

**CITY OF CEDARBURG  
COMMON COUNCIL  
September 11, 2017**

**CC20170911-1  
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, September 11, 2017, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Acting Mayor O'Keefe called the meeting to order at 7:00 p.m.

ROLL CALL: Present - Common Council – Council Members Jack Arnett, Dick Dieffenbach, Rick Verhaalen, Patricia Thome, Mike O'Keefe

Excused - Mayor Kip Kinzel, Council Members John Czarnecki, Mitch Regenfuss

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Director of Engineering and Public Works Tom Wiza, Deputy City Clerk Amy Kletzien, interested citizens and news media

**STATEMENT OF PUBLIC NOTICE**

At Acting Mayor O'Keefe's request, Deputy City Clerk Kletzien verified that notice of this meeting was provided to the public by forwarding the agenda to the City's official newspaper, the *News Graphic*, to all news media and citizens who requested copies, and by posting in accordance with the Wisconsin Open Meetings law. Citizens present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

Council Member O'Keefe stated as Acting Mayor he is retaining his right to vote as Council member of the 7<sup>th</sup> Aldermanic District.

**APPROVAL OF MINUTES**

Motion made by Council Member Dieffenbach, seconded by Council Member Arnett, to approve the minutes from the August 28, 2017 meeting. Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

**COMMENTS & SUGGESTIONS FROM CITIZENS** – None

**NEW BUSINESS**

**CONSIDER RESOLUTION NO. 2017-15 COMMENDING FIDDLEHEADS FOR SMALL BUSINESS OF THE YEAR AWARD; AND ACTION THEREON**

Motion made by Council Member Dieffenbach, seconded by Council Member Thome, to adopt Resolution No. 2017-15 commending Fiddleheads for Small Business of the Year Award. Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

**CONSIDER BIDS RECEIVED FOR THE 2017 ASPHALT PAVEMENT REPAIR PROGRAM; AND ACTION THEREON**

Director Wiza explained that \$45,000 was budgeted for asphalt repairs and \$24,606 of this has already been expended for the chip sealing of Pioneer Road. However, this project is small and will be within budget, as the patch at the Wastewater Plant will come out of their budget. A total of four bids were received to repair work on Buchanan Street, Fox Pointe Avenue, London Court, and the Wastewater Treatment Plant. The lowest responsive bid was submitted by Poblocki Paving Corporation in the amount of \$26,266.00.

Motion made by Council Member Arnett, seconded by Council Member Thome, to award the 2017 asphalt pavement repair program to Poblocki Paving Corporation in the total amount of \$26,266.00. Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

**CONSIDER EXTENSION OF CASH FARM LEASE WITH RODEN ECHO VALLEY, LLC FOR 2018; AND ACTION THEREON**

Director Wiza explained that the City has had an annual cash farm lease with Robert Roden for 47 acres at 6603 Highway 60 since 1999. While the land is eventually intended to be used for business park development, there is a little chance of development occurring in 2018. Mr. Roden has agreed to an increase in rent to \$70 acre. Director Wiza said that Mr. Roden has been an exceptional renter who rotates his crops, controls weeds, and does not track mud on Highway 60.

Council Member Arnett stated that he recommended renewal of the lease because the property has no utilities and it will be some time before any work can begin.

In answer to Council Member O'Keefe's question, Director Wiza explained that the soil boring that was done in 1998 is still good. If any further testing would need to be done, the City would need to buy out that portion of the crops.

Motion made by Council Member Thome, seconded by Council Member Arnett, to extend the cash farm lease with Roden Echo Valley, LLC at the rental fee of \$70 per acre. Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

**CONSIDER MAYOR KINZEL'S REAPPOINTMENT OF JOSEPH DORR AND BLAINE HILGENDORF TO THE LIGHT AND WATER COMMISSION (TERMS EXPIRE 09/30/20) AND APPOINTMENT OF KERRY THARP TO THE PUBLIC ART COMMISSION (TERM EXPIRES 04/30/19); AND ACTION THEREON**

Council Member Dieffenbach stated that the Light & Water Commissioners serve for a long time and he suggested that the City consider term limits for Board, Commission and Committee members in the future.

Council Member Arnett stated that depth of experience is important on the Light and Water Commission.

Council Member Thome explained that there is a nice mix of people on the Light and Water Commission who hold a great wealth of information.

Motion made by Council Member Thome, seconded by Council Member Arnett, to approve Mayor Kinzel's reappointment of Joseph Dorr and Blaine Hilgendorf to the Light and Water Commission (terms expire 9/30/20) and the appointment of Kerry Tharp to the Public Art Commission (term expires 4/30/19). Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

**CONSIDER PAYMENT OF BILLS FOR THE PERIOD 08/31/17 THROUGH 09/05/17, TRANSFERS FOR THE PERIOD 08/23/17 THROUGH 09/05/17, AND PAYROLL FOR THE PERIOD 08/13/17 THROUGH 08/26/17; AND ACTION THEREON**

In answer to Council Member Dieffenbach's question, City Administrator/Treasurer Mertes explained that the \$20,000 payment to Emerald Tree Care is for treatment of street trees.

Council Member Dieffenbach questioned the need for three Costco memberships. City Administrator/Treasurer Mertes explained that the cards are issued to one person and it is too difficult to have one person be available for each visit to Costco for supplies.

In answer to Council Member Dieffenbach's inquiry into the payment to Waste Management for street sweepings, Director Wiza explained that sediment collected by the street sweeper needs to be hauled to Waste Management along with catch basin refuse, as required by the DNR. The leaves that are collected in the fall are composted.

Motion made by Council Member Dieffenbach, seconded by Council Member Thome, to approve payment of bills for the period 08/31/17 through 09/05/17, transfers for the period 08/23/17 through 09/05/17, and payroll for the period 08/13/17 through 08/26/17. Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

**CONSIDER LICENSE APPLICATIONS; AND ACTION THEREON**

Motion made by Council Member Thome, seconded by Council Member Arnett, to approve new Operators License applications for the period ending June 30, 2018 for Margaret Dobson, Madilyn M. Hill, Jake E. Krajenka, John M. Padberg, and Matthew T. Robinson. Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

Motion made by Council Member Verhaalen, seconded by Council Member Thome, to approve renewal Operators License applications for the period ending June 30, 2018 for Marilyn S. Fisher, Christina N. Gabrielson, Josh P. McCutcheon, Jeffrey O. Peterson, and Hailey E. Weissinger. Motion carried without a negative vote with Council Member Czarnecki and Regenfuss excused.

**ADMINISTRATOR'S REPORT**

City Administrator/Treasurer Mertes explained that she is in the process of budget meetings with Department Heads. Budget presentations will be made at the October 9 Common Council meeting

and the Public Hearing will be held at the October 30 meeting. Council Member Dieffenbach asked to receive the draft budget as early as possible prior to the meeting.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** - None

**COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS**

Council Member Arnett explained that the Branding Committee received 15 responses to their RFPs. The Committee finished their fifth and final interview today and will make a decision within a week.

In answer to Council Member Dieffenbach's question, Director Wiza explained that Mercury Marine and the City have been working together on the final trucking plan to remove the bladders from Adlai Horn Park. In answer to Council Member Arnett's question, Director Wiza stated that he has documented the status of the current roads to assess any damage after the removal.

**MAYOR'S REPORT** - None

**ADJOURNMENT – CLOSED SESSION**

Motion made by Council Member Thome, seconded by Council Member Dieffenbach, to adjourn to closed session at 7:22 p.m. pursuant to State Statutes 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session, more specifically, to discuss possible negotiations with BMO Harris Bank for the purchase of property on Columbia Road. Approval of closed session minutes of 8/28/17. Motion carried unanimously on a roll call vote with Council Members Arnett, Dieffenbach, Verhaalen, Thome, and O'Keefe voting aye and Council Members Czarnecki and Regenfuss excused.

**RECONVENE TO OPEN SESSION**

Motion made by Council Member Dieffenbach, seconded by Council Member Arnett, to reconvene to open session at 7:43 p.m. Motion carried unanimously on a roll call vote with Council Members Arnett, Dieffenbach, Verhaalen, Thome, and O'Keefe voting aye and Council Members Czarnecki and Regenfuss excused.

**ADJOURNMENT**

Motion made by Council Member Thome, seconded by Council Member Arnett, to adjourn the meeting at 7:43 p.m. Motion carried without a negative vote with Council Members Czarnecki and Regenfuss excused.

Amy D. Kletzien, MMC/WCPC  
Deputy City Clerk