

**OFFICIAL NOTICE AND AGENDA FOR THE REGULAR MEETING OF THE COMMON COUNCIL OF
THE CITY OF CUDAHY, WI. TO BE HELD AT THE CUDAHY MUNICIPAL BUILDING,
5050 S. LAKE DRIVE, CUDAHY, WI. TUESDAY, OCTOBER 3, 2017 at 7:00 P.M.**

Certification of the open meeting law requirements and approval of the agenda.
Call of roll and announcement of presence or absence of a quorum.
Pledge of Allegiance
Moment of Silence.

PRESENTATIONS & PUBLIC HEARINGS

None

***PUBLIC COMMENT** (agenda items only).

CONSENT AGENDA ITEMS

(Items under the consent agenda may be acted upon by one motion. If in the judgment of any Council Member, a consent agenda item needs discussion, the item can be removed and discussed under "Items Removed from Consent Agenda").

1. Minutes of the Regular Meeting of the Common Council held September 19, 2017.
2. Minutes of the Board of Health held May 23, 2017.

ITEMS REMOVED FROM CONSENT AGENDA

OLD BUSINESS

1. Discussion and necessary action regarding minutes of the Regular Meeting of the Common Council held September 5, 2017.

NEW BUSINESS (including items for future agenda consideration or Committee Assignment)

1. Discussion and necessary action regarding the 2018 Environmental Health Consortium Memorandum of Understanding.

DEPARTMENT MANAGER OR ELECTED OFFICIAL UPDATES.

Mayor

- Mayor's Report to the Common Council Finance Department Report.

INTRODUCTION/PASSAGE OF ORDINANCES & RESOLUTIONS

ORDINANCES

1. Discussion and necessary action regarding Ordinance No. 2450 entitled "An Ordinance to Amend Chapter 8, Article IX, Concerning Tattoo and Body Piercing; Chapter 18, Article V, Concerning Sanitary Inspections; and Chapter 18, Article VI, Concerning Food and Safety Regulations, Licensing and Permitting".

RESOLUTIONS

1. Discussion and necessary action regarding Resolution No. 7158 entitled "A Resolution Recognizing Michele St. Marie-Boelkow Upon Being Named Person of the Year by The South Side Business Club of Milwaukee."
2. Discussion and necessary action regarding Resolution No. 7159 entitled "A Resolution to Recognize Associated Bank Upon Being Named the "Business Of The Year for 2017" by the St. Francis Economic Development Committee."

***PUBLIC COMMENT** (on any subject items).

**Public Comment Notice: Each speaker will be limited to one three minute presentation for each "Public Comment" or "Hearing from Cudahy residents" placed on the agenda. Any discourse between speaker and Council, if absolutely necessary, will be minimal so as to avoid potential Open Meetings law violations.*

CLOSED SESSION

1. Adjourn into closed session per State Statute 19.85 (1)(g) conferring with legal counsel concerning litigation in which the city is or is likely to become involved
 - a. Prohibited Practice Complaint
2. Adjourn closed session and reconvene in open session.
3. Discussion and appropriate action regarding item(s) discussed in closed session.

ADJOURN

PUBLIC NOTICE

Upon reasonable notice, a good faith effort will be made to accommodate the needs of individuals to participate in public meetings, who have a qualifying disability under the Americans with Disabilities Act.

Request should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Cudahy City Clerk at 769-2204. (FAX 769-2257). This meeting room is wheelchair accessible from the West entrance of South Lake Drive.

MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CUDAHY, HELD AT THE CUDAHY MUNICIPAL BUILDING, 5050 S. LAKE DR. MILWAUKEE COUNTY, WISCONSIN TUESDAY SEPTEMBER 19, 2017 AT 7:00 P.M.

CERTIFICATION OF OPEN MEETING LAW REQUIREMENTS AND APPROVAL OF THE AGENDA

The proper open meeting statement was read at this time.

ROLL CALL

Mayor John Hohenfeldt called the meeting to order at 7:00 PM. The following answered, "present" to the roll call: Council Members Johnson, Hollenbeck, and Litkowiec. Alderperson Moralez was absent and excused. Alderperson St. Marie-Boelkow was absent and unexcused. Clerk/Treasurer Broderick, City Attorney Eberhardy, and Deputy Clerk/Treasurer Toms-Neary and Clerk Sobieski were also in attendance.

PUBLIC HEARINGS & PRESENTATIONS

None

PUBLIC COMMENT (agenda items)

None

CONSENT AGENDA ITEMS

(Items under the consent agenda may be acted upon by one motion. If in the judgment of any Council Member, a consent agenda item needs discussion, the item can be removed and discussed under "Items Removed from Consent Agenda"). **MOTION BY ALD. HOLLENBECK, SECOND BY ALD. JOHNSON** to approve. On the roll call vote, motion carried unanimously.

- 1. Minutes of the Plan Commission held August 8, 2017.
- 2. Minutes of the Finance Committee held September 5, 2017.

OLD BUSINESS

None

NEW BUSINESS

- 1. Discussion and necessary action regarding minutes of the Regular meeting of the Common Council held September 5, 2017. No Action Taken, Hold over to next council meeting.
- 2. Discussion and necessary action regarding request for waiver of special event permit fees from Jennifer Clark of Jen's Sweet Treats for the Honor Flight Fundraiser Event held September 15 through 17th, 2017. **MOTION BY ALD. JOHNSON, SECOND BY ALD. LITKOWIEC** to approve. On the roll call vote, motion carried unanimously.
- 3. Discussion and necessary action regarding letter of Engagement for Financial Services with Baker Tilly. **MOTION BY ALD. HOLLENBECK, SECOND BY ALD. JOHNSON** to approve with Mayor Hohenfeldt to have execution authority. On the roll call vote, motion carried unanimously.

DEPARTMENT MANAGER OR ELECTED OFFICIAL UPDATES.

Mayor

- Update from Plan Commission July Meeting.
- Care for Cudahy Inspection Summary, August 2017.

INTRODUCTION/PASSAGE OF ORDINANCES & RESOLUTIONS

ORDINANCES

None

RESOLUTIONS

1. Discussion and necessary action regarding Resolution No. 7151 entitled "A Resolution to Recognize TIPRINT Inc. Upon Receiving The "2017 Outstanding Business Award" from The South Shore Chamber of Commerce." **MOTION BY ALD. JOHNSON, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 7151. On the roll call vote, motion carried unanimously.
2. Discussion and necessary action regarding Resolution No. 7152 entitled "A Resolution Recognizing Pulaski Inn on 90 Years in Business". **MOTION BY ALD. HOLLENBECK, SECOND BY ALD. JOHNSON** to approve Resolution No. 7152. On the roll call vote, motion carried unanimously.
3. Discussion and necessary action regarding Resolution No. 7153 entitled "A Resolution Approving Certified Survey Map for 3740 E. Carpenter Ave." **MOTION BY ALD. JOHNSON, SECOND BY ALD. HOLLENBECK** to approve Resolution No. 7153. On the roll call vote, motion carried unanimously.
4. Discussion and necessary action regarding Resolution No. 7154 entitled "A Resolution Approving Certified Survey Map for 3775 E. Whittaker Ave." **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. JOHNSON** to approve Resolution No. 7154. On the roll call vote, motion carried unanimously.
5. Discussion and necessary action regarding Resolution No. 7155 entitled "A Resolution Approving Certified Survey Map for 3834 E. Edgerton Ave." **MOTION BY ALD. JOHNSON, SECOND BY ALD. HOLLENBECK** to approve Resolution No. 7155. On the roll call vote, motion carried unanimously.
6. Discussion and necessary action regarding Resolution No. 7156 entitled "A Resolution Approving Certified Survey Map for 3836 E. Somers Ave." **MOTION BY ALD. JOHNSON, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 7156. On the roll call vote, motion carried unanimously.
7. Discussion and necessary action regarding Resolution No. 7157 entitled "A Resolution Transferring Funds within The Comptroller Budget". **MOTION BY ALD. JOHNSON, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 7157. On the roll call vote, motion carried unanimously.

***PUBLIC COMMENT** (on any subject items).

None

ADJOURN

MOTION BY ALD. LITKOWIEC, SECOND BY ALD. JOHNSON to adjourn at 7:19 P.M. On the roll call vote, Motion carried unanimously.

Passed and approved this 3rd day of October, 2017.

John Hohenfeldt, Mayor

ATTEST: Dennis Broderick/Clerk Treasurer

CAZ



Public Health
Prevent. Promote. Protect.

Cudahy Health Department

MINUTES OF BOARD OF HEALTH MEETING OF CITY OF CUDAHY	Page 1 of 2	
	Meeting Date –Tuesday:	May 23, 2017
	Held at Cudahy City Hall:	Conference CHD
	Address: Cudahy Municipal Building	
	5050 South Lake Drive Cudahy, WI 53110	

ROLL CALL

The meeting was called to order at 05:47 PM by Deputy Health Officer Rafenstein

Board of Health Member Attendance	Present	Absent Excused	Absent
Patricia Borkowski	X		
Lynn Damitz	X		
Katie Lepak, Health Officer		X	
Alderman Mike Johnson	X		
Dr. Robert Shampo			X
Dr. David Sherman, Medical Advisor/Chairperson	X		
Robert Grams, School Board Member			X
Norman Shanks	X		
Allison Dorszynski		X	
Lynn Stoeveken		X	

OTHER ATTENDEES: Deputy Health Officer Krystal Rafenstein on behalf of Health Officer Lepak

OPENING STATEMENT

The proper opening statement was read.

Approval of the 03-23-2017 Board of Health Meeting Minutes

Motion to approve made by Mike Johnson, seconded by Patricia Borkowski

HEALTH OFFICER REPORT:

Discussion and necessary action related to Strategic Plan updates and staff activities

CD REPORT

Communicable Disease reports: changes to Wisconsin TB Dispensary Program

Measles Outbreak Minnesota

Zika update

Motion to approve made by Dr. David Sherman, seconded by Alderman Mike Johnson



Public Health
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Cudahy Health Department

MINUTES OF BOARD OF HEALTH MEETING OF CITY OF CUDAHY	Page 2 of 2	
	Meeting Date –Tuesday:	May 23, 2017
	Held at Cudahy City Hall:	Conference CHD
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	5050 South Lake Drive Cudahy, WI 53110	

DISCUSSION AND NECESSARY ACTION OF POLICIES

1. Informed Consent

Motion to approve made by Norman Shanks, seconded by Lynn Damitz

2. Vaccination of a minor

Motion to approve made by Dr. David Sherman, seconded by Alderman Mike Johnson

NEXT MEETING

The next meeting will be on June 27, 2017 at 5:45 PM.

ADJOURN

Motion by Dr. David Sherman, seconded by Alderman Mike Johnson to adjourn at 6:29 PM.
All voting in favor. Motion carries.

Respectfully submitted,

Katie Lepak

Katie Lepak, Health Officer

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**MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF
CUDAHY, HELD AT THE CUDAHY MUNICIPAL BUILDING, 5050 S. LAKE DR.
MILWAUKEE COUNTY, WISCONSIN
TUESDAY SEPTEMBER 5, 2017 AT 7:00 P.M.**

**CERTIFICATION OF OPEN MEETING LAW REQUIREMENTS AND APPROVAL OF THE
AGENDA**

The proper open meeting statement was read at this time.

ROLL CALL

Mayor John Hohenfeldt called the meeting to order at 7:00 PM. The following answered, "present" to the roll call: Council Members Morales, Johnson, Hollenbeck, Litkowiec and St. Marie-Boelkow. Clerk/Treasurer Broderick, DPW Director Lange, City Attorney Eberhardy, and Deputy Clerk/Treasurer Toms-Neary were also in attendance.

PUBLIC HEARINGS & PRESENTATIONS

None

PUBLIC COMMENT (agenda items)

None

CONSENT AGENDA ITEMS

(Items under the consent agenda may be acted upon by one motion. If in the judgment of any Council Member, a consent agenda item needs discussion, the item can be removed and discussed under "Items Removed from Consent Agenda"). **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. JOHNSON** to approve. On the roll call vote, motion carried unanimously.

1. Minutes of the Special Common Council meeting held August 15, 2017.
2. Minutes of the Traffic & Safety Commission held August 16, 2017.
3. Minutes of the Community Development Authority held July 25, 2017.
4. Amended Minutes of the Personnel Committee held July 18, 2017.
5. Minutes of the Personnel Committee held August 15, 2017.
6. Minutes of the Finance Committee held August 15, 2017.

OLD BUSINESS

None

Aldersperson Hollenbeck left at 7:08pm

NEW BUSINESS

1. Discussion and necessary action regarding minutes of the Regular meeting of the Common Council held August 15, 2017. **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. ST. MARIE-BOELKOW** to approve. On the roll call vote, motion carried unanimously.

Aldersperson Hollenbeck returned at 7:09pm

2. Discussion and necessary action regarding Mayor's Appointments to Various City Boards, Commissions and Committees. **MOTION BY ALD. HOLLENBECK, SECOND BY ALD. JOHNSON** to approve. On the roll call vote, motion carried unanimously.

3. Discussion and necessary action regarding request from Verizon Wireless Personal Communications to obtain a 10' easement at 3555 E. Pabst Avenue and 3515 E. Pabst Avenue for the installation of a fiber-optic cable. **MOTION BY ALD. JOHNSON, SECOND BY ALD. LITKOWIEC** to approve with Mayor Hohenfeldt to have execution authority. On the roll call vote, motion carried unanimously.

DEPARTMENT MANAGER OR ELECTED OFFICIAL UPDATES.

None

INTRODUCTION/PASSAGE OF ORDINANCES & RESOLUTIONS

ORDINANCES

1. Discussion and necessary action regarding Ordinance No. 2373.12 entitled "An Ordinance Correcting the Title of the Currently Named IT Director in the City of Cudahy for 2017". **MOTION BY ALD. HOLLENBECK, SECOND BY ALD. ST. MARIE-BOELKOW** to approve Ordinance No. 2373.12. On the roll call vote, motion carried unanimously.
2. Discussion and necessary action regarding Ordinance No. 2454 entitled "An Ordinance Amending Subsection 38-37(3) Concerning No Left Turn Restriction on Southbound Lake Drive Traffic near Cudahy High School". **MOTION BY ALD. JOHNSON, SECOND BY ALD. ST. MARIE-BOELKOW** to approve Ordinance No. 2454. On the roll call vote, motion carried unanimously.

RESOLUTIONS

1. Discussion and necessary action regarding Resolution No. 7148 entitled "A Resolution Transferring Funds Within The Health Department Budget." **MOTION BY ALD. JOHNSON, SECOND BY ALD. HOLLENBECK** to approve Resolution No. 7148. On the roll call vote, motion carried unanimously.
2. Discussion and necessary action regarding Resolution No. 7149 entitled "A Resolution Recognizing the Samano's Mexican Restaurant on 50 Years in Business". **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. MORALES** to approve Resolution No. 7149. On the roll call vote, motion carried unanimously.
3. Discussion and necessary action regarding Resolution No. 7150 entitled "A Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds of Borrowing". **MOTION BY ALD. MORALES, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 7150. On the roll call vote, motion carried unanimously.

***PUBLIC COMMENT** (on any subject items).

None

ADJOURN

MOTION BY ALD. LITKOWIEC, SECOND BY ALD. JOHNSON to adjourn at 7:15 P.M. On the roll call vote, Motion carried unanimously.

Passed and approved this 19th day of September, 2017.

John Hohenfeldt, Mayor

ATTEST: Dennis Broderick/Clerk Treasurer

ENVIRONMENTAL HEALTH CONSORTIUM

Cities of ...

Cudahy • South Milwaukee • St. Francis

2018 ENVIRONMENTAL HEALTH CONSORTIUM MEMORANDUM OF UNDERSTANDING

In accordance with Section 66.0301 of the Wisconsin State Statutes that authorizes cities and villages to enter into inter-governmental cooperation agreements for the receipt or furnishing of services, the municipalities of Cudahy, St. Francis, and South Milwaukee, Wisconsin enter into this agreement to provide for an environmental health program and staff to service the cities of Cudahy, St. Francis, and South Milwaukee. These municipalities hereby agree to the following:

1. The South Milwaukee Health Department will act as the lead fiscal agent throughout the term of this consortium.
2. The South Milwaukee Health Department will employ the Environmental Health Consortium (EHC) staff. Staff will be compensated with a negotiated salary and benefit package in accordance with the salary and benefit package that is comparable to the Professional, Executive, and Confidential Employee and Civil Service Personnel Manuals for South Milwaukee employees. South Milwaukee will be responsible for any required tax or other withholdings and will provide worker's compensation coverage and unemployment compensation as needed. Mileage will be reimbursed in accordance with the current South Milwaukee policy.
3. The proposed budget for 2017 is attached.
 - Total compensation and combined municipal expenses including all taxes and related costs to and on behalf of the EHC shall not exceed the funding amount without the express approval of all Councils of the participating municipalities.
 - The City of South Milwaukee and the EHC will determine the programs administrative costs annually.
 - Local municipal contributions to address concerns with human health hazards, complaints, compliance with municipal health codes, etc. will be based on a per capita and usage percentage and may fluctuate based on budget requirements and use of the program.

SOUTH MILWAUKEE HEALTH DEPARTMENT
2424 15TH AVENUE • SOUTH MILWAUKEE, WI 53172
TELEPHONE (414) 768-8055
FAX (414) 768-5720

ENVIRONMENTAL HEALTH CONSORTIUM

Cities of ...

Cudahy • South Milwaukee • St. Francis

Municipality	Population	Percent of Use/ Per capita rate	Municipal Contribution
Cudahy	18,341	41%/ \$.76	\$14,000
St. Francis	9,547	10%/ \$.37	\$3,500
South Milwaukee	21,210	49%/ \$.82	\$17,400
Total	49,098	100%	\$34,900

4. Payments of the above funding will be made as follows:
 - Municipal contributions from the participating consortium members will be paid to the South Milwaukee Health Department upon receipt of an annual invoice for those funds.
 - Revenues generated from licensing will be directly paid to the City of South Milwaukee from the licensee, upon annual renewal of the license, change of operators, change in complexity of establishment, opening a new establishment, a temporary event establishment, re-inspection fees, plan review fees, and late fees, to support the Food and Recreational Licensed Establishment Program.
5. The South Milwaukee Public Health Administrator will provide supervision and evaluation of the EHC employees.
6. The EHC employees typically work Monday- Friday between the hours of 7:30 a.m. and 4:00 p.m. These employees will have a flexible work schedule (may need to work evenings and weekends) and will prioritize work in accordance with the needs of the communities, emergency status, and health risks to the public.
7. Job descriptions for the EHC staff positions are on file at the South Milwaukee Health Department.
8. Environmental Program and Services- Restaurant and Retail Food Establishment Inspections and licensing, rooming house licensing and inspections, human health hazard investigations, lead hazard inspections, complaints regarding nuisance issues, beach monitoring as appropriate, consultation with the State on environmental hazards, mold, radon, asbestos, pest management issues, emergency preparedness, and other

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ENVIRONMENTAL HEALTH CONSORTIUM

Cities of ...

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duties as assigned. The Environmental Health Specialists under this Agreement may serve as a subordinate local health officer under Wis. Stats. § 251.06 for any of the local municipalities that are a party to this Agreement, and may be asked to provide any appropriate services relating to public health, environmental health, human health hazards and including, but not limited to, any services provided by any local health department or board of health pursuant to Chapter 251 of the Wisconsin Statutes. This role will be determined by the local Health Officer in each community as needed.

9. Policies and Procedures for the Environmental Health Consortium are on file at the City of South Milwaukee. These policies and procedures shall be in effect for all participating communities.
10. No party to this Agreement shall bear any liability or responsibility for actions taken by the Environmental Health Specialist solely on behalf of the other parties to this Agreement.
11. This Consortium Health Officers and staff will meet as needed to coordinate each department's activities and to meet the needs of the entire consortium.
12. Should there be interest from another community to become a part of the current Environmental Health Consortium, the City of South Milwaukee Health Department will bring this request to each of the communities that are a part of this agreement, to forward the request to the Boards of Health and Common Councils for a vote to allow the requesting community to become a part of the Consortium.
13. This Memorandum of Understanding will be reviewed annually by November 30.
14. If any of the represented parties chose to discontinue in the consortium, a ninety (90) day written notice to the fiscal agent is required.

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ENVIRONMENTAL HEALTH CONSORTIUM

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Signature Page

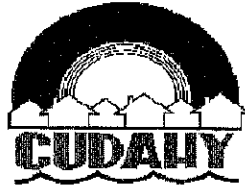
SIGNATORIES (Print Name and Title)	SIGNATURE	DATE
Cudahy		
Cudahy		
South Milwaukee		
South Milwaukee		
St. Francis		
St. Francis		

HEALTH DEPARTMENT
 FUND 320
 FOOD & RECREATIONAL PROGRAM
 SANITARIAN EXPENDITURES AND FUNDING FOR 2018

	2018	2018
Expenditures:		
Salaries	\$103,828	
Benefits	\$32,344	
Mileage	\$2,112	
Certification	\$314	
Office Supplies	\$472	
Conferences/Education	\$1,050	
Operational Costs/Supplies	\$8,331	
Administrative Costs	\$7,500	
Total	\$155,951	
Revenues:		
Cudahy Municipal Contribution		\$14,000
South Milwaukee Municipal Contribution		\$17,400
St. Francis Contribution		\$3,500
Fund Balance Contribution		\$486
Total		\$35,386
DATCP Revenues:		
Retail Food Store Licenses		\$22,328
Restaurant Licenses		\$72,203
Swimming Pool Licenses		\$8,276
Reinspection Fees		\$2,419
Motel Licenses		\$328
Tattoo & Body Piercing		\$320
Temporary Events		\$963
Total		\$106,837
Non DATCP Revenue		
Food & misc revenues		\$5,964
Rooming House Licenses		\$2,957
DPI Schools		\$4,807
Total		\$13,728
GRAND TOTAL		\$155,951

GRAND TOTALS \$155,951
 Note: Fund balance as of 12/31/16 is \$37,842

Update



John Hohenfeldt
Mayor, City of Cudahy

Re Agenda Item: Mayor's Report to the Common Council Finance Department Report

Report #1: Common Council report for October 3, 2017

Honorable Members of the Common Council:

On Tuesday September 26th, David Ferris of Baker Tilly began working with the City of Cudahy to address areas within our Finance Department and Finance Operations. To start, an initial meeting with Dave, Comptroller Williamson, Mayor Hohenfeldt, Director of Office Service Toms-Neary, Clerk Sobieski, DPW / Engineering Director Lange, and Water Utility Superintendent Miller was held in the conference room. The initial discussion entailed discussion of problems and issues within our financial workings and the best way to proceed forward. We identified short term needs as well as long term needs to continue and refine daily operations of the finance department. This also included the problems associated with the current month end close out of August, and how we proceed forward.

Bank Reconciliation of August was also identified as a first priority. We will be looking at what training is needed to be provided to staff to continue to proceed forward with daily financial operations.

Dave then spent several hours working with Kelly and Carolyn on understand how we did things in the past, and how we need to proceed forward. Mr. Farris will be in during the first week of October on Tuesday the 3rd, Wednesday the 4th, and possibly Thursday the 5th.

I will constantly keep the council informed as we continue to move forward.

Respectfully reported.

A handwritten signature in black ink, appearing to be "John R. Hohenfeldt", written in a cursive style.

John R. Hohenfeldt

Mayor

09/26/2017

ORDINANCE NO. 2450

**AN ORDINANCE TO AMEND CHAPTER 8, ARTICLE IX,
CONCERNING TATTOO AND BODY PIERCING; CHAPTER 18,
ARTICLE V, CONCERNING SANITARY INSPECTIONS; AND,
CHAPTER 18, ARTICLE VI, CONCERNING FOOD AND
SAFETY REGULATIONS, LICENSING AND PERMITTING**

WHEREAS, state statute has changed the manner and method of which tattoo and body piercing establishments, and food and safety rules and regulations, are permitted, enforced, and monitored throughout the state.

WHEREAS, the Common Council of the City of Cudahy has determined that it is in the best interest of the City's health, safety and welfare and morals to authorize the Health Department to conduct sanitary inspections of establishments within the City that are not exempt from local inspection pursuant to Wis. Stat. Chapter 97 and ATCP 75.

WHEREAS, upon the recommendation of the Health Department Director, the Common Council having found and determined that creation of such an ordinance authorizing sanitary inspections is necessary to protect the public health, safety and welfare.

NOW, THEREFORE, the City of Cudahy, Wisconsin, Common Council does hereby ordain the following:

Section 1. Ch. 8, Article IX of the Municipal Code of the City of Cudahy, Wisconsin is hereby amended as follows:

Rescind and recreate Section 8-301 to read as follows:

- (a) *Adopted.* The provision of Wis. Stats. §§ 463.10(4), 463.12(4), 463.16(9) and Wis. Admin. Code ch. SPS 221 as they may be from time-to-time amended are adopted by reference and incorporated into this section as if fully set forth herein:
- (b) *Interpretation.* If the provisions of the regulations set forth in subsection (a) of this section conflict with the regulations set forth below, the provisions of this section shall govern.

Rescind and recreate Section 8-302 to read as follows:

Sec. 8-302. - Agent for the state.

Pursuant to Wis. Stats. § 463.16, the health department is authorized to enter into a written agreement with the Department of Safety and Professional Services (SPS) to be the department's agent for the licensing, investigating, and inspecting of tattooists and tattoo establishments and body piercers and body piercing establishments.

Rescind and recreate Section 8-307 to read as follows:

Sec. 8-307. - Fees.

- (a) A nonrefundable license fee as set forth in the city's fee schedule, shall be submitted with the application for a tattoo establishment license.

- (b) A nonrefundable license fee as set forth in the city's fee schedule, shall be submitted with the application for a body piercing establishment license.
- (c) A nonrefundable license fee as set forth in the city's fee schedule, shall be submitted with the application for a combination tattoo/body piercing establishment license.
- (d) A one-time preinspection fee as set forth in the city's fee schedule for each original tattoo or body piercing establishment license.

Delete Section 8-318 in its entirety.

Rescind and recreate Section 8-319 to read as follows:

Sec. 8-319. - Tattooist and body piercer licenses to be posted or kept on person.

No tattooist or body piercer may perform tattooing or body piercing procedures unless the current and valid license issued by the department of Safety & Professional Services posted in the establishment in a public and conspicuous place or is in their possession. Such license shall be displayed to any member of the health department, police department, or department of SPS employee upon request.

Rescind and recreate Section 8-325 to read as follows:

Sec. 8-325. - Enforcement and inspection.

The police department and health department shall have the authority to enter any tattoo or body piercing establishment at all reasonable times to inspect the premises and enforce this section. The health department shall inspect each tattoo and body piercing establishment at least once per year to ensure compliance with the provisions of this article.

Section 2. Section 18-121 in the Cudahy Municipal Code is hereby renumbered and moved to newly created Cudahy Municipal Code Section 18-122. Any references in our Code to current section 18-121 should be changed to reflect the newly created section 18-122.

Section 3. Current Section 18-120 in the Cudahy Municipal Code is hereby renumbered and moved to newly created Cudahy Municipal Code Section 18-121. Any references in our Code to current section 18-120 should be changed to reflect the newly created section 18-121.

Section 4. Section 18.120 of the Municipal Code of Ordinances is hereby created to read as follows:

Sec. 18.120. – Sanitary Inspection. The provisions of this Ordinance shall apply to the owner, operator or agents thereof of any establishments not exempted under Wis. Stat. § 97 or ATCP 75 that do not require a food license as required by Chapter 18 of the Municipal Code.

(a) *Inspection required.*

(1) No establishment under this Section shall operate without passing a

- sanitary inspection.
- (2) Sanitary inspections shall be conducted by the Health Officer or designee.
 - (3) No establishment shall be deemed have passed the sanitary inspection until all application and inspection fees have been paid.
- (b) *Application for sanitary inspection.* The owner shall file an application for sanitary inspection in the office of the Health Department on application forms prepared by such office.
- (c) *Inspection.* The Health Officer or designee shall, whenever an application is made for a sanitary inspection, inspect the premises within 30 days of such filing. The Health Officer or designee shall issue a written report on the inspection.
- (1) One copy of the inspection report shall be provided to the owner or agent of the inspected premises.
 - (2) All establishments under this Section shall consent to an annual inspection and reinspection.
 - (3) If, upon reinspection, the order or directive is found not to have been complied with and additional reinspection is required, a fee shall be assessed to the responsible party for each additional reinspection to compensate for the costs of such reinspection. Payment is due upon written demand from the Department.
- (d) *Sanitation requirements.* All facilities under this section must adhere to and follow the minimum sanitary requirements of Wis. Stats. and ATCP 75 (appendix). Authority for sanitary inspections granted under Chapter 125.65(5).
- (e) *Enforcement.* Enforcement of this Section shall follow the procedure set forth in Section 18-121, which is incorporated herein by reference.

Section 5. Ch. 18, Article VI of the Municipal Code of the City of Cudahy, Wisconsin is hereby amended as follows:

Rescind and recreate Section 18-141 to read as follows:

Sec. 18-141. - Authority and purpose.

This article is adopted pursuant to that authority provided by Wis. Stats. §§ 97.41(1m), 97.615 125.68(5), 251.04(3), and ATCP, 72, 73, 74, 75 and Appendix, 76,78,79, DSPS 390. The purpose of this chapter is to protect and improve the public health and to authorize and recognize the City of Cudahy Health Department as an agent of the State Department of Agriculture Trade and Consumer Protection for the purpose of establishing permit fees, issuing permits, and making investigations or inspections of hotels, motels, restaurants, retail food establishments, tourist rooming houses, bed and breakfast establishments, campgrounds, recreational and

educational camps, public swimming pool, and establishments possessing "Class A," "Class B," "Class C" alcohol beverage licenses, and in making investigations and inspections of food vending machines, their operators, national lunch and breakfast programs and schools.

Rescind and recreate Section 18-142 to read as follows:

Sec. 18-142. - Applicability.

The provisions of this article shall apply to the owner, operator or agents thereof of any hotel, motel, tourist/rooming house, restaurant, retail food establishment, bed and breakfast establishment, campgrounds, recreational and educational camp, public swimming pool, establishments possessing "Class A," "Class B," "Class C" alcohol beverage licenses, or vending machines, and school food programs in the city.

Rescind and recreate Section 18-143 to read as follows:

Sec. 18-143. - Regulations, rules and laws adopted by reference.

The applicable laws, rules, and regulations as set forth in Wis. Stats. chs. 66, 93, 97, 125, 251; Wis. Admin. Code chs.; and Wis. Admin. Code chs. ATCP 72, 73, 74, 75 and Appendix, 76, 78, 79 and 80; and the Memorandum of Understanding between the state department of public instruction and Department of Agriculture Trade and Consumer Protection, Wis. Admin. Code ch. SPS 390 are hereby adopted by reference and a copy of each shall be on file and open to public inspection in the offices of the department and city clerk.

Rescind and recreate Section 18-144 to read as follows:

Sec. 18-144. - Definitions.

All definitions as set forth in Wis. Stats. chs. 93, 97, 125, 251; and Wis. Admin. Code chs. ATCP, 72 - 79 (including the appendix to Wis. Admin. Code ch. ATCP 75, the Wisconsin Food Code) and Wis. Admin. Code ch. SPS 390 are incorporated in this chapter.

Department means the environmental health consortium consisting of the Cudahy, Saint Francis and South Milwaukee Health Departments.

Duplicate permit fee means a fee for the replacement of the original permit.

Food means a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption or chewing gum.

Retail Food establishment means a permanent or mobile processing facility that stores, prepares, serves, vends, sells or otherwise provides food for human consumption. The term "retail food establishment" includes the term "restaurant" as defined in s. 97.30 Stats.

Governing body means the local health department in that city in which the business is located or its successor organization if any, or in its absence, the public health administrator.

Inspection Fee means a fee charged for inspecting a retail food establishment, temporary food establishment or mobile food establishment that has a valid license from another jurisdiction or the State of Wisconsin Food and Recreational Licensing Program.

Late fee means a fee for failure to pay established fees by June 30 or the due date.

Licensed establishment means an establishment that has a current and valid license that is required under this chapter.

Milk means the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows. Milk shall contain not less than three percent of milk fat and not less than 8.25 percent of milk solids not fat. Milk may be standardized by the addition or removal of cream or by the addition of skim milk. When so standardized, milk shall contain not less than 3.3 percent of milk fat and not less than 8.25 percent of milk solids not fat. Milk fat or butterfat is the fat of milk.

Milk products means and includes cream, light cream, coffee cream, table cream, whipping cream, whipped cream, sour cream, cultured cream, cultured sour cream, half and half, sour half and half, cultured half and half, cultured sour half and half, concentrated milk, concentrated milk products, skim milk, skimmed milk, vitamin D milk, vitamin D milk products, fortified milk, fortified milk products, low fat milk, homogenized milk, flavored milk, flavored drink, flavored dairy drink, flavored skim milk, buttermilk, cultured buttermilk, cultured milk, acidified milk, acidified milk products, eggnog, yogurt, cottage cheese and creamed cottage cheese. This definition does not include such products as sterilized milk and milk products hermetically sealed in a container and so processed, either before or after sealing, as to prevent microbial spoilage, or evaporated milk, condensed milk, ice cream and other frozen desserts, butter dry milk products (except as defined herein), or cheese, except when they are combined with other substances to produce any pasteurized milk or milk products defined herein.

Permit/license means the document issued by the regulatory authority that authorizes a person to operate an establishment. The words "permit" and "license" as used throughout this chapter shall be interchangeable.

Plan Review Fee may be required when an establishment is newly constructed or extensively remodeled. Extensive remodeling does not include redecorating, cosmetic refurbishing, or altering seating design or capacity.

Preinspection fee means a fee for consultative services offered to persons intending to operate a new hotel, tourist rooming house, bed and breakfast establishment, restaurant, retail food establishment, swimming pool, campground or to a person intending to be the new operator of an existing hotel, tourist rooming house, bed and breakfast establishment, restaurant, retail food establishment, or swimming pool and campground.

Reinspection fee means a fee for the inspections needed to address compliance issues with the statutes and administrative codes.

nor shall the operator give false information with the intent to mislead the department or authorized agent.

Rescind and recreate Section 18-148 to read as follows:

Sec. 18-148. - License/permit.

- (a) No person, partnership, association or corporation may establish a business that requires a license under this article without first having obtained a current and valid license.
- (b) Licenses shall not be transferable from person to person or from premises to premises except as defined in ATCP 75.104(3).

- (c) No permits shall be granted to any person under this article without a pre-inspection by the department of the premises for which the permit shall be granted.
- (d) No permit shall be issued until all application fees have been paid.

Rescind and recreate Section 18-149 to read as follows:

Sec. 18-149. - License exemption.

Exemption from this license does not exclude any person handling food for public consumption from inspection and compliance with requirements of this article. Exemption from this license pursuant to Wis. Stat. 97.30(2)(b) and ATCP 75.03(9) are hereby adopted and incorporated herein by reference.

Rescind and recreate Section 18-164 to read as follows:

Sec. 18-164. - Fees.

- (a) *Determination of fees.* The fees for services and activities performed by the department in carrying out its responsibilities under this article shall be published in the City of South Milwaukee Administrative Fee Schedule.
- (b) *Fees to accompany application.* License fees imposed under this chapter shall accompany the license application. If a license is granted, the department shall issue the applicant a receipt for his license fee.
- (c) *No proration.* There will be no proration for license fees.
- (d) *Refunds.* No license fee paid shall be refunded, unless a refund is requested prior to an inspection.

Rescind and recreate Section 18-165 to read as follows:

Sec. 18-165. - Expiration dates.

All licenses issued under provisions of this article shall expire, unless otherwise ordered by the department or authorized agent, as follows, except for a license issued for a new retail food establishment on or after March 30 but before July 1 expire on June 30 the following year:

Campgrounds	June 30
Food/drink	June 30
Hotel/motel	June 30
Public swimming pool	June 30
Bed and breakfast	June 30
Recreation and educational camps	June 30
Vending machines	June 30

Section 6. All ordinances or parts of ordinance contravening the provisions of this ordinance are hereby repealed.

Section 7. If any part or parts of this ordinance are invalid, it shall not invalidate the entire

ordinance.

Section 8. This Ordinance shall take effect upon passage and publication as provided by law, and the City Clerk shall so amend the Cudahy Municipal Code, and shall indicate the date and number of this amending ordinance therein.

Introduced by the Rules, Laws and Licensing Committee.

PASSED AND ADOPTED by the Common Council of the City of Cudahy on this _____ day of _____, 2017.

JOHN HOHENFELDT, Mayor

Attest:

DENNIS BRODERICK, City Clerk

ADOPTED: _____
APPROVED: _____
PUBLISHED: _____

Prepared By: **PAUL T. EBERHARDY** City Attorney
Wis. State Bar No. 1045304

Res 1

RESOLUTION NO. 7158

**A Resolution Recognizing
MICHELE ST. MARIE-BOELKOW
Upon Being Named
PERSON OF THE YEAR
by the South Side Business Club of Milwaukee**

WHEREAS, the Mayor, Common Council, and the residents of the City of Cudahy take time to honor various citizens for their actions that sometimes takes them above and beyond events in their normal daily lives, and

WHEREAS, *MICHELE ST. MARIE-BOELKOW*, is being honored by the South Side Business Club of Milwaukee at Sheridan's in Cudahy on September 25, 2017, and

WHEREAS, *MICHELE ST. MARIE-BOELKOW* is married to Randy and has one son, Brett, and

WHEREAS, *MICHELE ST. MARIE-BOELKOW* has been a member of the South Side Business Club which has been in existence since 1937 and is made up of attorneys, judges, business owners, engineers and elected officials, and

WHEREAS, over the years *MICHELE ST. MARIE-BOELKOW* currently an Alderperson for the City of Cudahy, has given her time and talents to various community organizations and serves on the Cudahy Family Library Board, National Night Out of Cudahy and as a member of the South Side Business Club of Milwaukee. She's a charter member of Metro Milwaukee Optimist Club, vice-president of the Friends of St. Francis Optimist Club and is a member of Nativity of the Lord Parish where she serves as a cantor, and

WHEREAS, *MICHELE ST. MARIE-BOELKOW* has managed a career that started as an Airline Supervisor and transitioned into sports where she was an Event Coordinator, Event Manager and Director of Event Marketing. She was former interim Executive Director of the Polish Center of Wisconsin, an Operations Manager at Readers Digest with World Wide Country Tours and currently works as a Global Digital Project Manager at Harley-Davidson Motor Company.

NOW, THEREFORE, the Common Council of the City of Cudahy do Hereby Resolve to honor *MICHELE ST. MARIE-BOELKOW* for her recognition and are proud to present this honorary resolution to her.

JOHN HOHENFELDT, Mayor

JASON LITKOWIEC, Council President

RESOLUTION NO. 7159

A RESOLUTION TO RECOGNIZE
ASSOCIATED BANK
UPON BEING NAMED THE "BUSINESS OF THE YEAR FOR 2017"
BY THE ST. FRANCIS ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, ASSOCIATED BANK, was chosen by the City of St. Francis Economic Development Committee as the "BUSINESS OF THE YEAR FOR 2017", which is a joint award by the St. Francis Association of Commerce and the City of St. Francis, recognizing businesses that have given of themselves to the community, and

WHEREAS, ASSOCIATED BANK was founded many years ago and has consistently supported various events and organizations within the City, and

WHEREAS, ASSOCIATED BANK, instills a spirit of cooperation and has many employees who serve on City committees and in community organizations, and

WHEREAS, ASSOCIATED BANK continues to invest in its property in St. Francis by continually updating the building and surrounding area, and

WHEREAS, ASSOCIATED BANK continues to provide excellent service to their customers and is a great business in the City of St. Francis with continued commitment to community.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Cudahy, extend congratulations to **ASSOCIATED BANK** as the recipients of the "BUSINESS OF THE YEAR FOR 2017" by the St. Francis Economic Development Committee, and take this opportunity to declare our appreciation to **ASSOCIATED BANK** for their contribution to the City of St. Francis and the south shore area.

BE IT FURTHER RESOLVED that this resolution be presented to **ASSOCIATED BANK** at the Testimonial Dinner to be held September 27, 2017 at the Pulaski Inn of Cudahy, at which time they will be honored.

JOHN R. HOHENFELDT, Mayor

JASON LITKOWIEC, Council President