

Two Rivers City Hall  
1717 East Park Street  
Council Chambers  
Two Rivers, WI 54241  
(920) 793-5532  
[www.two-rivers.org](http://www.two-rivers.org)



**CITY OF TWO RIVERS  
CITY COUNCIL AGENDA  
Monday, April 27, 2020  
Council Chambers – City Hall – 6:00PM  
Work Session**

NOTICE: For the duration of the COVID-19 Emergency, related executive orders by the Governor and City Proclamation of Emergency, City public meetings will be conducted via video conference or conference call, with members of the body participating from remote locations. The City uses "Zoom" software as the platform for such meetings. The public may monitor such meetings:

- By watching a live stream of the meeting, on the Two Rivers City Hall Facebook page or the City website ([www.two-rivers.org](http://www.two-rivers.org))
- By tuning into Spectrum Cable Channel 993
- Via Zoom (download for free at [zoom.us](https://zoom.us)) using the login below for video/audio or use one of the phone numbers below for audio only

Join from a PC, Mac, iPad, iPhone or Android device: Please use this URL to join.

<https://zoom.us/j/96423720635> Or join by phone: Dial: US: +1 929 205 6099 or +1 312 626 6799 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 Webinar ID: 964 2372 0635

NOTE: TO ADDRESS THE CITY COUNCIL DURING "INPUT FROM THE PUBLIC" OR ANY PUBLIC HEARING, YOU MUST EITHER;

\*ACCESS THE MEETING VIA ZOOM (BY PHONE CONFERENCE OR VIDEO CONFERENCE);

\*OR CALL THE FOLLOWING PHONE NUMBER WHEN ANNOUNCED AT THE MEETING: 920-793-5534

If you have any questions about monitoring public meetings of the City Council during this Emergency period, please contact the City Manager's Office, telephone 920-793-5532, [e-mail lkuehn@two-rivers.org](mailto:lkuehn@two-rivers.org)

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Announcement That This Meeting is Being Held as a Remote Meeting--  
Council President
5. Overview of Council-Manager Government--City Manager
6. Overview of Ethics Issues, Open Meetings Law, Public Records Law--City  
Attorney

7. Announcement of Council President's Appointments of City Council Committees and Committee Chairs
8. Nomination and Election of City Council Members to Various City Boards and Committees
9. Adoption of Resolution Concerning Regular Meetings Per Month, Time of Meetings, Order of Business, Matters Referred to Future Meeting, Council Committees and Rules of Procedure

Recommended Action:

Motion to waive reading and adopt the Resolution and Rules of Procedure

10. Consideration of Directing Staff to Prepare an Ordinance or Resolution for Presentation at the May 4 City Council Meeting, Providing for a Reduction in Annual Fees for Alcohol-Related Licenses to Assist Local Establishments Impacted by the COVID-19 Emergency (Agenda Item Requested by Councilmember Wachowski)
11. Adjournment

Motion to dispense with the reading of the minutes of the meeting and adjourn

Please note, upon reasonable notice, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Office of the City Manager by calling 793-5532.

It is possible that members of and possibly a quorum of governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



## MEMORANDUM

**TO:** Council Members and City Manager

**FROM:** John M. Bruce

**SUBJECT:** Ethics Issues, Open Meetings Law and Public Records Law

**DATE:** April 21, 2020

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This Memorandum is intended to provide you with some information regarding certain important legal issues to bear in mind during your term as a member of the City Council.

### 1. ETHICAL ISSUES

There are statutes which govern ethical issues applicable to Council Members and public officials generally. Municipalities may, but are not required to, adopt ordinances which also address ethics concerns. The City of Two Rivers has not done so.

Generally speaking, public officials such as City Council members are prohibited from using their positions to obtain financial gain or anything of substantial value for the benefit of themselves, their immediate families, or organizations with which they are associated.

“Immediate family” is defined in the law as a person’s spouse or relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his/her support from the member or from whom the member receives, directly or indirectly, more than one-half of his/her support.

Note that in order for a person to be in the “immediate family” of a public official that person must receive “support” from the official. It is therefore possible that a Council Member’s close relative may be benefited by the Council Member’s participation in a matter, but participation in the matter is not prohibited if that person does not receive “more than one-half of his support” from the Council Member. In such circumstances, a Council Member may still be inclined to abstain from participation to avoid implications of unethical conduct and what the law calls “the appearance of impropriety.”



The fact that someone is an employee or member of an organization does not necessarily mean he/she is “associated” with that organization for purposes of this law. So, ethics concerns generally do not arise by virtue of the fact that someone is employed by or is a member of an organization.

The prohibition would apply, however, where a Council Member (or a member of his/her immediate family) is an officer or director of the organization, or an owner of at least 10% of the equity of the organization. The law also prohibits public officials from participating in the making of a contract in his or her official capacity if the official has a direct or indirect financial interest in a contract with a municipality. There are criminal penalties and forfeitures that may be imposed for violation of these ethical rules.

In most cases, where matters come before the Council regarding which a Council Member’s immediate family or organization with which he/she associated has a financial gain or anything of substantial value, violation of the law may be avoided by abstaining from any vote on the matter and not participating in the Council’s discussion of or deliberation regarding that matter.

There are instances when abstention is not sufficient, however. That is the case with respect a situation where:

(a) a Council Member in his/her private capacity negotiates or bids for or enters into a contract in which the he/she has a private pecuniary interest, direct or indirect, if at the same time the Council Member is authorized or required by law to participate as a Council Member in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on the officer's or employee's part; or

(b) a Council Member in his/her capacity as a Council Member participates in the making of a contract in which the Council Member has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on his or her part.

In these instances, it is necessary for a Council Member to resign from the Council in order to avoid a violation of the law. The failure to do so may result in a felony conviction.

Sometimes, officials will decide not to participate in a decision even where they are not expressly prohibited from doing so by the law, on the ground that they believe their participation will create an appearance of impropriety. This may be perfectly appropriate, though difficulties may arise in cases where the official’s participation is required in order for a quorum to exist.

The Wisconsin Ethics Commission has responsibility for these laws, and I am attaching





to this memo certain guidelines available on its website addressing certain questions which commonly arise, for your consideration.

## 2. OPEN MEETINGS LAW

The Open Meetings Law provides that meetings of governmental bodies should be open and accessible to the public. In addition, the law requires that notice of such meetings be given as set forth in the law.

Generally, notice of a meeting must be given at least 24 hours before the meeting takes place. Notice is given by posting the agenda and providing copies to local media. The law provides that in remarkable situations where unanticipated issues arise requiring consideration of the body, notice may be given at least 2 hours before a meeting.

No action should be taken by a body on matters which are not identified in the agenda of the meeting. The law allows governmental bodies to have a public comment session as part of a meeting, but does not require that public comment be allowed except in cases where a public hearing is required by statute (e.g., zoning hearings). Where there is no statute requiring the public be heard, there is no requirement that public comment be allowed.

Although public comment is allowed, because of the law's requirement that an agenda identify matters to be addressed by the body, a governmental body normally will not be able to take action concerning issues raised during public comment beyond deciding those issues should be included in the agenda of a future meeting or referred to a committee for consideration.

There are limited circumstances where a governmental body may meet in closed session. Examples of such circumstances include where a governmental body is conferring with its attorney regarding strategy in litigation, or where competitive or bargaining reasons require a closed session. However, the law is based on a policy of openness to the public, and the decision to close a meeting or withhold public records should never be taken lightly. The Council must vote whether to go into closed session (a roll call vote is required).

Even in the case of a closed session, the agenda of the meeting must disclose that the body will be meeting in closed session and must state the exception under which the closed session is appropriate and a general description of what will be addressed.

Once a decision has been made to address an issue in closed session, it should be understood that the expectation is that the Council normally will not formally act or vote on an



issue or question while in closed session, although Council members may express their opinions regarding action to be taken while the meeting is closed.

There are municipal attorneys who believe that a governmental body may vote in closed session, and there is law supporting that position in certain circumstances, where it is essential to the purpose of the closed session. I believe it is generally advisable that formal voting take place in open session. Where a vote is taken in closed session, the nature of the vote, who makes the motion and who seconds it, and the vote itself, must be documented in the minutes.

There is a presumption that a governmental meeting subject to the Open Meetings Law takes place whenever a quorum of members is present. Also, it is possible for a meeting of a governmental body to occur, in some circumstances, through the exchange of email between and among members of the governmental body.

A meeting may also take place through a series of telephone calls or series of meetings among council members, even where those meetings taken individually do not create a quorum (this is called a "walking quorum").

Care should be taken to avoid the creation of a meeting through the use of email, telephone calls or "walking quorums," and to provide notice as required by the law where necessary. Violation of these laws can lead to assessment of forfeitures, and may result in actions taken by municipalities to be found illegal and invalid by a court.

### **3. PUBLIC RECORDS LAW**

Consistent with Wisconsin's policy of open government, records produced by or in the possession of municipalities and local public officials are in most cases required to be disclosed on request, and made available for inspection and copying.

Such records include video and audio tapes or other reproductions of meetings. Email messages are considered public records and, because email has become such a pervasive and popular method of communication, you should bear in mind that email messages to or from you to any Council member or municipal employee, are potentially open for public inspection and scrutiny.

Although I know of no cases addressing text messages or similar messages, I think it must be assumed they would be considered public records as well.





Like the Open Meetings Law, the Public Records Law contains exceptions to the requirements of disclosure. Such exceptions include medical records, trade secrets, records concerning juveniles, and records of criminal investigations (up to a point), and records to the extent they contain personal information such as social security numbers.

As a rule, though, it is prudent to anticipate that records concerning governmental business will be available for inspection and copying by the public.

If a decision is made that public records should not be disclosed, it is necessary to provide a requestor with notice to that effect which explains the exception to the law relied on as prohibiting disclosure and the reasons why disclosure is not being made. Where a record contains information which may not be disclosed, but other information which may be disclosed, the undisclosed information should be redacted and the balance disclosed.

#### 4. ENFORCEMENT/PENALTIES

The Open Meetings Law and Public Records Law are enforced by the Wisconsin Attorney General's office and local district attorneys. When they fail to act, citizens may bring an action for enforcement.

Recently, the Attorney General's office has been taking a more active interest in enforcing the law, and appears to be construing it more strictly than in the past, even to the extent that its interpretation is in some cases different from that of the courts on some issues. Ultimately, decisions of the Court of Appeals or the Supreme Court are governing. However, it is prudent to consider the position of the Attorney General on these issues, as it has enforcement authority.

Attached to this Memo are copies of materials issued by the League of Wisconsin Municipalities regarding the Open Meetings Law.

Penalties for violation of the Open Meetings Law and Public Records Law can include fines, and the municipality or municipal official found to have violated the law may be liable for the successful party's attorney's fees. If the Open Meetings Law or Public Records Law is violated, it could result in the action taken at the illegal meeting being determined to be invalid.

#### CONCLUSION

This is meant to be only a very short summary of certain issues. Municipal law is quite



complicated and very broad. Often, decisions on ethics or questions related to the Open Meetings and Public Records Law, and other areas, can only be made on a case-by-case basis. I would be happy to provide or refer you to materials that discuss these and other issues in greater detail. I believe you have been or are being provided with the League's Handbook for Municipal Officials, which addresses these and other issues in some detail and are a good source of information.



# Wisconsin Ethics Commission

## *Citizen's Guide*

### Standards Of Conduct For Local Government Officials

*Wisconsin Statutes* establish standards of conduct for all of our state's governmental officials, including local officials. These legal requirements apply to elected and key appointed officials of our state's counties, cities, villages, towns, school boards, and sewerage and other special districts.<sup>1</sup>

**Standards of conduct.** In general, a local public official should not:

- **ACT OFFICIALLY IN A MATTER IN WHICH THE OFFICIAL IS PRIVATELY INTERESTED**
- **USE GOVERNMENT POSITION FOR PRIVATE FINANCIAL BENEFIT**
- **ACCEPT TRANSPORTATION, LODGING, FOOD, BEVERAGES, OR ANYTHING ELSE OF MORE THAN TOKEN VALUE OFFERED BECAUSE THE OFFICIAL HOLDS A GOVERNMENT POSITION**
- **SOLICIT OR ACCEPT REWARDS OR ITEMS OR SERVICES LIKELY TO INFLUENCE THE OFFICIAL**
- **OFFER OR PROVIDE INFLUENCE IN EXCHANGE FOR CAMPAIGN CONTRIBUTIONS**
- **BE FINANCIALLY INTERESTED IN A GOVERNMENT CONTRACT THE VALUE OF WHICH EXCEEDS \$15,000 AND FOR WHICH THE OFFICIAL IS AUTHORIZED TO TAKE SOME DISCRETIONARY ACTION (EVEN IF THE OFFICIAL ABSTAINS)<sup>2</sup>**

**Financial disclosure.** Some local governments make available a list of the employers and financial interests of their government's officials.<sup>3</sup> Most do not. The decision to collect this information is one that the legislature has left to each unit of government. To learn if your county, municipality, or town provides this information, ask your county or municipal clerk.

**Addressing issues before they become problems.** To deal with a conflict between a private interest and governmental responsibilities before an official takes a vote or enters into discussions on a matter, the official can either resolve the matter by relinquishing the private interest or mitigate the problem by temporarily withdrawing from exercise of governmental responsibilities. By seeking advice beforehand, an official can determine whether statutory restrictions permit the official to participate in a matter or to accept items or services of value.

Ordinarily, the legal advisor for the unit of government of which the official's position is a part is in the best position to advise the government official about a matter involving ethical standards of conduct. Sometimes, a statewide association of local governments will advise an official.<sup>4</sup>

If, after studying the legal standards and gathering the pertinent facts, the legal counsel is uncertain about what advice to offer, the lawyer may direct a letter to the Wisconsin Ethics Commission stating the pertinent facts and law, tentative conclusion, and basis for it, and ask that the Wisconsin Ethics Commission issue an opinion concerning the interpretation of §19.59, the Code of Ethics for Local Government Officials, Employees and Candidates. Written requests for advice are confidential. No

<sup>1</sup> §19.59, *Wisconsin Statutes*.

<sup>2</sup> §946.13, *Wisconsin Statutes*. See text of statutes for exceptions to general rule.

<sup>3</sup> Among the local governments requiring their officials to identify information about their sources of income and investments are the cities of Madison and Milwaukee and the counties of Dane, Milwaukee, and Wood.

<sup>4</sup> Examples include Wisconsin Counties Association, League of Wisconsin Municipalities, Wisconsin Towns Association, Wisconsin Association of School Boards.

*This is a guide. For authoritative information consult Wisconsin Statutes.*

member or employee of the Ethics Commission may make public the identity of anyone requesting an advisory opinion or of persons mentioned in an opinion. Periodically, the Commission publishes summaries of its opinions after making sufficient alterations to prevent the identification of the requestor and persons mentioned in the opinions. The *Statutes* do not authorize the Commission to issue an opinion to a citizen or to an official or representative of a local government other than the local government's legal counsel.

**Complaints.** If you believe that an official of a county, city, village, town, school board, or special purpose district has violated a standard of conduct that state law requires the official to observe, you may file a complaint with the Commission, or with the district attorney for the county in which the activity occurred.

Your complaint should describe the pertinent facts succinctly. State that you swear or affirm that the information you are providing is true to the best of your knowledge, information, and belief. Have a notary or other person authorized to administer an oath witness your signature to the complaint. Deliver the complaint to the Commission or district attorney, in person, or by mail, or other appropriate way you find convenient.

Allow the Commission or district attorney a reasonable length of time to look into the matter. It may take several weeks to look into the facts and law in order to make a good decision about how to proceed.

If the complaint about a local public official is filed with the Wisconsin Ethics Commission, the Commission's policy is to refer it to the local district attorney. If the district attorney has not responded to a complaint within 60 days of a referral, the Commission may refer the matter to the Attorney General.

Individuals may also file a complaint directly with the district attorney. If the district attorney has not filed a complaint or replied to you within 20 days of your filing a complaint with that office, you may send a copy of your complaint to the Attorney General's Office, explaining that the district attorney, after considering your complaint for 20 days or more, has not begun an action against the person you complained about, and ask the Attorney General to enforce the complaint. If the Attorney General also declines to prosecute the matter, you will at least have the satisfaction that two law enforcement agencies have had the opportunity to review your complaint and act upon it. The Wisconsin Ethics Commission cannot overturn the decisions of the district attorney or Attorney General or, independent of them, enforce standards of conduct for local government officials.



# Wisconsin Ethics Commission

## *For State and Local Public Officials*

### Mitigating Conflicting Interests: Private Interest Vs. Public Responsibility

In a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who serve as state public officials retain their rights as citizens to interests of a personal or economic nature. Standards of ethical conduct for state public officials need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material. State public officials may need to engage in employment, professional or business activities, other than official duties, in order to support themselves or their families and to maintain a continuity of professional or business activity, or may need to maintain investments. [WIS. STAT. § 19.45\(1\)](#).

#### ACTING IN AN OFFICIAL CAPACITY

**MAKING POLICY.** When a public official or a board, commission, or other body of which an official is a member is called upon to propose or to act on legislation, to promulgate a rule, or to issue a general policy, the official may participate in that action even though the action will affect the official, a member of the official's immediate family, or an organization with which the official is associated<sup>1</sup>, as long as:

- The official's action affects a whole class of similarly situated interests;
- Neither the official's interest, the interest of a member of the official's immediate family, nor the interest of a business or organization with which the official is associated<sup>1</sup> is significant when compared to all affected interests in the class; AND
- The action's effect on the interests of the official, of a member of the official's immediate family, or of the related business or organization is neither significantly greater nor less than upon other members of the class.

See e.g., [2008 GAB 02](#); [11 Op. Eth Bd 9 \(1989\)](#); [8 Op. Eth Bd 33 \(1985\)](#); [5 Op. Eth Bd 89, 65, 59](#); [4 Op. Eth Bd 104 \(1981\)](#).

**APPLYING POLICY.** A public official should not, in an official capacity, participate in or perform any discretionary action with respect to the making, grant, or imposition of an award, sanction, permit, license, grant, contract, offer of employment, or agreement in which the official or a member of the official's immediate family or a business or organization with which the official is associated has a substantial financial interest, direct or indirect. WIS. STAT. §§ [19.45\(2\)](#), [19.46\(1\)](#), [19.59\(1\)\(a\)](#) and [\(c\)](#). In addition, a public official should not, in an official capacity, participate in a matter affecting a business or organization from which the official or a member of the official's immediate family receives substantial compensation or income. See WIS. STAT. §§ [19.45\(3\)](#), [19.59\(1\)\(b\)](#); [2013 GAB 01](#), [1994 Wis Eth Bd 5](#).

<sup>1</sup> "Associated" included any organization in which an individual or a member of his or her immediate family is a director, officer, or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity, or of which an individual or a member of his or her immediate family is an authorized representative or agent. [WIS. STAT. § 19.42\(2\)](#).

## HOW TO WITHDRAW FROM OFFICIAL ACTION

When a matter in which a public official should not participate comes before the legislature, a board, commission, or other body of which the official is a member, the official should refrain from discussion, deliberations, or votes related to that matter and ask that the body's minutes reflect that the member has withdrawn. The body's remaining members may review the matter and take whatever action they find appropriate. [1992 Wis Eth Bd 22](#).

## ACTING IN A PRIVATE CAPACITY

APPLICATIONS, BIDS, AND CONTRACTS. Usually, a public official should not, in a private capacity, apply, negotiate, bid for, or receive any award, sanction, permit, license, grant, contract, offer of employment, or agreement in which the official has a private financial interest, direct or indirect, if the official is *authorized* to perform in regard to it any governmental function requiring the exercise of discretion, even if the official does not participate in the governmental action or exert any influence on his or her own behalf. [WIS. STAT. § 946.13](#)

REPRESENTING CLIENTS. A public official should not, for compensation or on behalf of an employer, represent an individual, business, or organization before a board, commission, or other body of which an official is a member. The statutory code of ethics is not an obstacle to a local official's partner or business associate representing a client before such board, commission, or other body as long as the official is not financially interested in, and does not exercise control over, the representation. WIS. STAT. §§ [19.45\(3\)](#), [19.45\(7\)](#), [19.59\(1\)\(b\)](#).



## Wisconsin Ethics Commission

### Local officials' receipt of food, drink, favors, services, etc.

Wisconsin law forbids a public official to use free or discounted transportation, traveling accommodation, or communication services for which the supplier would usually charge [§946.11, Wisconsin Statutes; Art. 13, §11, Wisconsin Constitution],<sup>1</sup> Otherwise – Consistent with the statutes administered by the Wisconsin Ethics Commission, *local public officials*<sup>2</sup> *may accept and retain:*

a. **ITEMS AND SERVICES UNRELATED TO PUBLIC POSITION.**

Food, drink, transportation, lodging, items, and services which are offered for a reason unrelated to the recipient's holding a public position [§ 19.59(1)(a)] and which could not reasonably be expected to influence an official's vote, official actions or judgment, nor reasonably be considered a reward for any official action or inaction;

b. **EXPENSES PROVIDED BY OR FOR THE BENEFIT OF THE LOCAL GOVERNMENTAL UNIT.**

Food, drink, transportation, lodging, or payment or reimbursement of costs that are provided by or for the benefit of the local governmental unit, not for a private benefit; and

c. **ITEMS OF INSUBSTANTIAL VALUE.**

Mere tokens and items or services of only nominal, insignificant, or trivial value.

#### STATUTORY RESTRAINTS

Except as noted on the other side of the page, *local public officials should not accept:*

1. **ITEMS OR SERVICES OFFERED BECAUSE OF PUBLIC POSITION.** Any item or service, including food, drink, and travel, of more than nominal value offered because of the person's holding a public office [§ 19.59(1)(a)];
2. **ITEMS THAT COULD INFLUENCE JUDGMENT.** Any item or service that could reasonably be expected to influence an official's vote, official actions or judgment [§19.59(1)(b)];
3. **REWARDS FOR OFFICIAL ACTION.** Any item or service that could reasonably be considered a reward for any official action or inaction [§19.59(1)(b)]; and
4. **TRANSPORTATION OR TRAVELING ACCOMMODATIONS.** Discounted transportation, traveling accommodations, or communication services for which the supplier would usually charge [§946.11; Art. 13, §11].

<sup>1</sup> Consult local ordinances and other state law not administered by the Wisconsin Ethics Commission for any additional restrictions.

<sup>2</sup> "Local public officials" include: (a) elected officers of political subdivisions and special purpose districts of the state; (b) county administrators or administrative coordinators; (c) city or village managers; (d) individuals appointed to a position in a political subdivision or special purpose district for a specified term; and (e) individuals appointed to a position by the governing body, executive, or administrative head of a political subdivision or special purpose district and serving at the pleasure of the appointing authority.

## Wisconsin Ethics Commission

### Local officials' receipt of food, drink, favors, services, etc.

**To analyze a situation in which you are offered items or services, ask yourself these questions:**

1. With respect to the item or service offered:
  - a. Is it being offered because of my public position?
  - b. Is it of more than nominal or insignificant value?
  - c. Is it primarily for my personal benefit rather than for the benefit of my local unit of government?

If you answer "yes" to all three questions, you may not accept the item or service.

2. Would it be reasonable for someone to believe that the item or service is likely to influence my judgment or actions or that it is a reward for past action? If you answer "yes," you may not accept the item or service.

**If you have any doubts about a situation, seek advice from your local governmental attorney.**



## LEGAL COMMENT

## UNDERSTANDING &amp; COMPLYING WITH

By Claire Silverman, Legal Counsel

Wisconsin's open meeting law applies with equal force to every city and village, regardless of size or other characteristics. Because it applies whenever a governmental body conducts the business that it is entrusted with, it is critical that members of local governmental bodies be aware of the open meeting law and understand its requirements. This month's legal comment provides an overview of the law, as well as a more detailed explanation of some of the law's key provisions.

The open meeting law is found in sections 19.81 through 19.98 of the Wisconsin Statutes. The law does not require absolute openness. However, the legislature has declared that the "public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business."<sup>1</sup> To that end, the law requires that all meetings of governmental bodies be preceded by public notice, be held in places reasonably accessible to the public, and be open to all citizens except as otherwise specifically provided.<sup>2</sup> The law authorizes governmental bodies to meet in closed session if the subject matter comes within one of a set number of exemptions set forth in the law.<sup>3</sup>

#### DEFINITIONS ARE KEY TO UNDERSTANDING LAW

The open meeting law only applies to meetings of a "governmental body" as defined by Wis. Stat. sec. 19.82(1). This definition, together with the definition of "meeting" in sec. 19.82(2), is the key to understanding when the open meeting law applies to a particular gather-

ing of local officials. A "governmental body" includes a "local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order," as well as "formally constituted" subunits of any of these bodies. Thus, a common council and village board are obviously subject to the open meeting law, as are municipal committees, boards and commissions. Quasi-governmental bodies are also subject to the open meeting law.<sup>4</sup>

Bodies formed for or meeting for the purpose of collective bargaining are specifically excluded from the definition of "governmental body."<sup>5</sup>

A "meeting" is defined as the convening of members of a governmental body for the purpose of exercising the responsibilities vested in that body. A meeting does not include social or chance gatherings that are not intended to avoid the law. When one-half or more of the members of a governmental body are present, a meeting is "rebuttably presumed" to be for official purposes.<sup>6</sup>

1. Wis. Stat. sec. 19.81(1).

2. Wis. Stat. secs. 19.81 and 19.83.

3. The exemptions are set forth under sec. 19.85.

4. A private entity is a "quasi-governmental corporation" within the meaning of the open meetings and public records laws if, based on the totality of circumstances, it resembles a governmental corporation in function, effect, or status. Key factors include but are not limited to: (1) the entity's finances; (2) whether the entity serves a public function; (3) whether it appears to the public to be a government entity; (4) whether the entity is subject to government control; and (5) the degree of access that government bodies have to the entity's records. No one factor is determinative and determinations must be made on a case-by-case basis. *State of Wisconsin v. Beaver Dam Area Development Corporation*, 2008 WI 90. See Governing Bodies 386 for a more detailed summary of this case.

5. Wis. Stat. sec. 19.82(1).

6. Wis. Stat. sec. 19.82(2).



## WISCONSIN'S OPEN MEETING LAW

In addition to the above two definitions, the term "open session" is also important. It is defined as a meeting "which is held in a place reasonably accessible to members of the public and open to all citizens at all times."<sup>7</sup> The Wisconsin Supreme Court has interpreted this to mean "that a governmental body must meet in a facility which gives reasonable public access, not total access, and that it may not systematically exclude or arbitrarily refuse admittance to any individual."<sup>8</sup>

### WHEN IS THERE A MEETING SUBJECT TO THE LAW?

The simplistic answer to this question is, "Whenever a governmental body meets." Although the application of the open meeting law is usually straightforward, determining whether there is a "meeting" can sometimes be complicated and there are pitfalls for the unwary.

The statutory definition of a meeting, which provides that a meeting is presumed if one-half of the members of a governmental body are present at a meeting, may lull officials into a false sense of security. The trouble is that the courts have interpreted the law to apply when there is less than one-half of the body present. In the *Showers*<sup>9</sup>

case, the Wisconsin Supreme Court ruled that the test of whether a meeting occurs is twofold: "First, there must be a purpose to engage in governmental business, be it discussion, decision or information gathering. Second, the number of members present must be sufficient to determine the parent body's course of action regarding the proposal discussed."

With regard to the second part of the *Showers* test, the potential of a gathering to determine the parent body's course of action concerning a proposal can be either the affirmative power to pass or the negative power to defeat. Thus, a gathering of less than one-half the members of a body may constitute a meeting if the number of members present constitutes a "negative quorum," (i.e., a sufficient number to block action by the body on a particular issue).

For example, when a proposal requires a two-thirds vote of the entire body, such as a budget amendment under Wis. Stat. sec. 65.90(5), if more than one-third of the governmental body members are present at an unnoticed meeting, discussion of that particular proposal would violate the open meeting law. This is what happened in the *Showers* case. Four out of eleven

members met privately to discuss a budget matter. The court held that the meeting was illegal because four members constituted a negative quorum since they could determine the outcome by voting as a block against the budget change, which required a two-thirds majority vote.

The same principle would seem to apply with regard to matters that can be passed by a vote based on the quorum rather than total membership, such as a majority or fraction of a quorum. In such cases, the minimum figure for triggering the open meeting law may be less if it is known that fewer members will attend a meeting. For example, if a village board has seven members and all attend a meeting, a matter requiring a majority vote may be blocked by four members. But if only four members attend, the matter may be blocked by two.<sup>10</sup>

Local officials must also be aware of and avoid what is sometimes called a "walking quorum." A "walking quorum" is a series of gatherings among separate groups of members of a governmental body, each less than quorum size, who agree, tacitly or explicitly, to act uniformly in sufficient num-

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7. Wis. Stat. sec. 19.82(3).

8. *State ex rel. Badke v. Village Bd. of Greendale*, 173 Wis.2d 553, 580, 494 N.W.2d 408, 418 (1993).

9. *State ex rel. Newspapers, Inc. v. Showers*, 135 Wis.2d 77, 102, 398 N.W.2d 154, 165 (1987).

10. A UW law review note criticized the *Showers* court for not considering this issue, and recommends that "To be safe, officials will need to hold in public all meetings at which at least a majority of a quorum is present." 1988 Wis. L. Rev. 827, 851, 856. This is hardly the safe approach where, as in the example in the above text, less than a majority of the quorum can block a matter. Consider also an eleven member village board. A quorum of the board is six and four is thus a majority of the quorum. So three can defeat a matter if only six are present.



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ber to reach a quorum.<sup>11</sup> A series of gatherings, telephone calls, or e-mails between a small enough number of officers so as not to trigger the law at one specific gathering may constitute an illegal meeting.<sup>12</sup>

From the public's perspective, the danger of the walking quorum is that it may produce a consensus or predetermined outcome with the result being that the publicly-held meeting is a mere formality without any real discussion or consideration of the issue being conducted in public.

The use of a walking quorum to conduct business is subject to prosecution under the open meeting law.<sup>13</sup> Local officials must use caution when using electronic message technologies. These technologies have the potential to create walking quorums because of the rapid pace of communication and the inability of the sender to control whether and how other members may choose to respond. For this reason, the Attorney General strongly discourages members of governmental bodies from using electronic mail to communicate with other members of the body about matters within the body's realm of authority.<sup>14</sup> The Wisconsin Department of Justice's 2010 *Open Meeting Compliance Guide* provides as follows:

Because the applicability of the open meetings law to such electronic communications depends on the particular

way in which a specific message technology is used, these technologies create special dangers for governmental officials trying to comply with the law. Although two members of a governmental body larger than four members may generally discuss the body's business without violating the open meetings law, features like "forward" and "reply to all" common in electronic mail programs deprive a sender of control over the number and identity of the recipients who eventually may have access to the sender's message. Moreover, it is quite possible that, through the use of electronic mail, a quorum of a governmental body may receive information on a subject within the body's jurisdiction in an almost real-time basis, just as they would receive it in a physical gathering of the members.

Because e-mail is so easy, quick and inexpensive, it is unlikely that governmental bodies will be able or willing to refrain from using it completely. However, it is advisable to set procedures in place or parameters for the use of e-mail to ensure that its use does not violate the open meeting law. The Attorney General's Open Meeting Compliance Guide suggests that inadvertent violations of the open meetings law through the use of electronic communications can be reduced "if electronic mail is used principally

to transmit information one-way to a body's membership; if the originator of the message reminds recipients to reply only to the originator, if at all; and if message recipients are scrupulous about minimizing the content and distribution of their replies."

In addition to being careful about the number of members of a particular body that gather to talk about topics pertaining to that body, it is important to be aware that a "meeting" might take place when a sufficient number of members are present at meetings of other governmental bodies. Clearly, planned joint meetings of governmental bodies must be separately noticed by each governmental body planning to attend the joint meeting. But what about situations where members of one governmental body independently attend the meeting of another governmental body?

In the *Badke* case,<sup>15</sup> a majority of the village board regularly attended meetings of the village plan commission to gather information about subjects over which they had decision-making responsibilities. The Wisconsin Supreme Court concluded that since the trustees regularly attended plan commission meetings, the gatherings were not chance and therefore should have been noticed as meetings of the village board. Specifically, the Wisconsin Supreme Court held that when one-half or more of the members of a governmental body attend a meeting of another governmental body to gather information about a subject over which

11. *Showers*, 135 Wis.2d at 92.

12. *See Showers*, 398 N.W.2d at 161, 164; 1988 Wis. L. Rev. at 846-7, 855; Governing Bodies 339 and 371.

13. *State ex rel. Lynch v. Conta*, 71 Wis.2d 662, 687, 239 N.W.2d 313 (1976).

14. *Wisconsin Department of Justice Open Meeting Compliance Guide* (2010), at p. 8 citing Correspondence, October 3, 2000.

15. *Badke*, *supra*, n.7.

## LEGAL COMMENT

they have ultimate decision-making responsibility, such a gathering is a “meeting” within the meaning of the open meeting law and must be noticed as such, unless the gathering is social or chance.

Thus, whenever a majority of the members of one governmental body regularly attend or plan in advance to attend the meeting of another governmental body, it is necessary to provide notice that a majority of that body will be attending the meeting of another body for the purpose of observing and gathering information. However, municipalities should avoid routinely placing boilerplate language designed to comply with *Badke* at the bottom of all committee, commission and board meetings notices.

Such a *Badke* notice should be provided only if:

- 1) governing body members routinely attend the meetings of a second body, such as a committee or commission;

or

- 2) the chair of the governing body or clerk has been informed or otherwise has reason to believe that governing body members will likely be attending the meeting of the second body.

For a further discussion of this issue see Governing Bodies 353.

*Badke* also held that when a quorum of a governing body is present at a meeting of a second governmental body merely because all of the indi-

vidual members of the quorum make up the membership of the second governmental body, additional notice is not required.<sup>16</sup>

Local officials should not place too much reliance on the exception to the definition of a meeting for chance or social gatherings. Remember, that exception is qualified by the tag “not intended to avoid” the law. If a negative quorum (or more) of a body gets together by chance or for a social occasion there is no violation of the law unless the discussion turns to matters pertaining to that body, in which case the gathering probably converts to an improper meeting.

By now it should be clear that governmental body members must be very careful when discussing public body business with other members outside of a properly noticed meeting. The numbers test raises a troubling question, however, relating to the legality of one-on-one conversations between members outside of a meeting. The obvious problem is that prohibiting person-to-person discussions outside of meetings does not jibe with how government works. Officials need to discuss matters they are working on. In addition, the legislature chose not to make the requirements of the open meeting law automatically applicable whenever two members of a governmental body get together.

The Wisconsin Supreme Court strongly suggested in an earlier case that such one-on-one discussions would be protected by the First Amendment and would not violate the open meeting

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“IT SHOULD  
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16. *Id.* at 417-418.



## LEGAL COMMENT

“  
 THIS  
 REASONABLENESS  
 STANDARD  
 REQUIRES  
 TAKING INTO  
 ACCOUNT THE  
 CIRCUMSTANCES  
 OF THE CASE IN  
 DETERMINING  
 WHETHER  
 NOTICE IS  
 SUFFICIENT.”

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law, but, unfortunately, this was not discussed in the *Showers* or *Badke* cases.<sup>17</sup>

If governmental body members should arguably violate the law by discussing matters outside of a meeting, a wise course to take would be to make sure that the matter receives an appropriate level of discussion at a properly noticed meeting before it is voted on. This may help avoid prosecution and decrease the likelihood that a court will void the action.

#### NOTICE REQUIREMENT

The open meeting law requires that all meetings of a governmental body be preceded by public notice. The presiding officer of a governmental body, or that person's designee (typically the clerk), must give proper notice of a meeting twenty-four hours in advance. If good cause exists and twenty-four-hour notice is impossible or impractical, shorter notice may be given but in no case may the notice be provided less than two hours in advance of the meeting.<sup>18</sup> If the notice is mailed, it must be mailed early enough to allow it to arrive within the statutory time frame.<sup>19</sup>

The notice must specify the date, time, place and subject matter of the meeting, and any contemplated closed sessions must be included.<sup>20</sup> The notice

must be in such form as is “reasonably likely to apprise” members of the public and the news media of the time, date, place and subject matter of the meeting.

A few years ago, the Wisconsin Supreme Court overruled *State ex rel. H.D. Enterprises II, LLC v. City of Stoughton*, which held that general notice of a topic (e.g., licenses) is sufficiently specific to comply with the notice requirement in sec. 19.84(2).<sup>21</sup> The Wisconsin Supreme Court stated that the notice requirement in sec. 19.84 is not amenable to a bright line rule but, rather is subject to a “reasonableness standard.” This reasonableness standard requires taking into account the circumstances of the case in determining whether notice is sufficient. This includes analyzing such factors as the burden of providing more detailed notice, whether the subject is of particular public interest, and whether it involves non-routine action that the public would be unlikely to anticipate.<sup>22</sup>

The court further stated:

The determination of whether notice is sufficient should be based upon what information is available to the officer noticing the meeting at the time notice is provided, and based upon what it would be reasonable for the officer to know. Thus, whether there is particu-

17. The earlier case is *State ex rel. Lynch v. Conta*, 71 Wis.2d 662, 239 N.W.2d 313, 331 (1976), and this issue is discussed in *Governing Bodies* 309, which was published in the July 1987 issue of the *Municipality*, pp. 262-263.

18. Wis. Stat. sec. 19.84(3).

19. 77 Op. Att’y Gen. 312 (1988).

20. Wis. Stat. sec. 19.84(2).

21. *State ex rel. Buswell v. Tomah Area School District*, 2007 WI 71

22. *Id.*, 2007 WI 71 para. 28.

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lar public interest in the subject of a meeting or whether a specific issue within the subject of the meeting will be covered, and how that affects the specificity required, cannot be determined from the standpoint of when the meeting actually takes place. Rather, it must be gauged from the standpoint of when the meeting is noticed.<sup>23</sup>

League attorneys are often asked whether it is appropriate to rely on broad umbrella clauses such as “old business” or “miscellaneous business” on the agenda to take up unforeseen matters which arise shortly before the scheduled meeting. In most cases, the answer is no. It is best to deal with late-breaking events by amending the notice, with twenty-four hours, or postponing the matter until it can be properly noticed. Minor matters may appropriately be subsumed under broader topics, but matters of particular interest should be given explicit notice. In recent years, the attorney general has taken the view that governing bodies may not rely on a general designation clause in their agenda, such as “other business,” to discuss, receive information or take action on a matter not identified in the notice of that meeting.

A related issue is whether governmental bodies may discuss or act on matters raised by citizens during a “public comment” or “citizen participation” portion of a meeting if the subject is not on the agenda. The open meeting law allows governing bodies to designate a period for public comment in the notice of the meeting.<sup>24</sup> During such a designated public comment period, a governmental body may “discuss” information raised by a member of the public.<sup>25</sup> A governmental body may not take action on matters raised during a public comment period if the subject was not on the agenda.

Some governing body members have inquired whether they, as members of the public, can bring up items not specifically designated on the agenda under a period of public comment allowed by Wis. Stat. sec. 19.84(2). The answer is no. The limited exception allowing members of the public to bring up items not specifically on the agenda during a period of noticed public comment was intended to allow local governments to be responsive to their constituents and to allow the governing body to receive information from members of the public. It was not intended to allow governing body members to bring up items for discussion without placing the items on the agenda. Any such use of the excep-

tion by governing bodies in that way will likely be viewed as an attempt to circumvent the notice requirements of the open meeting law.<sup>26</sup>

With regard to who must be given notice of a meeting, notice has to be given to any news medium that has requested the notice, and to the official newspaper or, if there is none, to a newspaper, TV or radio station that is likely to give notice in the area.<sup>27</sup> The open meeting law does not require that the notice actually be published,<sup>28</sup> although it does require that notice be given as required by other specific statutes governing the subject matter (e.g., Wis. Stat. sec. 62.23 (7)(d)2, requires a Class 2 notice be published in advance of a proposed rezoning).<sup>29</sup> As an alternative to written notice, telephone or other verbal communication to members of the news media is sufficient.<sup>30</sup> The law also requires some form of direct notice to the public; this requirement may be met by posting the notice in one, or preferably several, public places.<sup>31</sup>

A limited exception to the notice requirement allows subunits of governmental bodies<sup>32</sup> to meet during the meeting of the parent body, during a recess, or directly after such meeting,

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23. *Id.*, para 32.

24. Wis. Stat. sec. 19.84(2).

25. Wis. Stat. sec. 19.84(2).

26. For additional discussion of this issue see Governing Bodies 361.

27. Wis. Stat. sec. 19.84(1)(b).

28. *Martin v. Wray*, 473 F. Supp. 1131 (E.D. Wis. 1979); 77 Op. Att’y Gen. 312 (1988).

29. Notice requirements of other statutes must be met in addition to the requirements of the open meeting law. Wis. Stat. sec. 19.84(1)(a).

30. 77 Op. Att’y Gen. 312 (1988).

31. Wis. Stat. sec. 19.84(1)(b); 63 Op. Att’y Gen. 509, 510-11 (1976); 66 Op. Att’y Gen. 93, 95 (1977).

32. The League has opined that statutory boards or commissions, such as a library board, a utility commission and a police and fire commission, are not subunits of a common council or village board, although committees (e.g., a finance committee, a public safety committee) are typically subunits. Governing Bodies 310.



## LEGAL COMMENT

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to discuss or act on matters that were the subject of the meeting of the parent body.<sup>33</sup> The presiding officer of the parent body must announce the time, place and subject matter of the subunit meeting in advance at the meeting of the parent body. This announcement must mention any contemplated closed session.<sup>34</sup>

No charge may be made for providing notice to meet the requirements of the open meeting law. However, once these notice requirements have been met, charges may be made, under the public records law, for additional notices and supplementary information.<sup>35</sup>

#### CLOSED SESSIONS

Generally, meetings of governmental bodies must be held in open session. However, the law authorizes meetings to be closed if the subject matter falls within one of the specific exemptions set forth in Wis. Stat. sec. 19.85. Note that the general authority to close a meeting is inapplicable where specific authority requires openness, as in the case of hearings before a police and fire commission under Wis. Stat. sec. 62.13(5), and Board of Review meetings under sec. 70.46(2m).

As a general rule, we recommend using the term “closed” session or meeting instead of “executive” session,

which suggests that meetings may be closed whenever the body wishes to take action on a matter.

Section 19.85 authorizes closing meetings for a number of reasons including the following:

- 1) deliberating after a quasi-judicial hearing;
- 2) considering the discipline of an employee or person licensed by the municipality;
- 3) considering employment, promotion, compensation or performance evaluation data of a public employee;
- 4) deliberating or negotiating the purchase of public properties, or conducting other business whenever competitive or bargaining reasons require a closed session;<sup>36</sup>
- 5) considering financial, medical, social, personal history and disciplinary data of specific persons or specific personnel problems which, if discussed in public, would be likely to have a substantial adverse effect on the person's reputation; and
- 6) conferring with legal counsel with respect to litigation in which the body is involved or is likely to become involved.

See Wis. Stat. sec. 19.85(1)(a)-(j), for the specific exemptions. For more detailed information on the appropriate use of these exemptions, see *Governing Bodies* 375.

When deciding whether it is appropriate to hold a particular meeting in closed session, a good rule of thumb is to ask the preliminary question: “Is there a reason why this matter is best discussed privately, other than the desire to escape the scrutiny of the public eye or the media?” When closing a meeting is appropriate, it is important to follow the statutory procedures. As mentioned above, closed sessions planned in advance must be specified in the public notice; however, if the closed session was not contemplated, the meeting may still be closed for a valid reason.<sup>37</sup> The body must first convene in open session and vote to go into closed session. Before the vote is taken, the presiding officer must announce the nature of the business to be discussed and the specific statutory provision which authorizes the closed session. The vote of each member must be recorded and preserved.<sup>38</sup>

Attendance at the closed session is limited to the body, necessary staff and other officers, such as the clerk and attorney, and any other persons whose presence is necessary for the business at hand. If the meeting is of a subunit of a parent body, such as a committee, the members of the parent body (i.e., the common council or village board) must be allowed to attend the closed session, unless the rules of the parent body provide otherwise.<sup>39</sup> Discussion in the closed session must be limited to the topics for which the meeting was closed.<sup>40</sup>

33. Wis. Stat. sec. 19.84(6).

34. 65 Op. Att’y Gen. Preface vi (1976).

35. 77 Op. Att’y Gen. 312 (1988); *Governing Bodies* 323.

36. This exemption was read rather narrowly by the Wisconsin court of appeals in *State ex rel Citizens for Responsible Development v. City of Milton*, 2007 WI App. 114, 300 Wis.2d 649, 731 N.W.2d 640. For an in-depth summary of that case, see *Governing Bodies* 380 (*the Municipality*, May 2007).

37. Wis. Stat. sec. 19.84(2); 66 Op. Att’y Gen. 106 (1977); *Governing Bodies* 325.

38. Wis. Stat. sec. 19.85(1). These requirements also apply to a closed session of a subunit meeting without notice as provided by sec. 19.84(6). 65 Op. Att’y Gen. Preface vi (1976).

39. Wis. Stat. sec. 19.89.

## LEGAL COMMENT

Questions sometimes arise as to whether a member of a governmental body may tape record closed sessions. An individual member of a governmental body does not have the right to tape record closed sessions of the governmental body. Although a governmental body is obliged under sec. 19.90 to make a reasonable effort to accommodate any person desiring to record, film or photograph an open meeting (provided the person does not do so in a disruptive manner), the law does not apply to closed sessions.<sup>41</sup>

A governmental body may not reconvene in open session until twelve hours after completion of the closed session, unless notice of the subsequent open session was given at the same time and in the same manner as the public notice of the meeting held prior to the closed session.<sup>42</sup>

## PENALTIES AND REMEDIES

Violations of the open meeting law may be prosecuted by the district attorney, the attorney general, or by a private individual, if the district attorney does not take the case.<sup>43</sup> Governmental body members who violate the open meeting law are subject to a forfeiture of between \$25 and \$300; this is a personal liability which may not be reimbursed by the municipality.<sup>44</sup> However, members may very likely obtain reimbursement for costs and attorney fees incurred in defending against prosecutions under the open

meeting law.<sup>45</sup> Members may protect themselves from liability by voting in favor of a motion to prevent the violation (e.g., voting against going into an unauthorized closed session).<sup>46</sup> In addition to finding personal liability for violations of the law, a court may also order the violations to cease and void action illegally taken. In order to void action taken in violation of the open meeting law, the court must find that the public interest in enforcing the open meeting law outweighs the public interest in sustaining the validity of the action taken.<sup>47</sup>

## CONCLUSION

Members of local governmental bodies must understand and comply with the open meeting law. As with other legal matters, officials should consult their municipal attorneys if they have questions.

For additional information on Wisconsin's open meeting law, see the Wisconsin Department of Justice's Open Meeting Compliance Guide on the Department of Justice's website [www.doj.state.wi.us](http://www.doj.state.wi.us). Another good source of information is the State Bar of Wisconsin, Government Lawyers Division's *Wisconsin Public Records and Open Meeting Handbook* which is available from the State Bar for a fee. The Bar's phone number is (800) 728-7788.

Governing Bodies 135R10

“MEMBERS  
of local  
GOVERNMENTAL  
bodies MUST  
UNDERSTAND AND  
comply with THE  
OPEN MEETING LAW.”

40. Wis. Stat. sec. 19.85(1).

41. See 66 Op. Att'y Gen. 318 (1977).

42. Wis. Stat. sec. 19.85(2).

43. Stat. sec. 19.97(1), (2) and (4).

44. Wis. Stat. sec. 19.96.

45. Wis. Stat. secs. 62.115, 895.35 and 895.46(1)(a); 77 Op. Att'y Gen. 177 (1988).

46. Wis. Stat. sec. 19.96.

47. Wis. Stat. sec. 19.97(3).



## SUMMARY INFORMATION ON CITY OF TWO RIVERS CITIZEN BOARDS AND COMMISSIONS

Except as otherwise noted below, appointments are made by the City Manager, subject to confirmation by the City Council. Seats designated for City Council members are filled annually through a City Council nomination and election process, typically at the first City Council meeting in May of each year.

All terms expire on May 1. Appointees are limited to three terms of continuous service on any one board or commission, except for the Library Board, whose members are limited to six years (two three-year terms).

Board/Commission	Functions	Membership	Meetings	Term	Members
<b>Advisory Recreation Board</b>	Advises Rec Director and City Council on Parks and Recreation programs and policies; provides input on operating budget and capital improvement plan for parks and recreation facilities	7 citizens 2 Council members 1 student member Pks & Rec Director	Monthly 2 <sup>nd</sup> Tuesday 7:00 PM	3 years	1. Corey Thuss, citizen 2. Brian Gallagher, citizen 3. Kathy Peterson, citizen 4. Robert Reed, citizen 5. Ashlee Walesh, citizen 6. Daniel Cortte, citizen 7. Dorothy Tinkham Delo, citizen Maggie Klinkner, student <b>Erin Gonnerman, Council</b> <b>Jack Powalisz, Council</b>
<b>Board of Review</b>	Hears assessment appeals under criteria set by State Statutes; busiest in revaluation years	3 Council Members City Manager City Clerk- Treasurer	Annually, 2 <sup>nd</sup> Monday in May plus additional days as required	1 year	<b>Bill LeClair, Council</b> <b>David England, Council</b> <b>Bonnie Shimulunas, Council</b> City Manager City Clerk
<b>Business &amp; Industrial Development Authority (BIDC) and Community Development Authority (CDA)</b> 2 boards, with most members serving dual memberships	Sets policy for City Economic Development Revolving Loan Fund; acts on all applications for loans from that fund. Sets policy on industrial park lot sales; acts upon terms and conditions for all such lot sales. Advises Ec. Dev. Supervisor and City Council on economic development policies and strategies	CDA: 5 citizens 2 council members  BIDC: 7 citizens 2 council members	Joint meetings Monthly 4 <sup>th</sup> Tuesday 5:00 PM	CDA: 4 years  BIDC: 3 years	Elizabeth Bittner, CDA Greg Coenen, CDA/BDIC Don Karman, CDA/BIDC Dick Klinkner, CDA/BIDC Darla LeClair, BIDC Keith Lyons, BIDC Dan Wettstein, BIDC Tracy Yaggie, CDA/BIDC <b>Curt Andrews, Council</b> <b>Jay Remiker, Council</b>

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Attachment: Summary Boards Commissions (2628 : Summary Citizen Boards and Commissions)

Board/Commission	Functions	Membership	Meetings	Term	Members
<b>Business Improvement District Board</b>	Reviews annual budget and proposed BID levy and rate for the downtown area business improvement district; reviews annual audit.	9 citizens, at least 5 of whom are business or property owners in the BID	As needed, usually over noon hour	3 years	1. Tom Christensen, citizen 2. Greg Erickson, citizen 3. Bob Fox, citizen 4. Steve Sonntag, citizen 5. James VanLanen Jr., citizen 6. Vacancy, citizen 7. Vacancy, citizen 8. Vacancy, citizen 9. Vacancy, citizen
<b>Community Development Block Grant Housing Committee</b>	Works with staff to identify target areas and program priorities for Community Development Block Grant applications. Develops program policies within parameters provided by State and Federal CDBG program regulations. Sets policy for and oversees loans of the Housing Revolving Fund.	7 citizens 2 Council members	Monthly 3 <sup>rd</sup> Tuesday 4:00 PM	3 years	1. Kris LaFond, citizen 2. Don Karman, citizen 3. Fred Pospeschil, citizen 4. Vacancy, citizen 5. Vacancy, citizen 6. Vacancy, citizen 7. Vacancy, citizen <b>David England, Council</b> <b>Mark Bittner, Council</b>
<b>Commission for Equal Opportunities in Housing</b>	Meets on an “as needed” basis to consider issues related to the City Fair Housing Code	5 citizens 2 Council members	As needed	2 years	1. Vacancy, citizen 2. Vacancy, citizen 3. Vacancy, citizen 4. Vacancy, citizen 5. Vacancy, citizen <b>Bonnie Shimulunas, Council</b> <b>Erin Gonnerman, Council</b>
<b>Committee on Aging</b>	Advises Senior Center Supervisor, Rec Director, City Manager and City Council on policies and programs of importance to senior citizen residents of Two Rivers	8 citizens 1 Council member	Monthly 1 <sup>st</sup> Monday 8:30 AM	3 years	1. Gerald Lyons, citizen 2. RuthAnn Hearley, citizen 3. Richard Langman, citizen 4. Lenore McDonough, citizen 5. Donna Reilly, citizen 6. Bette Roidt, citizen 7. Jerome Schubring, citizen 8. David Schmaling, citizen <b>Bill LeClair, Council</b>

Attachment: Summary Boards Commissions (2628 : Summary Citizen Boards and Commissions)



Board/Commission	Functions	Membership	Meetings	Term	Members
<b>Environmental Advisory Board</b>	Advises management staff and City Council on matters pertaining to the environment; major focus has been startup and subsequent monitoring / evaluation of City solid waste	6 citizens 1 student member 1 Council member	Monthly 1 <sup>st</sup> Tuesday 6:00 PM	2 years	1. Rusty Walesh 2. vacancy 3. vacancy 4. vacancy 5. vacancy 6. vacancy Vacancy student <b>Jay Remiker, Council</b>
<b>Library Board</b>	Governing body for municipal library operations, with powers, functions and duties as provided in Chapter 43, Wis. Stats. Appoints and supervises Library Director; approves and oversees annual library budget (subject to approval of local property tax funding by the City Council); sets policies pertaining to library operations	6 citizens 1 school district rep 1 council member	Monthly 2 <sup>nd</sup> Tuesday 7:00 PM	3 years	1. Ned Guyette 2. Stanley Palmer 3. David Pennefeather 4. Sharon Sleger 5. Larry Thomas 6. Thomas Van Horn School District <b>Bonnie Shimulunas, Council</b>
<b>Plan Commission</b>	Powers and duties as provided in Sec 62.23, Wis. Stats., including: developing and adopting the City Master Plan; making reports and recommendations to the Council related to the development of the city; advising the City Council on requests for zoning changes and annexations; advising the Council on the location and design of public facilities; advising the Council on the acquisition of land for municipal purposes, or the sale of any city-owned properties. Conducting site and architectural plan review for all new developments other than one or two-family residences	4 citizens City Manager City Engineer 1 council member	Monthly 2 <sup>nd</sup> Monday 5:30 PM	3 years	1. Rick Inman 2. Kay Koach 3. Connie Loden 4. Eric Pangburn City Manager City Engineer <b>David England, Council</b>

Board/Commission	Functions	Membership	Meetings	Term	Members
<b>Police &amp; Fire Commission</b>	Powers and duties as provided in Sec 62.13, Wis. Stats., including appointments of the Chiefs of the Police and Fire Departments and review of appointments of subordinate staff (both new hires & promotions) as recommended by the chiefs; also matters of employee discipline & discharge in Police/Fire.	5 citizens (City Mgr. Appointments not subject to City Council confirmation)	As needed	5 years	1. Michael Canty, citizen 2. Brad Yaggie, citizen 3. Kristine LaFond, citizen 4. Sandy, Rohrick, citizen 5. Jerry Taddy, citizen
<b>Room Tax Commission</b>		5 citizens	As needed	1 year	1. James VanLanen Jr., citizen 2. Vacancy, citizen <b>Mark Bittner, Council</b> <b>Curt Andrews, Council</b> <b>Erin Gonnerman, Council</b>
<b>Zoning Board of Appeals</b>		5 citizens	As needed	3 years	1. Mike Canty, citizen 2. Jeff Gordon, citizen 3. Preston Jones, citizen 4. Vacancy, citizen 5. Vacancy, citizen Dick Klinkner, Alt. #1 Vacancy, Alt. #2
<b>City Council Representatives to Outside Organizations</b>					
<b>Two Rivers Main Street, Inc.</b>	Private, not-for-profit corporation established to pursue downtown revitalization. Major funding sources have included a Business Improvement District (BID) and annual City contribution. (Not a board or committee of City government)	13 voting member board (includes City Manager and 1 council member)	Monthly 2 <sup>nd</sup> Tuesday 7:00 AM	3 years	<b>Curt Andrews, Council</b>
<b>Progress Lakeshore</b>			Every Other Month 3 <sup>rd</sup> Wednesday 7:15 AM		<b>Bonnie Shimulunas, Council</b>
<b>Manitowoc Area Visitor &amp; Convention Bureau</b>			Every Other Month 2 <sup>nd</sup> Thursday 8:00 AM		<b>Mark Bittner, Council</b>



## RESOLUTION

**BE IT RESOLVED**, the City Council will hold its regular meetings on the first and third Monday of each month, unless any such Monday shall be a legal holiday, in which event the meeting will be held in the next secular day.

**BE IT RESOLVED FURTHER**, that the hour of the day when such regular meetings of the Council shall be held shall be at 6:00 PM.

**BE IT RESOLVED FURTHER**, that the order of business for all meetings of the Council shall be as follows:

- I. CALL TO ORDER BY PRESIDENT OF THE CITY COUNCIL
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL BY CITY CLERK
- IV. CONSIDERATION OF ANY COUNCILMEMBER REQUESTS TO PARTICIPATE IN THIS MEETING FROM A REMOTE LOCATION
- V. PUBLIC HEARINGS
- VI. INPUT FROM THE PUBLIC
- VII. COUNCIL COMMUNICATIONS
  - Letters and other communications from citizens
- VIII. COUNCIL REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES
- IX. CITY MANAGER'S REPORT
  - Introduction of Invited Guests
  - Status/Update Reports
  - Legislative/Intergovernmental Update
- X. CONSENT AGENDA
  - City Council Minutes
  - Applications and Petitions
  - Reports
- XI. CITY COUNCIL - FORMAL ITEMS
- XII. CITY COUNCIL - UNFINISHED BUSINESS
- XIII. FOR INFORMATION ONLY
- XIV. CLOSED EXECUTIVE SESSION
- XV. RECONVENE IN OPEN SESSION
- XVI. ADJOURNMENT

**BE IT RESOLVED FURTHER**, that if the Council directs any matter to be the special business of a future meeting, the same shall have precedence over all other business at such meeting.

**BE IT RESOLVED FURTHER**, that the Council President shall appoint standing committees including: Public Works, Utilities, and Finance and Personnel to assist in the work of the Council and such other special committees as he may deem necessary.

**BE IT RESOLVED FURTHER**, that the Council adopts the rules for the Council as attached.

Dated this 21st day of April, 2020.

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Councilmember

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Gregory E. Buckley  
City Manager



## **RULES FOR CITY COUNCIL CITY OF TWO RIVERS**

**April 21, 2020**

### **MEETINGS**

1st and 3rd Mondays at 6:00 PM, Council Chambers, City Hall

### **OFFICERS**

President and Vice President. Elected by majority of members present and voting at reorganization meeting.

### **RULES**

Roberts Rules of Order and any special rules adopted by the Council.

### **VOTING**

A roll call vote shall be recorded on all ordinances and resolutions. A roll call vote shall be recorded for major purchases in accordance with Municipal Code Section 2-7-7.

### **COMMITTEES**

The three standing committees are Personnel and Finance, Utilities and Public Works. Standing committees are subject to the call of the chair and the Council may also meet as a Committee of the Whole from time to time.

### **AGENDA**

A copy of the proposed agenda, together with copies of reports, recommendations, ordinances, and the like are furnished each Councilmember the Thursday before the regular Council meeting on the following Monday.

### **PUBLIC MEETINGS**

All meetings of the City Council, its committees, whether regular or special, are open to the public, except as indicated by State Statute (Open Meeting Law).

### **SPECIAL MEETINGS**

On call of President, City Manager, or two members after filing notice with the City Manager's Office who shall legally notify each member of the Council.

**FIRST MEETING OF NEW COUNCIL**

The third Tuesday in April as indicated by State Statute (64.01).

**SEATING ARRANGEMENT**

Seating arrangements in the Council Chambers shall be determined by randomly selecting numbers at the reorganization meeting. The Vice President shall be seated, to the immediate right of the City Attorney, to facilitate matters of assisting the President.

**RECORDING OF MEETINGS**

All meetings of the Council shall be electronically recorded and kept on file for not less than 60 days.

Adopted April 21, 2020

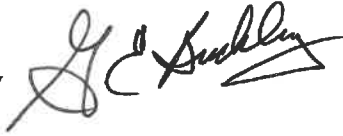
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Councilmember

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Gregory E. Buckley  
City Manager



**--MEMORANDUM--****TO:** City Council**DATE:** April 24, 2020**FROM:** Gregory E. Buckley  
City Manager**SUBJECT:** Consideration of Providing Relief to Local Establishments on the Fees for Alcohol Beverage Licenses

Councilmember Wachowski has requested that the April 27 Council agenda include consideration of the above matter (see attached e-mail).

Some Wisconsin municipalities have taken action, or are considering action, to roll back their "Alcohol Beverage License Fees" for the annual licensing period that begins July 1, to aid local establishments that have had to close down or severely curtail business due to the COVID-19 pandemic and related emergency orders, notably the Governor's "Safer at Home" Executive Order.

I have listed this matter on the agenda in a way that allows the Council to take action, if it wishes, directing staff to prepare an ordinance amendment or resolution for consideration at the May 4 Council meeting relative to this issue. Options could include:

1. An ordinance amendment changing the fees currently set by ordinance—either amend for a temporary period, or plan to go back later and again amend to restore current fees in the future.
2. A resolution providing for the refunding of a portion of the current fees to the Licensees (in lieu of changing the ordinance).
3. A resolution allowing for a deferred payment of the license fee—say, to December 1, but leaving the fees as-is

To assist the Council in its consideration of this matter, the City Clerk has prepared the attached tables that show the various City alcohol license fees charged to local establishments.

I believe that Adam's proposal addresses the types of businesses listed on pages 1 and 2 of the tables: the 25 holders of Class B Beer and Class B Liquor licenses. As shown, reducing the combined fee for these licenses to \$50 (as low as you can go, as State Statutes set a minimum fee of \$50 for the Class B Liquor license) would result in reduced revenues of \$8,125 to the City for the current budget year.

There are other businesses that pay annual fees for licenses related to the sale of alcohol, most notably businesses with "Class A" Malt and Liquor Licenses for package sales, like Pick n Save,

Attachment: memo consideration fess alcohol licenses (2625 : Licensing Fees)

Piggly Wiggly and local convenience stores. I assume the Council would want to leave those fees unchanged, as those businesses are all open and appear to be going strong—including strong beer, wine and liquor sales, if you believe national press reports.

This is a matter of Council discretion and—while the dollar impact is relatively small in the context of the full City budget—it is also important to remember that there are costs attendant to the licensing process, such as tavern inspections each licensing cycle, which will continue to be borne by the City.

City Attorney Jack Bruce participated in a Municipal Attorneys conference call this morning, which included this topic. He should be able to contribute to this conversation on Monday night.

Attachments:

- League of Municipalities Information Sheet on Alcohol Licensing Fees
- Listing of Current Two Rivers Alcohol Licensing Fees and Local Licensed Establishments
- Comparison of Current Two Rivers Fees to Manitowoc Fees



Greg Buckley &lt;grebuc@two-rivers.org&gt;

## Fwd: council agenda

Lisa Kuehn &lt;liskue@two-rivers.org&gt;

Wed, Apr 22, 2020 at 12:49 PM

To: Kim Graves &lt;kimgra@two-rivers.org&gt;, Greg Buckley &lt;gbuckley@two-rivers.org&gt;

Kim and Greg,  
see message below

----- Forwarded message -----

From: **Adam Wachowski** <baseballone@ymail.com>

Date: Wed, Apr 22, 2020 at 12:35 PM

Subject: Re: council agenda

To: liskue@two-rivers.org &lt;liskue@two-rivers.org&gt;

I would like to add to our agenda the license renewals for the bars. With all that's going on and the hardships with the governors shutdown due to covid 19, I want to propose a straight \$50 renewal fee for both beer and liquor license combined. After research I have found this to be a common thing for municipality's in Wisconsin.

Adam

Sent from Yahoo Mail on Android

On Wed, Apr 22, 2020 at 12:31 PM, Lisa Kuehn  
<liskue@two-rivers.org> wrote:

Yes, please do.

On Wed, Apr 22, 2020 at 11:44 AM Adam Wachowski <baseballone@ymail.com> wrote:

Hi Lisa,

I would like to get something on the council agenda. Is that something I pass along to you?

Adam

--

Lisa Kuehn  
Administrative Assistant City Manager/Deputy City Clerk  
City of Two Rivers | PO Box 87 | 1717 E Park St  
920-793-5532 / [lkuehn@two-rivers.org](mailto:lkuehn@two-rivers.org)  
[www.two-rivers.org](http://www.two-rivers.org)

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--

Lisa Kuehn  
Administrative Assistant City Manager/Deputy City Clerk  
City of Two Rivers | PO Box 87 | 1717 E Park St  
920-793-5532 / [lkuehn@two-rivers.org](mailto:lkuehn@two-rivers.org)  
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Attachment: memo consideration fess alcohol licenses (2625 : Licensing Fees)





131 W. Wilson St., Suite 505  
Madison, Wisconsin 53703  
phone (608) 267-2380; (800) 991-5502  
fax: (608) 267-0645  
league@lwm-info.org; www.lwm-info.org

## Reducing Alcohol Beverage Licensing Fees in Response to COVID-19 Pandemic

League of Wisconsin Municipalities  
April 21, 2020

The League of Wisconsin Municipalities has received many questions relating to whether municipalities may reduce alcohol beverage licensing fees for the upcoming 2020 licensing renewal period or take other steps to help restaurants and bars hurt by the COVID-19 pandemic and resulting “Safer-at-Home” order.

**Reducing Licensing Fees.** Municipal governing bodies may reduce alcohol beverage licensing fees for the 2020 licensing renewal period. Licensing fees are determined locally but must be within the maximum and minimum ranges specified by state law.

### Maximum and Minimum license fees under state law:

Class “A” beer – no state maximum or minimum; the amount is determined by the municipality

Class “B” beer -- \$100 maximum; no minimum

“Class A” liquor -- \$500 maximum; \$50 minimum

“Class B” liquor -- \$500 maximum; \$50 minimum

Reserve “Class B” liquor renewal -- \$500 maximum; \$50 minimum

“Class C” wine license -- \$100 maximum; no minimum

A community could, at its discretion, reduce the 2020 renewal fees for Class “A” beer, Class “B” beer, and “Class C” wine to zero. The fees for “Class A” liquor, “Class B” liquor, and Reserve “Class B” liquor renewal licenses could be reduced to \$50 each. Restaurants and bars typically hold Class B licenses and restaurants without an intoxicating liquor license may have a Class C wine license. Class A licenses are typically held by stores and sell for consumption off premise.

In communities that set license fees by ordinance, governing bodies wishing to reduce fees will need to adopt an ordinance modifying the alcohol beverage licensing renewal fees for the July 1, 2020 to June 30, 2021 licensing year. In communities with ordinances specifying that fees are amended by resolution of the governing body, the governing body will need to adopt a resolution modifying the fees.

**Waiving Late Fees for Alcohol Beverage Renewal Applications.** Another step communities might consider taking to provide partial relief to restaurants and bars hurt by the COVID-19 pandemic is to waive any late fees the municipality imposes when applicants file their alcohol beverage renewal applications after the deadline for submittal.

"CLASS B" MALT & LIQUOR LICENSE						
LICENSEE/BUSINESS NAME	Class B Beer	Class B Liquor	Pub Fee	Beer Garden	TOTAL	
Statutory Minimum	None	\$ 50.00	None	None		
Statutory Maximum	\$ 100.00	\$ 500.00	None	None		
B2T2, LLC/KURTZ'S	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Berserker's	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Casa Mexico	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Cedar Lodge	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
City Central Bar & Grill LLC	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$	440.00
DABOTO LLC/Village Inn	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$	440.00
Dick's Wonder Bar	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Fireside Pub LLC	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Knights Of Columbus	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Lee's Inn	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Lenny's II	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Lighthouse on the Lake Inc	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00
Lonz's Tannery Club	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$	440.00
Machut's Supper Club, Inc	\$ 100.00	\$ 275.00	\$ 15.00		\$	390.00

"CLASS B" MALT & LIQUOR LICENSE						
LICENSEE/BUSINESS NAME	Class B Beer	Class B Liquor	Pub Fee	Beer Garden	TOTAL	
McPautz, LLC						
Tapped on the Lakeshore	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$ 440.00	
Phil and Michelle's Bar	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$ 440.00	
RTM Bar, LLC	\$ 100.00	\$ 275.00	\$ 15.00		\$ 390.00	
Rudy's Lanes Inc	\$ 100.00	\$ 275.00	\$ 15.00		\$ 390.00	
Sandpiper Bar & Grill Inc	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$ 440.00	
Sepia Wedding Chapel, LLC	\$ 100.00	\$ 275.00	\$ 15.00		\$ 390.00	
Sport Bar & Grill	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$ 440.00	
Waverly Inn	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$ 440.00	
Tippy's Bar & Grill	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$ 440.00	
Tribbs, LLC/Grizzly's	\$ 100.00	\$ 275.00	\$ 15.00		\$ 390.00	
Whisky Ds, LLC	\$ 100.00	\$ 275.00	\$ 15.00	\$ 50.00	\$ 440.00	
GRAND TOTAL	\$ 2,500.00	\$ 6,875.00	\$ 375.00	\$ 500.00	\$ 10,250.00	
Grand Total if Class B Beer and Class B Liquor Each Taken to \$50.00	\$ 1,250.00	\$ 1,250.00	\$ 375.00	\$ 500.00	\$ 3,375.00	
Grand Total if Combined License Fee for Class B Beer and Class B Set at \$50.00	\$ 1,250.00	\$ -	\$ 375.00	\$ 500.00	\$ 2,125.00	
					\$ (6,875.00)	
					\$ (8,125.00)	



"CLASS B" MALT LICENSE APPLICATIONS				
<u>LICENSEE/BUSINESS NAME</u>	<u>Class B Beer</u>	<u>Pub Fee</u>	<u>TOTAL</u>	
Statutory Minimum	None	None		
Statutory Maximum	None	None		
Hazel's Pizza	\$ 100.00	\$ 15.00	\$ 115.00	
St. John's Men's Club	\$ 100.00	\$ 15.00	\$ 115.00	
GRAND TOTAL	\$ 200.00	\$ 30.00	\$ 230.00	
Grand Total if Class A Beer Taken to \$50.00	\$ 100.00	\$ 30.00	\$ 130.00	
			\$ (100.00)	

"CLASS A" MALT LICENSE APPLICATIONS				
	<u>LICENSEE/BUSINESS NAME</u>	<u>Class A Beer</u>	<u>Pub Fee</u>	<u>TOTAL</u>
	Patsy's Hwy 42 Mobil	\$ 50.00	\$ 15.00	\$ 65.00
	Seagull Marina	\$ 50.00	\$ 15.00	\$ 65.00
	GRAND TOTAL	\$ 100.00	\$ 30.00	\$ 230.00

"CLASS A" MALT & LIQUOR LICENSE APPLICATIONS					
LICENSEE/BUSINESS NAME	Class A Beer	Class A Liquor	Pub Fee	TOTAL	
Statutory Minimum	None	\$ 50.00	\$ 15.00		
Statutory Maximum	None	\$ 500.00	\$ 15.00		
Dogencorp, LLC	\$ 50.00	\$ 500.00	\$ 15.00	\$ 565.00	
Dollar General					
Jai Uni Mart	\$ 50.00	\$ 500.00	\$ 15.00	\$ 565.00	
Kwik Trip Inc.	\$ 50.00	\$ 500.00	\$ 15.00	\$ 565.00	
Krishna Food Mart	\$ 50.00	\$ 500.00	\$ 15.00	\$ 565.00	
Piggly Wiggly	\$ 50.00	\$ 500.00	\$ 15.00	\$ 565.00	
Ultra Mart	\$ 50.00	\$ 500.00	\$ 15.00	\$ 565.00	
Pick N Save					
Walgreen Company	\$ 50.00	\$ 500.00	\$ 15.00	\$ 565.00	
GRAND TOTAL	\$ 350.00	\$ 3,500.00	\$ 105.00	\$ 3,955.00	
Grand Total if Class A Liquor License Fee Taken to \$50.00	\$ 350.00	\$ 350.00	\$ 105.00	\$ 805.00	\$ (3,150.00)



	Two Rivers	Manitowoc
"Class A" Intoxicating Liquor License Fee	\$500	\$500
"Class B" Intoxicating Liquor License Fee	\$275	\$500
"Class A" Fermented Malt License Fee	\$50	\$150
"Class B" Fermented Malt License Fee	\$100	\$100