

JUDICIARY, LICENSE AND CEMETERY COMMITTEE
MINUTES OF DECEMBER 7, 2010

Meeting called to order by Chairperson Wagner at 4:45 p.m., in the Common Council Chambers, City Hall Plaza.

PRESENT: Alderpersons Ed Wagner, Pete Hendler and Alanna Feddick

ABSENT: None

ALSO PRESENT: Alderpersons Earl & Spiros, Mayor Meyer, Police Chief Jepsen, Cemetery Sexton Baltus, City Attorney Wolfgram, Utility Manager Pacovsky, City Clerk Hall, Charlotte Kruse and Brian Wallace.

JLC10-149 Motion by Hendler, second by Feddick to approve the minutes of the November 30, 2010 meeting.

Motion carried

CITIZEN COMMENTS

None

JLC10-150 Motion by Feddick, second by Hendler to grant two (2) Beverage Operator Licenses for the 2009-2011 license year to: Trisha Witzlsteiner and Courtney Zelenak.

Motion carried

Alderperson Wagner restated the two issues that Mrs. Charlotte Kruse addressed at the last meeting. The first issue was the height of the shrubs along Saint Joseph's Avenue blocking the view of her husband's grave. She wanted to donate some lower shrubs for that area. The second issue was the state of repair of the grave sites immediately adjacent to her husband's grave site. She felt that it wasn't kept up in an orderly fashion and the small trees were blocking other grave sites or at least one other grave site in the cemetery.

The committee went to the cemetery and viewed the site.

Alderperson Feddick looked at the grave site and they also looked at some pictures that were taken during the summer time. It seems like the owners of the grave sites next to hers are keeping within their boundaries. They did have a lot of stuff there but they were within their own boundaries. They are following the cemetery rules. The problem with changing the bushes is that there could be other concerns that arise. One of those would be perhaps the requirement of an installation of a fence. If lower bushes were put there, there would be a concern that people might use that to walk off of or there might be other concerns. Given the height of that wall the installation of lower bushes there might give rise to other costs. As an alternative the committee discussed requiring that those bushes remain trimmed so that they would block as little as possible.

Alderperson Hendler understood the concern that Mr. Baltus has in terms of safety with the wall. If smaller bushes were put in then there could be the potential of people walking passed it and falling down.

Alderperson Wagner asked Mr. Baltus to take extra special care to make sure that the policies are adhered to at the cemetery and the hedges are trimmed. A copy of the policies will be given to Mrs. Kruse.

Attorney H. James Tuchscherer filed a claim on behalf of his clients, Daniel and Lisa Breu, alleging that stray voltage at the claimants' dairy farm caused them to lose 92 milking cows. The claim was filed with the City's insurance company, Midwest Claims Service. They have completed their investigation and are recommending that the City of Marshfield deny this claim.

The basis of the denial is due to the fact that there is no liability on behalf of the City of Marshfield. The electrical utilities that may have caused injury to the claimants' cows are not owned or maintained by the City.

JLC10-151 Motion by Hendler, second by Feddick to deny the claim of Daniel and Lisa Breu as recommended by Midwest Claims Service pursuant to the Wisconsin Statute for disallowance of claim 893.80 (1g).

Motion carried

JLC10-152 Motion by Feddick, second by Hendler to grant the request of Pick 'n Save to change the agent on their "Class A" Combination Liquor License to Darryl Ortmann.

Motion carried

JLC10-153 Motion by Feddick, second by Hendler to send the Synthetic THC Ordinance to the Common Council for approval.

Motion carried

JLC10-154 Motion by Hendler, second by Feddick to go into closed session pursuant to Wisconsin Statute chapter 19.85 (1)(b) considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person. Specifically the Chairperson had requested a closed session to reconsider the Beverage Operator Application of Brian Wallace. Roll call vote, all Ayes. (Time: 5:15 p.m.)

Motion carried

Present in closed session: Alderperson Hendler, Wagner, Feddick, Earll and Spiros, Mayor Meyer, Police Chief Jepsen, Lt. Larson, Attorney Wolfgram, City Clerk Hall and Brian Wallace.

Brian Wallace, Police Chief Jepsen and Lt. Larson left the closed session at 5:33 p.m.

JLC10-155 Motion by Feddick, second by Wagner to return to open session. Roll call vote, all Ayes. (Time: 5:40 p.m.)

Motion carried

Alderperson Wagner explained to Brian Wallace that the committee decided to grant him a license that will expire on June 30, 2011. If there is any violation of any kind against this license during that time, the committee will have him appear before them for a suspension/revocation hearing on that license.

JLC10-156 Motion by Feddick, second by Hendler to grant a Beverage Operator License for the 2009-2011 license year to Brian Wallace.

Motion carried

Future Agenda Items

None

Motion Hendler, second by Feddick to adjourn at 5:45 p.m.

Motion carried

Deb M. Hall
City Clerk