my capacity as a municipal officer in receipt of a submitted grievance, I have had a written email thread with you for the purpose of accurately and completely defining the grievance, condensed here for brevity as:
  - Irregular scheduling of Parks Commission meetings; agenda item action deemed incomplete.

- Statements made to you at the June 12, 2019 Parks Commission meeting by the Chair. Roberts Rules of Order-Summary Version that states " Under no circumstances should undue strictness be allowed to intimidate members/citizens or limit full participation."
- I reported back to you and Mayor Quimby on the 26<sup>th</sup> with an initial determination that the grievance is not reviewable under 68.02 and 68.03 of the Wis. Stat. (the statutes text is identical to that of 6-3 and 6-4 of the municipal code).
- The afternoon of June 27 at 3:06 pm, via email, I communicated to Alder Stinnett and Parks Director Haberkorn, your request for a meeting relating to this matter (attached).
- You followed up later on June 27, via email with additional. On the grievance point relating to Parks Commission meeting scheduling you further stated: Also you asked that I confirm the lack of uniform scheduling of Parks Commission meetings, some three months and now two months apart. As I mentioned a lot is lost when "Unfinished business" is not tended to. Also Minutes of previous meetings some three months ago are not printed until a week before the next meeting. Along with this complaint I have been told "The chair designates the meeting times, also it was said "The Park Coordinator is doing such a great job that we do not need as many meetings" to my knowledge there is no motion or resolution to this effect.
  - Your full June 27<sup>th</sup> text is below.
- In reviewing the entirety of your information submitted, **I am hereby reaffirming that the grievance is not reviewable under 68.02 and 68.03 of the Wis. Stat.**
- Referencing 68.14 Wis. Stat., your June 27, 4:42 pm email changes the grievance to one in which you are seeking relief from the Parks Commission relating to the grievance items listed above.
  - To aid in resolution, I ask that you define "relief" as it pertains to this specific matter and 68.14 Wis. Stat.
- 68.14(3) states the body with jurisdiction "need not conduct the type of hearing required under 68.11 Wis. Stat."
  - Please Note -- the existence of 68.14(3) Wis. Stat. and with the purpose of resolution of the matter -- is why I communicated to Stinnett and Haberkorn via email on June 26<sup>th</sup> at 3:06 pm conveying your interest in a meeting with those involved.
  - I interpret 68.14(3) Wis. Stat. to mean the body with jurisdiction need not conduct a hearing as required under 68.11 Wis. Stat. -- or otherwise. The municipal code does not *require* such a hearing; nor does it require legislative review.
- I further interpret 68.14 Wis. Stat. to mean a person aggrieved may seek a legislative review, but the municipality's body with jurisdiction (the City Council in this case) is not statutorily obligated to conduct a legislative review.

## 2. MOVING FORWARD TOWARDS RESOLUTION.

The facts relating to this matter are generally readily available [i.e. (a) Scheduling -> parks commission meeting minutes & agendas; or (b) June 12, 2019 Commission dialogue -> audio tape],

- I ask that, at a time convenient to all, an informal meeting of the Grievant, the Parks Commission Chair and the Parks Director be scheduled and held in the municipal building. I ask that I also attend to listen and observe.
- As an officer in receipt of your original grievance, I have determined that it is not reviewable under 62.02 and 62.03 Wis. Stat. nor Chapter 6 (Administrative Review) of the municipal code, Chapter 6 attached.
- Your request for a legislative review is a question for the legislative body with jurisdiction – the City Council to decide, as it is responsible for the creation of the Parks Commission. Pursuant to [30-4\(L\)](#) of the municipal code, I am placing the agenda item: "Legislative Review Request, June 26, 2019 Parks Commission Grievance" on July 11, 2019 Council agenda.

This concludes my review of this matter.

**From:** Maureen Giese [<mailto:renie.giese@gmail.com>]  
**Sent:** Thursday, June 27, 2019 4:42 PM  
**To:** Mo Hansen, Waterloo Clerk-Treasurer <[mhansen@waterloowi.us](mailto:mhansen@waterloowi.us)>  
**Cc:** City of Waterloo, Mayor <[mayor@waterloowi.us](mailto:mayor@waterloowi.us)>  
**Subject:** Re: Grievance Appeal Meeting

Thank you.

I do believe I said "In view of Chapter 68 Municipal Administrative Procedure. Wis Stats Database I would change the **Grievance Appeal Meeting request to Legislative Review 68.14.**" **Please advise me if this is not acceptable.**

Maureen

On Thu, Jun 27, 2019 at 3:10 PM <[mhansen@waterloowi.us](mailto:mhansen@waterloowi.us)> wrote:

Maureen,

Thank you for your reply.

In reviewing Chapters 6-3 and 6-4 of the municipal code, my determination is that your grievance is not reviewable because it refers to action(s) of a City authority (Parks Commission and/or Parks Commissioner) which do not rise to the level of involving a constitutionally protected right of a person in connection with the action or determination of the City authority.

I understand you would like to meet with the parties involved. I will share this communication with Alder Angie Stinnett and Parks Director Gabe Haberkorn.

-Mo

**From:** Maureen Giese [<mailto:renie.giese@gmail.com>]  
**Sent:** Thursday, June 27, 2019 10:58 AM  
**To:** Mo Hansen, Waterloo Clerk-Treasurer <[mhansen@waterloowi.us](mailto:mhansen@waterloowi.us)>  
**Cc:** City of Waterloo, Mayor <[mayor@waterloowi.us](mailto:mayor@waterloowi.us)>  
**Subject:** Re: Grievance Appeal Meeting

Update on my Grievance Appeal Meeting email of June 26th, 2019

It has been reported to me that I confirm what was said in my Grievance Appeal message as items re: Chair Stinnett demeaning, "bullying", intimidating remarks to me at the June 12th, 2019 Parks Commission meeting.

I referred to Roberts Rules of Order-Summary Version that states " Under no circumstances should undue strictness be allowed to intimidate members/citizens or limit full participation." I believe Roberts Rules of Order is the guide for Council, Commission, etc. meetings.

Also you asked that I confirm the lack of uniform scheduling of Parks Commission meetings, some three months and now two months apart. As I mentioned a lot is lost when "Unfinished business" is not tended to. Also Minutes of previous meetings some three months ago are not printed until a week before the next meeting. Along with this complaint I have been told "The chair designates the meeting times, also it was said "The Park Coordinator is doing such a great job that we do not need as many meetings" to my knowledge there is no motion or resolution to this effect.

The only Municipal Code I found pertains to #273-1 Park Management..i.e. which says "The Parks Coordinator or alternatively a Council-appointed designee shall be responsible for the day-to-day operation and maintenance of all City Parks in accordance with policies established by the Parks commission and the Council. And goes on to other points.

I would stand on the fact that all Commission Meetings in the past years have always been the second Tue or Wed of each month. See Community Guide 2019 P. 33 which lists all Committee and Commission Meetings meeting EACH month. Past history does give credibility when no update resolution is stated.n.

It has been reported that my Grievance Appeal is not reviewable as presented. As Chapter 6, Administrative Review sent to me reviews what is reviewable. this Chapter 6, Administrative Review also states:

#6-1 Purpose. "The purpose of this chapter is to afford a constitutionally sufficient, fair and orderly administrative procedure and review in connection with determinations by all City officers, employees, agents, agencies, committees, boards and commissions which may involve constitutionally protected rights of specific persons which are entitled to due process protection under the 14th Amendment to the United States Constitution. **Chapter 68, Wis. Stats.** relating to municipal administrative review procedure....except as to those provision otherwise provided in this chapter."

In view of **Chapter 68 Municipal Administrative Procedure. Wis/ Stats.Database** I would like to change the **Grievance Appeal Meeting request to Legislative Review 68.14 meeting as states** "the seeking of a review pursuant to 68.10 or 68.13 does not preclude a person aggrieved from seeking relief from the governing body of the municipal or any of its boards, commissions, committees, or agencies which may have jurisdiction" and so on...

If my request can not be accepted please inform me.

Maureen

On Wed, Jun 26, 2019 at 10:14 AM Maureen Giese <[renie.giese@gmail.com](mailto:renie.giese@gmail.com)> wrote:

Thank you for your response. As I mentioned on the phone conversation possibly the "grievance" can be discussed at a called meeting of minds, possibly not.

I can not find the Municipal Code related to Wis Statue right now, but when I have more time will research that point.

But keep in mind under City of Waterloo, p. 26, in the Community Guide, all Committee and Commission meetings are listed each month second Tues or second Wed now, this was just changed "every other month" for the Park Commission, in the past it was every three months. Most of the Commission and Committee meetings are each month. EXCEPT for the Parks Commission. My point is a lot of confusion exists when meetings are not held monthly.

If this City Council is now termed "Citizens Council" I believe one should respond to citizens, in policy of listening, responding in a mode of courtesy not demeaning policy.

Maureen

On Wed, Jun 26, 2019 at 9:24 AM <[mhansen@waterloowi.us](mailto:mhansen@waterloowi.us)> wrote:

Maureen,

Thank you for your email. I have read your June 26, 2019 communication closely to identify the specific text describing the grievance.

I am writing to ask you to confirm that I am describing below the grievance -- accurately and completely. If I have not, please accurately and completely described it.

Grievance submitted by Maureen Giese in writing as part of June 26, 2019 8:10 am email:

- Regarding the actions of the Parks Commission Chair at June 12, 2019 Parks Commission meeting:
  - Not following Roberts Rules of Order “ Under no circumstances should undue strictness be allowed to intimidate members/citizens or limit full participation”
    - You viewed Angie Stinnett statement: [... stop “nit-picking at the Coordinator and Chair...” and a request to not send emails] as demeaning and meeting a threshold of intimidating citizens and limiting full participation.
- The actions of the Parks Director and Parks Commission Chair regarding the scheduling of meetings:
  - You state lack of uniform recurring scheduling of Parks Commission meetings “... leads to confusion on unfinished business which is not completed in a timely manner. I believe this is not in accord with Municipal Code” **NOTE: Please provide which municipal code you refer to?**

From your text I conclude that you desire certain policies, actions and outcomes pertaining to Parks matters. A majority of the Parks Commissioners and perhaps the Director are not always of a like-mind with you on particular matters.

In reviewing Chapters 6-3 and 6-4 of the municipal code, my preliminary determination is that your grievance is not reviewable because it refers to action(s) of a City authority (Parks Commission and/or Parks Commissioner) which do not rise to the level of involving a constitutionally protected right of a person in connection with the action or determination of the City authority. I’ve attached Chapter 6 to this email for your review.

Because of this preliminary determination, I am asking for you to confirm that I have accurately and completely described your grievance. Thank you.

Mo Hansen | Clerk/Treasurer | [City of Waterloo](http://City of Waterloo) | 920.478.3025

**From:** Maureen Giese [mailto:[renie.giese@gmail.com](mailto:renie.giese@gmail.com)]

**Sent:** Wednesday, June 26, 2019 8:10 AM

**To:** City of Waterloo, Mayor <[mayor@waterloowi.us](mailto:mayor@waterloowi.us)>; Mo Hansen, Waterloo Clerk-Treasurer <[mhansen@waterloowi.us](mailto:mhansen@waterloowi.us)>

**Subject:** Grievance Appeal Meeting

In view of remarks expressed to myself at the June 12th, 2019, Park Commission Meeting, I submit this statement in regard to Chair Stinnett's remarks said at the conclusion of the Park Commission Meeting. I also would express a grievance toward Park Coordinator Haberkorn and Chair Stinnett for not following Robert's Rule of Order (which Commission Meetings are governed) and also not following the Municipal Code (re: meetings) as set forth relating to the Statutes of the State of Wisconsin.

Chair of the Park Commission said at the conclusion of the June 12th meeting which was discussed the name of "Fox Park" and consideration of the name be placed on a plaque or plaque on a boulder or somehow a name being placed somewhere on the 720 W. Madison area. This project has been discussed since June, 2017. At the June 12th Park Commission Meeting I reviewed briefly the history of the naming of this area, the coordinator's view of a "big donor" somehow appearing in the future and to postpone the plaque of the name to not be applied. I asked for a "table" of this report so the newly appointed Park Commissioners could be brought up on this year long naming process. Then, reading the Coordinator's report. My "tabling" was not accepted. The Chair went on and took a vote on the naming...4 to 1. I expressed disappointment on the vote. Then Chair Stinnett then said I should stop **"nit-picking at the Coordinator and Chair, plus I should not send any more emails" in a demeaning tone of voice.**

I object to this undemocratic way of handling a meeting, and insulting words expressed to me. Robert's Rule of Order-Summary Version says "Under no circumstances should undue strictness be allowed to intimidate members/citizens or limit full participation."

I have emailed I believe in a courteous way in the past that Park Commission Meetings per Code are to be held the second Wednesday of every month, also noted in the Community Calendar of this. I was told by the Coordinator that the Chair can call meetings any time, and recently Park Commission meetings are every two months. In the past every four months which leads to confusion on unfinished business not completed in a timely manner. I believe this is not in accord with the Municipal Code.

In the past, I have written a positive letter to the Editor re: Park Coordinator and expressed gratitude for his leadership and others who keep our historic Park "alive and well." I have worked endlessly promoting the historic Firemen's Park, historic Carousel...recently with Bob Hanson finished the Carousel Donor listing that should be up by the 4th of July. I have supported the Firemen's Park signs out of my own budget.

After a year and a half, following Parliamentary Procedure, involving students, the public vote on a name, and now it seems to me all in vain. Butch Fox and the early settlers who created the Canning Factory will wait on a "big donor" Butch Fox relatives want to donate money for the plaque, but will be told "wait and see" ???

Please inform me if you would like me to send a letter of the above. Also what the next step is?

This is sent late, due to a family illness.

Maureen Giese

*The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.*

## Chapter 6

# Administrative Review

**[HISTORY: Adopted by the Common Council of the City of Waterloo 10-19-1987 by Ord. No. 87-6 as Ch. 6 of the 1987 Code. Amendments noted where applicable.]**

### § 6-1 Purpose.

The purpose of this chapter is to afford a constitutionally sufficient, fair and orderly administrative procedure and review in connection with determinations by all City officers, employees, agents, agencies, committees, boards and commissions which may involve constitutionally protected rights of specific persons which are entitled to due process protection under the 14th Amendment to the United States Constitution. Chapter 68, Wis. Stats., relating to municipal administrative review procedure, shall be in full force and effect in the City, except as to those provisions otherwise provided in this chapter.

### § 6-2 Review of initial determination.

Upon the filing of a written request by any person aggrieved to review an initial determination filed pursuant to the provisions of § 68.08, Wis. Stats., all City officers, employees, agents, agencies, committees, boards and commissions receiving such a request shall conduct administrative reviews of their own determinations in accordance with § 68.09, Wis. Stats. In addition, all such written requests shall be immediately referred to the City Attorney.

### § 6-3 Determinations reviewable.

The determinations reviewable under this chapter are as follows:

- A. The grant or denial, in whole or in part, after application of an initial permit, license, right, privilege or authority, except a fermented malt beverage or intoxicating liquor license.
- B. The suspension, revocation or nonrenewal of an existing permit, license, right, privilege or authority, except as provided in § 6-4 of this chapter.
- C. The denial of a grant of money or other thing of substantial value under a statute or ordinance prescribing conditions of eligibility for such grant.
- D. The imposition of a penalty or sanction upon any person except a City employee or officer, other than by a court.

### § 6-4 Determinations not subject to review.

Except as provided in § 6-3 of this chapter, the following determinations are not reviewable under this chapter:

- A. A legislative enactment, which is an ordinance, resolution or adopted motion of the Council.
- B. Any action subject to administrative or judicial review procedures under statutes other than Ch. 68, Wis. Stats.
- C. The denial of a tort or contract claim for money, required to be filed with the City pursuant to statutory procedures for the filing of such claims.
- D. The suspension, removal or disciplining or nonrenewal of a contract of a City employee or officer.

- E. The grant, denial, suspension or revocation of a fermented malt beverage license or intoxicating liquor license under § 125.12(1), (2) and (3), Wis. Stats.
- F. Judgments and orders of a court.
- G. Determinations made during City labor negotiations.
- H. Any action which is subject to administrative review procedures as otherwise provided in this Code.
- I. Notwithstanding any other provision of this chapter, any action or determination of a City authority which does not involve the constitutionally protected right of a specific person or persons to due process in connection with the action or determination.

**§ 6-5 Administrative Review Appeals Board.**

- A. Membership. See § **19-6** of this Code.
- B. Powers and duties. The Administrative Review Appeals Board shall have the duty and responsibility of hearing appeals from initial determinations of administrative determinations or decisions of City officers, employees, agents, agencies, committees, boards and commissions filed in accordance with § 68.10, Wis. Stats. In conducting administrative review hearings and making final decisions, the Board shall be governed by §§ 68.11 and 68.12, Wis. Stats.

**§ 6-6 Effect on other provisions.**

The provisions of this chapter shall not be deemed to repeal or supersede the provisions of any other section of this Code in conflict herewith or providing other procedures for review of administrative determinations within the City except when otherwise specifically provided in said sections.

## CHAPTER 68

## MUNICIPAL ADMINISTRATIVE PROCEDURE

68.001	Legislative purpose.	68.09	Review of determination.
68.01	Review of administrative determinations.	68.10	Administrative appeal.
68.02	Determinations reviewable.	68.11	Hearing on administrative appeal.
68.03	Determinations not subject to review.	68.12	Final determination.
68.04	Municipalities included.	68.125	Refund of fees.
68.05	Municipal authority defined.	68.13	Judicial review.
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**68.001 Legislative purpose.** The purpose of this chapter is to afford a constitutionally sufficient, fair and orderly administrative procedure and review in connection with determinations by municipal authorities which involve constitutionally protected rights of specific persons which are entitled to due process protection under the [14th amendment](#) to the U.S. constitution.

**History:** 1975 c. 295.

Investigatory and adjudicatory functions in administrative proceedings are discussed. *DeLuca v. Common Council*, [72 Wis. 2d 672, 242 N.W.2d 689](#) (1976).

**68.01 Review of administrative determinations.** Any person having a substantial interest which is adversely affected by an administrative determination of a governing body, board, commission, committee, agency, officer or employee of a municipality or agent acting on behalf of a municipality as set forth in s. [68.02](#), may have such determination reviewed as provided in this chapter. The remedies under this chapter shall not be exclusive. No department, board, commission, agency, officer or employee of a municipality who is aggrieved may initiate review under this chapter of a determination of any other department, board, commission, agency, officer or employee of the same municipality, but may respond or intervene in a review proceeding under this chapter initiated by another.

**History:** 1975 c. 295.

**68.02 Determinations reviewable.** The following determinations are reviewable under this chapter:

(1) The grant or denial in whole or in part after application of an initial permit, license, right, privilege, or authority, except an alcohol beverage license.

(2) The suspension, revocation or nonrenewal of an existing permit, license, right, privilege, or authority, except as provided in s. [68.03](#) (5).

(3) The denial of a grant of money or other thing of substantial value under a statute or ordinance prescribing conditions of eligibility for such grant.

(4) The imposition of a penalty or sanction upon any person except a municipal employee or officer, other than by a court.

**History:** 1975 c. 295; 1981 c. 79.

**68.03 Determinations not subject to review.** Except as provided in s. [68.02](#), the following determinations are not reviewable under this chapter:

(1) A legislative enactment. A legislative enactment is an ordinance, resolution or adopted motion of the governing body of a municipality.

(2) Any action subject to administrative or judicial review procedures under other statutes.

(3) The denial of a tort or contract claim for money, required to be filed with the municipality pursuant to statutory procedures for the filing of such claims.

(4) The suspension, removal or disciplining or nonrenewal of a contract of a municipal employee or officer.

(5) The grant, denial, suspension or revocation of an alcohol beverage license under s. [125.12](#) (1).

(6) Judgments and orders of a court.

(7) Determinations made during municipal labor negotiations.

(8) Any action which is subject to administrative review procedures under an ordinance providing such procedures as defined in s. [68.16](#).

(9) Notwithstanding any other provision of this chapter, any action or determination of a municipal authority which does not involve the constitutionally protected right of a specific person or persons to due process in connection with the action or determination.

**History:** 1975 c. 295; 1981 c. 79.

**68.04 Municipalities included.** In this chapter, “municipality” includes any county, city, village, town, technical college district, special purpose district, or board or commission thereof, and any public or quasi-public corporation or board or commission created pursuant to statute, ordinance, or resolution, but does not include the state, a state agency, a corporation chartered by the state, or a school district as defined in s. [115.01](#) (3).

**History:** 1975 c. 295; 1993 a. 399; 2015 a. 196.

**68.05 Municipal authority defined.** “Municipal authority” includes every municipality and governing body, board, commission, committee, agency, officer, employee, or agent thereof making a determination under s. [68.01](#), and every person, committee or agency of a municipality appointed to make an independent review under s. [68.09](#) (2).

**History:** 1975 c. 295.

**68.06 Persons aggrieved.** A person aggrieved includes any individual, partnership, limited liability company, corporation, association, public or private organization, officer, department, board, commission or agency of the municipality, whose rights, duties or privileges are adversely affected by a determination of a municipal authority.

**History:** 1975 c. 295; 1993 a. 112.

**68.07 Reducing determination to writing.** If a determination subject to this chapter is made orally or, if in writing, does not state the reasons therefor, the municipal authority making such determination shall, upon written request of any person aggrieved by such determination made within 10 days of notice of such determination, reduce the determination and the reasons therefor to writing and mail or deliver such determination and reasons to the person making the request. The determination shall be dated, and shall advise such person of the right to have such determination reviewed, the time within which such review may be obtained, and the office or person to whom a request for review shall be addressed.

**History:** 1975 c. 295, 421.

**68.08 Request for review of determination.** Any person aggrieved may have a written or oral determination reviewed by written request mailed or delivered to the municipal authority which made such determination within 30 days of notice to such person of such determination. The request for review shall state the ground or grounds upon which the person aggrieved contends that the decision should be modified or reversed. A request for review shall be made to the officer, employee, agent, agency, committee, board, commission or body who made the determination but failure to make such request to the proper party shall not preclude the person aggrieved from review unless such failure has caused prejudice to the municipal authority.

**History:** 1975 c. 295.

**68.09 Review of determination. (1) INITIAL DETERMINATION.** If a request for review is made under s. 68.08, the determination to be reviewed shall be termed an initial determination.

**(2) WHO SHALL MAKE REVIEW.** A review under this section may be made by the officer, employee, agent, agency, committee, board, commission or body who made the initial determination. However, an independent review of such initial determination by another person, committee or agency of the municipality may be provided by the municipality.

**(3) WHEN TO MAKE REVIEW.** The municipal authority shall review the initial determination within 15 days of receipt of a request for review. The time for review may be extended by agreement with the person aggrieved.

**(4) RIGHT TO PRESENT EVIDENCE AND ARGUMENT.** The person aggrieved may file with the request for review or within the time agreed with the municipal authority written evidence and argument in support of the person's position with respect to the initial determination.

**(5) DECISION ON REVIEW.** The municipal authority may affirm, reverse or modify the initial determination and shall mail or deliver to the person aggrieved a copy of the municipal authority's decision on review, which shall state the reasons for such decision. The decision shall advise the person aggrieved of the right to appeal the decision, the time within which appeal shall be taken and the office or person with whom notice of appeal shall be filed.

**History:** 1975 c. 295, 421.

The 15-day time limit in sub. (3) is mandatory, not directory. The municipal authority's failure to comply with the 15-day deadline for completing the paper review under sub. (3) violated the plaintiff's right to due process and warranted reversal of the panel's decision. *Koenig v. Pierce County Department of Human Services*, 2016 WI App 23, 367 Wis. 2d 633, 877 N.W.2d 632, 15–0410.

**68.10 Administrative appeal. (1) FROM INITIAL DETERMINATION OR DECISION ON REVIEW.** (a) If the person aggrieved did not have a hearing substantially in compliance with s. 68.11 when the initial determination was made, the person may appeal under this section from the decision on review and shall follow the procedures set forth in ss. 68.08 and 68.09.

(b) If the person aggrieved had a hearing substantially in compliance with s. 68.11 when the initial determination was made, the person may elect to follow the procedures provided in ss. 68.08 and 68.09, but is not entitled to appeal under this section unless granted by the municipal authority. The person may, however, seek review under s. 68.13.

**(2) TIME WITHIN WHICH APPEAL MAY BE TAKEN UNDER THIS SECTION.** Appeal from a decision on review under s. 68.09 shall be taken within 30 days of notice of such decision.

**(3) HOW APPEAL MAY BE TAKEN.** An appeal under this section may be taken by filing with or mailing to the office or person designated in the municipal authority's decision on review, written notice of appeal.

**History:** 1975 c. 295, 421.

**68.11 Hearing on administrative appeal. (1) TIME OF HEARING.** The municipality shall provide the appellant a hearing on an appeal under s. 68.10 within 15 days of receipt of the notice of appeal filed or mailed under s. 68.10 and shall serve the appel-

lant with notice of such hearing by mail or personal service at least 10 days before such hearing.

**(2) CONDUCT OF HEARING.** At the hearing, the appellant and the municipal authority may be represented by an attorney and may present evidence and call and examine witnesses and cross-examine witnesses of the other party. Such witnesses shall be sworn by the person conducting the hearing. The municipality shall provide an impartial decision maker, who may be an officer, committee, board, commission or the governing body who did not participate in making or reviewing the initial determination, who shall make the decision on administrative appeal. The decision maker may issue subpoenas. An appellant's attorney of record may issue a subpoena to compel the attendance of a witness or the production of evidence. A subpoena issued by an attorney must be in substantially the same form as provided in s. 805.07 (4) and must be served in the manner provided in s. 805.07 (5). The attorney shall, at the time of issuance, send a copy of the subpoena to the decision maker. The hearing may, however, be conducted by an impartial person, committee, board or commission designated to conduct the hearing and report to the decision maker.

**(3) RECORD OF HEARING.** The person conducting the hearing or a person employed for that purpose shall take notes of the testimony and shall mark and preserve all exhibits. The person conducting the hearing may, and upon request of the appellant shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the municipality.

**History:** 1975 c. 295; 1989 a. 139.

The review of a city council decision by an administrative review appeals board that included the mayor did not violate the requirement of an impartial decision maker when the mayor did not participate in making or reviewing the resolution. *City News & Novelty, Inc. v. City of Waukesha*, 231 Wis. 2d 93, 604 N.W.2d 870 (Ct. App. 1999), 97–1504.

**68.12 Final determination. (1)** Within 20 days of completion of the hearing conducted under s. 68.11 and the filing of briefs, if any, the decision maker shall mail or deliver to the appellant its written determination stating the reasons therefor. Such determination shall be a final determination.

**(2)** A determination following a hearing substantially meeting the requirements of s. 68.11 or a decision on review under s. 68.09 following such hearing shall also be a final determination.

**History:** 1975 c. 295.

**68.125 Refund of fees.** If in an administrative appeal under s. 68.10 the municipal authority's order is overturned or the municipal authority withdraws the order that was the subject of the appeal, the municipality and municipal authority shall refund any fee paid to it by the appellant as a condition of filing the appeal.

**History:** 2017 a. 317; s. 35.17 correction.

**68.13 Judicial review. (1)** Any party to a proceeding resulting in a final determination may seek review thereof by certiorari within 30 days of receipt of the final determination. The court may affirm or reverse the final determination, or remand to the decision maker for further proceedings consistent with the court's decision.

**(2)** If review is sought of a final determination, the record of the proceedings shall be transcribed at the expense of the person seeking review. A transcript shall be supplied to anyone requesting the same at the requester's expense. If the person seeking review establishes impecuniousness to the satisfaction of the reviewing court, the court may order the proceedings transcribed at the expense of the municipality and the person seeking review shall be furnished a free copy of the transcript. By stipulation, the court may order a synopsis of the proceedings in lieu of a transcript. The court may otherwise limit the requirement for a transcript.

**History:** 1975 c. 295, 421; 1981 c. 289.

**Judicial Council Note, 1981:** Reference in sub. (1) to a "writ" of certiorari has been removed because that remedy is now available in an ordinary action. See s. 781.01, stats., and the note thereto. [Bill 613–A]

The requirement of procedural due process is met if the state provides adequate post-deprivation remedies. Certiorari under this section is an adequate remedy. Failure to pursue certiorari under this section barred a claim that procedural due process was denied. *Thorp v. Town of Lebanon*, 2000 WI 60, 235 Wis. 2d 610, 612 N.W.2d 59, 98–2358.

A litigant cannot bring a claim for money damages grounded upon 42 U.S.C. 1983 in a certiorari proceeding under ch. 68. Failure to join a section 1983 claim with a ch. 68 certiorari action does not preclude the claimant from bringing a section 1983 claim. *Hanlon v. Town of Milton*, 2000 WI 61, 235 Wis. 2d 597, 612 N.W.2d 44, 99–1980.

This section unambiguously provides authority for the remand of an agency final order for further proceedings necessary to insure the legislative purpose set forth in s. 68.001. The circuit court had authority to remand a s. 68.12 final determination based upon a reconsideration motion that presented newly discovered recantation evidence. *M.H. v. Winnebago County Department of Health & Human Services*, 2006 WI App 66, 292 Wis. 2d 417, 714 N.W.2d 241, 05–0871.

A court should not defer to a municipality's interpretation of a statewide standard. Doing so would give one locality disproportionate authority to influence state standards established by the legislature. If the language of the municipality's ordinance appears to be unique and does not parrot a state statute but rather the language was drafted by the municipality in an effort to address a local concern, applying a presumption of correctness, the court will defer to the municipality's interpretation if it is reasonable. *Ottman v. Town of Primrose*, 2011 WI 18, 332 Wis. 2d 3, 796 N.W.2d 411, 08–3182.

A municipality's interpretation of its own ordinance is unreasonable if it is contrary to law, if it is clearly contrary to the intent, history, or purpose of the ordinance or if it is without a rational basis. An interpretation that directly contravenes the words of the ordinance is also unreasonable. *Ottman v. Town of Primrose*, 2011 WI 18, 332 Wis. 2d 3, 796 N.W.2d 411, 08–3182.

A certiorari court cannot order a board to perform a certain act. Thus, a court on certiorari review was without statutory authority to provide the equitable relief requested in this case. Certiorari exists to test the validity of decisions by administrative or quasi-judicial bodies. The scope of certiorari extends to questions of jurisdiction, power, and authority of the inferior tribunal to do the action complained of, as well as questions relating to the irregularity of the proceedings. *Guerrero v. City of Kenosha Housing Authority*, 2011 WI App 138, 337 Wis. 2d 484, 805 N.W.2d 127, 10–2305.

Under sub. (1) and s. 68.12 (2) the decision subject to certiorari review is the final determination made by the administrative panel. However, there are two exceptions to the general rule that a petition for certiorari must go to the body whose acts are being reviewed: 1) when specially provided by statute, or in particular cases of necessity, as when the board or body whose acts are sought to be reviewed is not continuing or has ceased to exist; and 2) when service requirements are ambiguous, and there is an absence of a clear statutory identity of the board or body. *Koenig v. Pierce County Department of Human Services*, 2016 WI App 23, 367 Wis. 2d 633, 877 N.W.2d 632, 15–0410.

The 30-day period during which certiorari review is available for a town board's highway order to lay out, alter, or discontinue a highway begins to run on the date that the highway order is recorded by the register of deeds. *Pulera v. Town of Richmond*,

2017 WI 61, 371 Wis. 2d 609, 885 N.W.2d 380, 15–1016. But see *Zelman v. Town of Erin*, 2018 WI App 50, 383 Wis. 2d 679, 917 N.W.2d 222, 17–1529.

An oral vote of a town board does not constitute a "final determination" under sub. (1) because it does not satisfy the description of "final determination" under s. 68.12, and attendance at a public hearing where the oral vote occurred did not constitute "receipt" of the decision. *Zelman v. Town of Erin*, 2018 WI App 50, 383 Wis. 2d 679, 917 N.W.2d 222, 17–1529.

**68.14 Legislative review.** (1) The seeking of a review pursuant to s. 68.10 or 68.13 does not preclude a person aggrieved from seeking relief from the governing body of the municipality or any of its boards, commissions, committees, or agencies which may have jurisdiction.

(2) If in the course of legislative review under this section, a determination is modified, such modification and any evidence adduced before the governing body, board, commission, committee or agency shall be made part of the record on review under s. 68.13.

(3) The governing body, board, commission, committee or agency conducting a legislative review under this section need not conduct the type of hearing required under s. 68.11.

**History:** 1975 c. 295.

**68.15 Availability of methods of resolving disputes.** This chapter does not preclude any municipality and person aggrieved from employing arbitration, mediation or other methods of resolving disputes, and does not supersede contractual provisions for that purpose.

**History:** 1975 c. 295.

**68.16 Election not to be governed by this chapter.** The governing body of any municipality may elect not to be governed by this chapter in whole or in part by an ordinance or resolution which provides procedures for administrative review of municipal determinations.

**History:** 1975 c. 295.

In order for a municipality to elect not to be governed by a particular section of ch. 68, the municipality must enact an ordinance that shows that it chooses to opt out of the particular section. *Tee & Bee, Inc. v. City of West Allis*, 214 Wis. 2d 194, 571 N.W.2d 438 (Ct. App. 1997), 96–2143.