

**CITY OF CEDARBURG
COMMON COUNCIL
PUBLIC WORKS AND SEWERAGE COMMISSION
January 11, 2016**

**CC20160111-1
UNAPPROVED**

A regular joint meeting of the Common Council and the Public Works and Sewerage Commission of the City of Cedarburg, Wisconsin, was held on Monday, January 11, 2016, 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, Art Filter, Rick Verhaalen, Mitch Regenfuss, Patricia Thome, Mike O’Keefe

Present - Public Works Commission and Sewerage Commission – Mayor Kip Kinzel, Council Member Czarnecki, Bill Oakes, Charles Schumacher, Robert Dries, Gary Graham, Jim Slavin

Excused - Public Works and Sewerage Commission - Randy Roupp, Sandra Beck

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Director of Engineering and Public Works Tom Wiza, Assistant City Engineer Mike Wieser, Public Works Superintendent Joel Bublitz, Mechanic Bill Hintz, Deputy City Clerk Amy Kletzien, Planner Jon Censky, Parks, Recreation & Forestry Director Mikko Hilvo, 3rd District Alderperson Candidate Dick Dieffenbach, 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 O’Keefe, to approve the minutes of the December 14, 2015 meeting as presented. Motion carried without a negative vote.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

PUBLIC HEARING – CONSIDER ORDINANCE NO. 2016-01 REZONING THE PARCELS OF LAND LOCATED ON THE EAST SIDE OF SHEBOYGAN ROAD SOUTH OF HIGHWAY 60 FROM RS-7/PUD SINGLE-FAMILY RESIDENTIAL DISTRICT/PLANNED UNIT DEVELOPMENT TO RS-4/PUD SINGLE-FAMILY RESIDENTIAL DISTRICT/PLANNED UNIT DEVELOPMENT; AND ACTION THEREON (PLAN

COMMISSION 12/07/15) (NOTE: THE AREA WITHIN THE DESCRIBED REAL ESTATE PRESENTLY ZONED C-4 UPLAND CONSERVANCY SHALL REMAIN C-4) NEW BUSINESS

Mayor Kinzel declared the public hearing open to consider Ordinance No. 2016-01 rezoning the parcels of land located on the east side of Sheboygan Road south of Highway 60 from RS-7/PUD Single-Family Residential District/Planned Unit Development to RS-4/PUD Single-Family Residential District/Planned Unit Development at 7:02 p.m.

Planner Censky explained that the rezoning of the property is a two-step process, which included an amendment to the Comprehensive Land Use Plan to change the classification for the site to one that supports the use that is being proposed. That was accomplished at the August Plan Commission meeting. Tonight, the applicant is requesting the rezoning, which is the final step in the rezoning process to RS-4/PUD for the Glen at Cedar Creek Subdivision. The RS-4 is a base zoning district and it establishes the regulations under which development occurs and establishes a density based on a minimum lot size of 10,000 sf. The PUD District is an overlay district that is applied over the RS-4 District and is tied to the specific plan that is being considered tonight. Any future change to that plan would require going through the rezoning process again. The PUD also provides the flexibility to determine how the district standards are applied to the proposed project. The plat consists of 69 lots ranging in size from 9,800 sq. ft. up to 18,500 sq. ft. and while it is being platted as a single-family subdivision, the intent is to treat it much like condominiums with a home owners' association that will tend to the maintenance responsibilities of the subdivision, including snow plowing, lawn mowing, etc. The modifications to the regulations under the RS-4 District were listed in his report including such things as modifications to the lot size and width requirements. The developer is asking for a modification to the setback to the wetlands from a 25 foot set back to a 10 foot setback for three lots in the subdivision (12, 13 & 50) and that would require DNR approval as well. They are also asking that the roads within this project be private roads to be constructed and maintained by the developer and alternately the Association. They are also asking that the cul-du-sac be allowed to be extended out to 825 ft. The Code has a maximum limit of 750 ft. This project has been reviewed by the Plan Commission on several occasions. The last of which was December 7, when the Plan Commission unanimously recommended approval subject to the modifications.

John Wahlen of Cornerstone Development and Aaron Koch of Pinnacle Engineering Group gave a presentation on the Glen at Cedar Creek Subdivision.

Aaron Koch began by reviewing the site map and outlining the following information:

- Private roads throughout the subdivision
- 69 Lots
- After six to eight months of work the following has been accomplished:
 - Wetland area has been reviewed and approved by the DNR and SEWRPC and will allow the utilities to go across the area.
 - The ponds have been engineered.
 - Improvements will be made along Sheboygan Road.
 - Work needs to be done on the wetlands to get the sidewalk through, at the City's request.
 - Sewer depths work with the lift station.

John Wahlen showed representations of boutique style homes. They plan to build a Club House first, off of Sheboygan Road at the entrance, which will act as the gathering spot and the center of the neighborhood where the sales team will be located.

In answer to Council Member Filter's question, Mr. Wahlen said they have retained a landscaping architect and a plan will be submitted to the City.

In answer to Council Member Thome's question, Mr. Wahlen said the pool will be approximately 20 ft. x 40 ft. in size.

Mr. Wahlen presented six single home styles that are open, airy and split ranch styled; ranging in size from 1,580 sq. ft. to over 2,500 sq. ft. They had variations of stone, color, wrap and chimney's.

In answer to Council Member Filter's question, Mr. Wahlen stated that they will consider three car garages where the various lots might allow. He stated that these are not condominiums. Their research has found that the average home in this style has 1.25 cars per household with 1.6 to 1.7 people in each home. They are looking at a lifestyle change for empty nesters.

In answer to Council Member Thome's question, Mr. Wahlen stated that essentially any home should be able to go on any location.

The developer will be on-site every day for sales and construction and will also get different committees and associations going for social events to create a heartbeat.

In answer to Council Member O'Keefe's question, Mr. Wahlen said the homes will range from mid to high \$300,000 up to lower \$500,000. Decks and patios will be added which can drive up the price of the homes by adding exterior living.

There were no questions or comments from the public.

Motion made by Council Member Filter, seconded by Council Member Thome, to close the public hearing at 7:19 p.m.

In answer to Council Member O'Keefe's question, Planner Censky stated there will be a second entrance to the subdivision at the City's request, so there will be an easement to the south and vehicular enforcement for the subdivision will be up to the Association. Director Wiza stated that the subdivision will be similar to Bridge Commons. Council Member Thome lives in Bridge Commons and stated that the Police Department does drive through and the neighbors typically self-enforce speeders and parking.

In answer to Council Member Filter's questions, City Attorney Herbrand stated that overnight parking will not be enforced on the private roads and the roads will be deed restricted. He said that often the Homeowners Association's budget includes road maintenance and as the homes have new owners, they will recognize that they are on a private road.

In answer to Council Member Verhaalen's question, Director Wiza said that it will state in the covenant that the private development will need to maintain the sidewalk along Sheboygan Road.

Mayor Kinzel stated that from a Public Works standpoint, the private roads will be nice and will not add to the City's road maintenance.

In answer to Council Member Verhaalen's question, Director Wiza stated that the goal is to begin construction of the lift station and creek crossing this spring and complete by October 2016.

Motion made by Council Member Thome, seconded by Council Member O'Keefe, to adopt Ordinance No. 2016-01 rezoning the parcels of land located on the east side of Sheboygan Road south of Highway 60 from RS-7/PUD single-Family Residential District/Planned Unit Development to RS-4/PUD Single-Family Residential District/Planned Unit Development. Motion carried without a negative vote.

CONSIDER PRELIMINARY PLAT APPROVAL FOR THE GLEN AT CEDAR CREEK SUBDIVISION (PLAN COMM. 12/7/15); AND ACTION THEREON

Planner Censky stated that the development meets City requirements now that the Council has approved the rezoning. He explained that if the preliminary plat is approved tonight, it will give the developer the comfort level to go ahead and invest in the infrastructure plans and the final plat. There is not a big difference between a preliminary plat and final plat.

Director Wiza explained that the City already has a draft of the development agreement and this needs to be in place when the final plat is approved. The City Attorney will be working with Director Wiza and the developer to finalize the plans.

Planner Censky stated that a landscaping plan and architectural renderings will be brought to the Plan Commission for their review.

Motion made by Council Member Thome, seconded by Council Member Arnett, to approve the preliminary plat for the Glen at Cedar Creek Subdivision subject to the following modifications:

- The development agreement being reviewed and approved at the time of Final Plat.
- Agreement be reached between the City and the Developer, prior to the PUD public hearing, on potential street improvements including public sidewalk and street trees along with curb and gutter and street lighting along the Sheboygan Road frontage.
- The gas main easement through this development being shown within an out lot on the face of the plat.
- A lake maintenance and open space plan along with protective covenants for the wetlands and environmental corridor shall be submitted along with the final plat.
- The plan to show a meandering 20-foot wide public walkway easement extending through the natural area along Cedar Creek from the south property line to the north property line.
- Engineering Department review and approval of the grading, drainage, storm water management and erosion control plans.
- The water main shall be looped back to Sheboygan Road.
- The sanitary sewer lift station out lot shall be dedicated to the City.
- Impact fees are due at the time of building permit.

Motion carried without a negative vote.

**REVIEW FINAL PLANS FOR THE PROPOSED PUBLIC WORKS FACILITY AND
CONSIDER BID PACKAGE FOR THE PROJECT; AND ACTION THEREON**

Director Wiza stated that he asked for this portion of the meeting to be a joint meeting with the Public Works and Sewerage Commission. John Wallenkamp of Kueny Architects has been working on the Public Works garage plans and details for bidding and will have a presentation for the Common Council. Mr. Wallenkamp will present options for bidding as instructed by the Common Council.

Director Wiza presented some economic talking points that were requested at the December meeting. He explained that the City has Public Works equipment that is valued at \$4,083,945. Taking care of the equipment is a very important aspect in extending the life of the equipment. Most of the equipment is in the 15 year service life range and if the City is able to extend the life of the vehicles by three years the City could save \$628,434 over the fifteen year period. The annualized replacement cost in the budget is \$209,478/year over fifteen years. The City expects the Public Works garage to be a 50 year building, which would extend that amount three times in potential savings.

Director Wiza and Superintendent Bublitz have tried to quantify the estimated labor savings. The present equipment is stacked tight in the main building and various out-buildings. Each time there is a call-out, employees are moving vehicles around and hooking up plows, etc., which is very inefficient. He estimated that the City will save one full-time employee worth of time (\$75,000/yr.) on an annual basis, by running more efficient.

Director Wiza reviewed the safety and liability issues as follows:

- A fire in the present building could destroy \$1.5 - \$2 million in equipment.
- There is no sprinkler system and the current smoke alarms are unreliable in the current building.
- Equipment is packed so tight together that it is a hazard to walk through the shop and there is risk of injury.
- CVMIC did a facility inspection on July 8, 2015, and found numerous safety violations. (Most of which cannot be addressed due to lack of space and inadequate aisle clearance.)
- Routine D.O.T. vehicle pre-trip inspections are not feasible because the employees cannot physically walk around the vehicles.

Director Wiza stated that the current Public Works facility is over 55 years old and it has served its useful life and it is functionally obsolete.

In answer to Council Member Czarnecki's question, Director Wiza explained that the Public Works Department has held their current staffing level for many years. During this time, four or five subdivisions have been added with approximately 200 lots for plowing and the crew has been stretched thin. With the efficiencies that will be available in the new facility, it is hopeful that the City will not need to hire an additional person.

John Wallenkamp of Kueny and Associates addressed the Common Council with the current Public Works facility plans. The bid package is set up as ala carte to bring back to the Common Council to understand how the money is being spent. It will be broken down as follows:

- The main building footprint is 62,000 sq. ft.
- Automated wash bay – the equipment and the section of the building will be bid as an alternate.
- 10 foot increments, the entire length of the building, up to 50 feet will be taken out of the building and will be bid separately (12,000 sf maximum).
- Salt facility.
- 32,000 sf gravel area will be a bid alternate for asphaltting this area.
- Fuel facility – new canopy system, new fueling system, new dispensers and the existing tanks will be used. A propane dispenser will be added as a bid alternate.
- A five ton crane in the repair bay.
- Multiple bulk fluid stations – to fill when doing their vehicle checks.
- Automated wash bay.
- Awnings/manufactured sun shades.

Mr. Wellenkamp explained that the Plan Commission discussed what the architecture should look like. Accordingly, the architects brought the plan back to look like a simple facility by removing some stone and columns. They also removed some stone features in the precast panels. They created a balance with some curb appeal from the street with cream brick and darker siding. After bidding it will be their goal, as a team, to decide what should be included in the building.

In answer to Council Member Czarnecki's questions, Mr. Wellenkamp stated that the precast panels come with a finish or plain painted concrete. In regard to a metal building similar to the Light & Water Utility, Mr. Wellenkamp explained that the building has a different framing system on the inside and they are looking at precast walls as 100% load bearing for the DPW garage. Therefore, there will be no structural columns or beams on the entire perimeter of the building. It is a trade-off to get the longevity. Pre-engineered buildings last 25 – 30 years maximum. It is undesirable to have metal siding to the floor in this instance where insulation would be on the inside and would be exposed to water from washing off the vehicles.

In answer to Council Member Filter's question, Mr. Wellenkamp stated they met with the Light & Water Utility to review the electrical systems. The new lift station will power off the emergency generator from the new DPW garage. Director Wiza added that they met with Focus on Energy and will be eligible for rebates.

In answer to Council Member Filter's question, Mr. Wellenkamp explained that the pre-cast concrete panels are sealed with a water repellent sealer.

In answer to Council Member Thome's question, Mr. Wellenkamp stated that the sealer does not need to be reapplied.

Council Member Arnett asked if the proposed building is large enough.

Director Wiza said this building was sized using a space needs study that identified every piece of equipment. The current building plan will hold all of the current City equipment. He is comfortable that they will find room for any future pieces somewhere. He stated that the size is appropriate and not oversized.

Council Member Arnett asked if it would be adequate in 25 years. It may be worthwhile to consider the marginal square footage.

Director Wiza stated that is a key point when looking at the alternate bids for the 10 foot slices. The City may save money cutting out some of the 10 feet slices but it may not be wise. If the City can afford it, the full building would be best.

In answer to Council Member Arnett's question, Mr. Wellenkamp stated that the original proposed storage facility area is still available and based on the green spaces and drainage there is still room for the same 12,000 sq. ft. storage facility in the future.

Mr. Wellenkamp explained that he has worked on 14 facilities over 22 years, and it is interesting to go back and review what had been done. No one over builds these facilities and the efficiency really comes true over the years.

Council Member Filter does not want to see the facility built too small.

Mr. Wellenkamp stated that this plan is a very well laid out facility, size wise, to get the most economics for your dollar.

In answer to Jim Slavin's question, Director Wiza stated that the space needs study recommended 60,000 sq. ft. for a Public Works facility. In the original plan, there was a separate 12,000 sq. ft. cold storage metal building and it was decided that more money could be saved by eliminating the extra building and incrementally making the main building a little larger. The City will be getting the best of both by saving money and having a quality structure. The facility is close to the size they estimated in the beginning and he likes the layout and efficiency.

In answer to Council Member Filter's question, Mr. Wellenkamp stated the bids would be submitted to the City in a month, if the Council approves the bidding process tonight.

Motion made by Council Member Filter, seconded by Council Member O'Keefe, to approve the bid package for the proposed Public Works Facility contingent upon the Common Council being able to accept or reject any or all of the bids. Motion carried without a negative vote.

Motion made by Public Works and Sewerage Commissioner Jim Slavin, seconded by Public Works and Sewerage Commissioner Charlie Schumacher, to approve the bid package for the proposed Public Works Facility. Motion carried without a negative vote with Randy Roupp and Sandra Beck excused.

CONSIDER MAYOR KINZEL'S APPOINTMENT OF MELISSA WRAALSTAD TO THE PUBLIC ART COMMISSION (TERM EXPIRES 4/30/17); AND ACTION THEREON

Motion made by Council Member Thome, seconded by Council Member Arnett, to approve the appointment of Melissa Wraalstad to the Public Art Commission (term expires 4/30/17). Motion carried without a negative vote.

CONSIDER APPLICATION OF STAGECOACH 520, LLC, ANNE M. CONLEY, AGENT, FOR A CLASS “B” BEER AND “CLASS B” LIQUOR LICENSE FOR STAGECOACH INN/THE 520, W61 N520 WASHINGTON AVENUE; AND ACTION THEREON

Motion made by Council Member Czarnecki, seconded by Council Member O'Keefe, to approve the application of Stagecoach 520, LLC, Anne M. Conley, Agent, for a Class “B” Beer and “Class B” Liquor license for Stagecoach Inn/The 520, W61 N520 Washington Avenue contingent upon the voluntary surrender of the current license holder and adequate proof to the City of the closing of the sale. Motion carried without a negative vote.

CONSIDER CLOSING PORTLAND ROAD BETWEEN MILL STREET AND HILBERT AVENUE FROM 5:00 A.M. TO 3:00 P.M. ON JULY 30, 2016 FOR THE WOMEN’S CENTURY BIKE RIDE; AND ACTION THEREON

Parks, Recreation & Forestry Director Hilvo stated that he was approached by the Wisconsin Women Cycling organization to hold a Bicycle Festival on July 30, 2016. They are requesting that Portland Road be closed to motor vehicle traffic between the eastern edge of Mill Street and the eastern edge of Cedar Creek Park between the hours of 5:00 a.m. and 3:00 p.m. They will be using the area as the start/finish area for the Women’s Century Ride routes as well as Wisconsin Bike Festival demonstrations and exhibitions by such groups as the MSOE Unicycle Club and the Broke Spoke Bicycle Shop’s “Circle of Death” challenge. This would be a good opportunity without any cost to the City. Director Hilvo stated that he delivered letters to each home on Portland Road on Friday. He received one phone call with a concern for emergency vehicles to their home, if needed, and also if they would be able to come and go during the day. He stated that they will have staffing available for emergency vehicles and local traffic.

Chief Soigneur, Cindy Petted stated that she lives in Cedarburg and wants to bring the event to her community. It is easiest to start the race early in the morning for the five different loops that will be offered. The Bicycle Festival will take place in the afternoon.

In answer to Council Member Filter’s question, Ms. Petted explained that they have a website explaining their routes. Last year she worked with 17 communities and two counties.

Council Member Filter expressed concern for scheduled road work on Hilbert Avenue this year.

Director Wiza stated that they are only milling and resurfacing Hilbert Avenue between Portland Road and Spring Street and this event should not interfere with this work.

Ms. Petted stated that they would like to begin all the bicycle routes on the interurban trail. There will be a 100 mile, 64 mile and 22 mile ride.

Council Member Filter would like a letter mailed to the affected homeowners on Portland Road, rather than leaving a note in their mailbox.

In answer to Council Member Thome’s question, Ms. Petted stated they are expecting approximately 300 riders and they will cap the event at 1,000 participants.

In answer to Council Member Filter's question, Director Hilvo stated that this event will not affect Summer Sounds. There will be a registration event (2 p.m. – 8 p.m.) for the bicycle race on Friday in downtown Cedarburg to bring people into the downtown area. The Women's only ride will begin in the morning. The festival will take place in the afternoon with a band from 4 p.m. – 7 p.m.

Motion made by Council Member Arnett, seconded by Council Member Thome, to allow closing Portland Road between Mill Street and Hilbert Avenue from 5:00 a.m. to 3:00 p.m. on July 30, 2016 for the Women's Century Bike Ride. Motion carried without a negative vote.

CONSIDER PAYMENT OF BILLS FOR THE PERIOD 12/11/15 THORUGH 12/30/15, ACH TRANSFERS FOR THE PERIOD 12/12/15 THROUGH 01/08/16, AND PAYROLL FOR THE PERIOD 12/06/15 THROUGH 01/02/16; AND ACTION THEREON

Motion made by Council Member Filter, seconded by Council Member Regenfuss, to approve the payment of bills for the period 12/11/15 through 12/30/15, ACH transfers for the period 12/12/15 through 01/08/15, and payroll for the period 12/06/15 through 01/02/15. Motion carried without a negative vote.

CONSIDER LICENSE APPLICATIONS; AND ACTION THEREON

Motion made by Council Member O'Keefe, seconded by Council Member Czarnecki, to approve new Operators' license applications for the period ending June 30, 2016 for Chad E. Hamblin and Brett D. Zingsheim. Motion carried without a negative vote.

ADMINISTRATOR'S REPORT

City Administrator/Treasurer Mertes stated that the preliminary audit is done and the final audit will take place February 29 – March 4, 2016.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS & ANNOUNCEMENTS BY COUNCIL MEMBERS - None

MAYOR'S REPORT

Mayor Kinzel issued a Proclamation to Eagle Scout Jacob Rohman.

ADJOURNMENT – CLOSED SESSION

Motion made by Council Member O'Keefe, seconded by Council Member Thome, to adjourn to closed session at 8:15 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 required a closed session, more specifically, to discuss acquiring an easement for the Sheboygan Road lift station and to discuss an extension of the current Shared Service Agreement for the Cedarburg Swimming Pool between the City and Town of Cedarburg. Approval of closed session minutes of July 27, 2015. Motion carried on the following votes: Council Member Czarnecki – aye, Council Member Arnett – aye, Council

Member Filter – aye, Council Member Verhaalen – aye, Council Member Regenfuss – aye, Council Member Thome – aye, Council Member O'Keefe – aye.

RECONVENE TO OPEN SESSION

Motion made by Council Member Filter, seconded by Council Member Thome, to reconvene to open session at 9:08 p.m. Motion carried on the following votes: Council Member Czarnecki – aye, Council Member Arnett – aye, Council Member Filter – aye, Council Member Verhaalen – aye, Council Member Regenfuss – aye, Council Member Thome – aye, Council Member O'Keefe – aye.

DISCUSSION AND POSSIBLE ACTION TO APPROVE A SHARED SERVICES AGREEMENT FOR THE CEDARBURG SWIMMING POOL BETWEEN THE CITY AND TOWN OF CEDARBURG.

Motion made by Council Member O'Keefe, seconded by Council Member Regenfuss, to approve a one year extension to the shared services agreement for the Cedarburg Swimming Pool between the City and Town of Cedarburg contingent upon a joint meeting of the City Council and Town Board to discuss the Cedarburg Community Pool following the 2016 pool season. Motion carried with Council Members Arnett, Filter, Verhaalen, Regenfuss, Thome and O'Keefe in favor and Council Member Czarnecki opposed.

ADJOURNMENT

Motion made by Council Member Filter, seconded by Council Member O'Keefe, to adjourn the meeting at 9:09 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk