

**CITY OF CEDARBURG
COMMON COUNCIL
March 12, 2018**

**CC20180312-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, March 12, 2018, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Kinzel called the meeting to order at 7:00 p.m.

ROLL CALL: Present - Common Council – Mayor Kip Kinzel, Council Members John Czarnecki, Jack Arnett, Dick Dieffenbach, Rick Verhaalen, Patricia Thome, Mike O’Keefe

Vacant - Aldermanic District 5

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Parks, Recreation & Forestry Director Mikko Hilvo, Water Recycling Center Superintendent Eric Hackert, 1st Aldermanic District candidate Sara Dunstone, 3rd Aldermanic District candidates Kristin Burkart and Ryan Hammetter, 7th Aldermanic District candidate Rod Galbraith, interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor Kinzel’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.

APPROVAL OF MINUTES

Motion made by Council Member Thome, seconded by Council Member Dieffenbach, to approve the minutes of the February 26, 2018 meeting as presented. Motion carried without a negative vote with Aldermanic District 5 vacant.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

NEW BUSINESS

CONSIDER AWARD OF CONTRACT FOR THE 2018 ANNUAL CONCRETE SIDEWALK PROGRAM; AND ACTION THEREON

City Administrator/Treasurer Mertes explained that staff received seven bids for the 2018 concrete sidewalk replacement project with the low bid coming from Forward Contractors in the amount of \$41,450. The Public Works and Sewerage Commission was scheduled to meet March 8th, but the meeting was canceled due to lack of a quorum. Therefore, this item is brought to the Common Council without a recommendation from the Commission. Staff recommends awarding the 2018 sidewalk contract to Forward Contractors on the basis of their low bid.

Motion made by Council Member Arnett, seconded by Council Member Czarnecki, to award the 2018 annual concrete sidewalk program to Forward Contractors in the amount of \$41,450. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER RESOLUTION NO. 2018-07 AUTHORIZING STAFF TO APPLY FOR A DNR MUNICIPAL DAM GRANT FOR PENDING REPAIRS TO THE COLUMBIA MILLS AND WOOLEN MILLS DAMS; AND ACTION THEREON

City Administrator/Treasurer Mertes explained that the Common Council awarded the contract for engineering services related to the Woolen Mills dam inspection and preparation of the grant application to Graef at the last Common Council meeting. This resolution will complete the authorization to apply for a DNR Municipal Dam Grant for pending repairs to the Columbia Mills and Woolen Mills Dams. If we are successful, the grant would cover 50% of the first \$400,000 of eligible repairs, and 25% of costs exceeding \$400,000. The work is to be completed by October 31, 2018.

Motion made by Council Member Czarnecki, seconded by Council Member O'Keefe, to adopt Resolution No. 2018-07 authorizing staff to apply for a DNR Municipal Dam Grant for pending repairs to the Columbia Mills and Woolen Mills Dams. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER A REQUEST TO CONTRACT FOR REPLACING THREE FLAT ROOFS AT THE CEDARBURG WATER RECYCLING CENTER; AND ACTION THEREON

Superintendent Hackert explained that the Water Recycling Center is in need of replacing the roofing on three main buildings. Two of the buildings are currently leaking through the ceilings. The roofs are all over 15 years old. He recommends hiring ARC Commercial Contracting Services based on their low price of \$81,700. Superintendent Hackert did review the project with ARC to make sure they understood the scope of the project based on their bid. He also checked references and he feels comfortable with the contract.

Motion made by Council Member Czarnecki, seconded by Council Member Thome, to accept the contract from ARC Commercial Contracting Services for replacing three flat roofs at the Water Recycling Center for \$81,700. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER APPLICATION OF L&G EXPRESS BAR, LLC, LARRY D. WEIDMANN, AGENT, FOR A CLASS "B" BEER AND "CLASS B" LIQUOR LICENSE FOR L&G EXPRESS AT N50 W5586 PORTLAND ROAD DUE TO CHANGE IN OWNERSHIP FROM A PARTNERSHIP TO AN LLC; AND ACTION THEREON

City Administrator/Treasurer Mertes explained that due to a change in ownership, L&G Express Bar is changing from a partnership to an LLC.

In answer to Council Member Dieffenbach's question, Deputy Clerk Kletzien explained that L&G Express will need to pay a pro-rated amount for the remainder of the licensing period under the new ownership.

Motion made by Council Member Verhaalen, seconded by Council Member Thome, to approve the application of L&G Express Bar, LLC, Larry D. Weidmann, Agent, for a Class “B” Beer and “Class B” Liquor License for L&G Express at N50 W5586 Portland Road. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER REQUEST OF AMBUR VANCE OF AT JJ’S LLC TO AMEND THE PREMISE DESCRIPTION OF THE CLASS “B” BEER AND “CLASS B” LIQUOR LICENSE OF AT JJ’S AT W62 N559 WASHINGTON AVENUE TO SELL AND SERVE ALCOHOL OUTSIDE DURING STRAWBERRY FEST AND WINE AND HARVEST FEST; AND ACTION THEREON

City Administrator/Treasurer Mertes explained that the owners of AT JJ’s are seeking permission to alter their liquor license premise description to be able to sell and serve alcohol under a tent on the street in front of the business during Strawberry Festival and Wine and Harvest Festival.

Motion made by Council Member Czarnecki, seconded by Council Member Arnett, to approve the request of Ambur Vance of AT JJ’s LLC to amend the premise description of the Class “B” Beer and “Class B” Liquor license of AT JJ’s at W62 N559 Washington Avenue to sell and serve alcohol outside during Strawberry Festival and Wine & Harvest Festival. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER REQUEST TO USE RECREATION FUND BALANCE FOR YOUTH FOOTBALL EQUIPMENT; AND ACTION THEREON

Council Member Verhaalen recused himself from this item because he is involved with the Cedarburg Dawgs Football program.

Director Hilvo explained that the City of Cedarburg Recreation Department has recently partnered with the Cedarburg Dawgs Football program to help develop youth football in Cedarburg. The Dawgs will offer tackle football from 5th – 8th grades. The Recreation Department will continue offering flag football from grades K4- 4th but under the name Cedarburg Dawgs Flag Football. The purpose of this is to unify all levels of youth football and offer positive play for each player in Cedarburg from K4 all the way to the high school level. He also explained that in 2006, the Recreation Department was approached by a group of parents to take over the flag football program in Cedarburg. They had been offering it for a couple of years but many of the parents involved had children who grew out of the program and no one else was interested in offering it. The group at that time gave all of their equipment (value \$3,000) and \$2,000 startup funds that they had from the previous season. This allowed the City to offer the program at a reasonable cost to participants. In order for this new tackle football league to be able to provide the best program possible for our youth they need equipment that will provide the children the safety they need to participate in the program. The Recreation staff and the Park Board feel that a sponsorship of \$5,000 would help them accomplish this. The funds will come out of the Special Recreation Special Revenue account which was created for the purpose of funding recreation programs in the community without tax support.

In answer to Council Member Dieffenbach's question, Director Hilvo explained that the Dawgs and Colts are similar programs; however, the Dawgs program will provide positive play. Only one of the programs will be playing next year and the two programs will merge.

In answer to Council Member Dieffenbach's question, Director Hilvo stated that the Town of Cedarburg does not want to participate in this program. Council Member Dieffenbach asked that Director Hilvo not give up on trying to include the Town of Cedarburg in joint programs.

In answer to Council Member Dieffenbach's question, Director Hilvo explained that the Dawgs program will follow the same concussion protocol as Cedarburg High School.

Council Member Verhaalen explained that each player will participate in baseline testing that will be good for two years. All coaches will be trained to follow the concussion guidelines.

Motion made by Council Member O'Keefe, seconded by Council Member Czarnecki, to approve the request to use \$5,000 from the Recreation Fund balance for Youth Football equipment. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER PAYMENT OF BILLS FOR THE PERIOD 01/23/18 THROUGH 03/01/18, TRANSFERS FOR THE PERIOD 02/22/18 THROUGH 03/06/18, AND PAYROLL FOR THE PERIOD 02/11/18 THROUGH 02/24/18 AND ACTION THEREON

Motion made by Council Member Dieffenbach, seconded by Council Member Arnett, to approve payment of bills for the period 01/23/18 through 03/01/18, transfers for the period 02/22/18 through 03/06/18, and payroll for the period 02/11/18 through 02/24/18. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER LICENSE APPLICATIONS; AND ACTION THEREON

Motion made by Council Member O'Keefe, seconded by Council Member Thome, to approve a new Operators License application for the period ending June 30, 2018 for Nicholas S. Heebisch. Motion carried without a negative vote with Aldermanic District 5 vacant.

ADMINISTRATOR'S REPORT

City Administrator/Treasurer Mertes is in discussions with the Town of Cedarburg regarding a shared phone system with the City of Cedarburg.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS & ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Dieffenbach explained that many trees were lost in the wooded lot on Lincoln Drive due to Emerald Ash Borer. On April 21, Cedarburg Green is hosting a community project to plant 100 new trees. Council Member Thome stated that the Rotary made a significant donation to this project.

MAYOR'S REPORT - None

ADJOURNMENT

Motion made by Council Member Thome, seconded by Council Member Czarnecki, to adjourn the meeting at 7:20 p.m. Motion carried without a negative vote with Aldermanic District 5 vacant.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk