

**CITY OF CEDARBURG
COMMON COUNCIL
February 8, 2016**

**CC20160208-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, February 8, 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 Czarniecki, Jack Arnett, Art Filter, Rick Verhaalen, Mitch Regenfuss, Patricia Thome, Mike O’Keefe

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Director of Engineering and Public Works Tom Wiza, Deputy City Clerk Amy Kletzien, Planner Jon Censky, Parks, 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 Filter, seconded by Council Member O’Keefe, to approve the minutes of the January 25, 2016 meeting as presented.

Council Member Thome stated that a constituent contacted her about the hotel market analysis. By reading the minutes, they were under the impression that the City was conducting the analysis for the AmericInn Hotel. She asked that the minutes be clarified to reflect that the hotel feasibility study would be a marketing tool for the City and is not being done on the behalf of a hotel chain. The study is to address the impact a hotel may have on the inns currently in the City. Council Members O’Keefe and Filter agreed to the clarification.

Motion carried without a negative vote.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

PUBLIC HEARING – CONSIDER ORDINANCE NO. 2016-02 REZONING THE FORMER SKATEBOARD PARK AT THE NORTHEAST CORNER OF LINCOLN BOULEVARD AND JOHNSON AVENUE FROM P-1 PARK AND RECREATION DISTRICT TO I-1 INSTITUTIONAL AND PUBLIC SERVICE DISTRICT

Mayor Kinzel declared the public hearing open to consider Ordinance No. 2016-02 rezoning the former skateboard park at the northeast corner of Lincoln Boulevard and Johnson Avenue from P-1 Park and Recreation District to I-1 Institutional and Public Service District at 7:05 p.m.

Planner Censky explained that the City's records indicate that the south 120 feet of the City's Public Works facility site was rezoned from I-1 Institutional District to P-1 Park and Recreation District in 2002 to support a skateboard park. When the rezoning occurred it was understood that if the Public Works garage was ever expanded, this area of the site could be used under the P-1 zoning, as a parking lot. The plans for the new Public Works garage, however, not only show the proposed parking lot in the P-1 zoned area but they also show the new garage in that area as well. Since the Public Works garage is not a permitted use in the P-1 District, that portion of the site must be rezoned back to the I-1 District.

The portion of the Department of Public Works site consists of a 0.9 acre area that is 120 feet deep and extends along the entire frontage of Lincoln Boulevard. The Plan Commission unanimously recommended rezoning this portion of the DPW site from P-1 Park and Recreational District to I-1 Institutional and Public Service District, at their January 4, 2016 meeting.

In answer to Council Member Filter's question, Deputy City Clerk Kletzien confirmed that this Public Hearing was properly noticed.

There were no questions from the public.

Motion made by Council Member Czarnecki, seconded by Council Member Thome, to close the public hearing at 7:07 p.m.

Motion made by Council Member Thome, seconded by Council Member Arnett, to adopt Ordinance No. 2016-02 rezoning the former skateboard park at the northeast corner of Lincoln Boulevard and Johnson Avenue from P-1 Park and Recreation District to I-1 Institutional and Public Service District. Motion carried without a negative vote.

NEW BUSINESS

CONSIDER PAYMENT OF BILLS FOR THE PERIOD 1/21/16 THROUGH 2/1/16, ACH TRANSFERS FOR THE PERIOD 1/23/16 THROUGH 2/5/16, AND PAYROLL FOR THE PERIOD 1/17/16 THROUGH 1/30/16; AND ACTION THEREON

Motion made by Council Member Filter, seconded by Council Member Regenfuss, to approve the payment of bills for the period 1/21/16 through 2/1/16, ACH transfers for the period 1/23/16 through 2/5/16, and payroll for the period 1/17/16 through 1/30/16. Motion carried without a negative vote.

CITY ADMINISTRATOR'S REPORT

City Administrator/Treasurer Mertes stated that she sent out investment advisor RFPs to 10 different companies, including local banks.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS & ANNOUNCEMENTS BY COUNCIL MEMBERS

In answer to Council Member O'Keefe's question, Director Wiza explained that the bid opening for the Public Works facility has been extended to February 16 at 2:00 p.m., as requested by the Construction Manager. The bids will then be reviewed by the Public Works and Sewerage Commission before they are considered by the Common Council.

Council Member Filter stated that he preferred separate meetings of the Public Works and Sewerage Commission and the Common Council, rather than a joint meeting.

Council Member Arnett stated that a meeting is scheduled with the Cedarburg School District to explain the Common Council's decision regarding the tennis courts and to discuss other ideas to work together. Council Members Arnett and Verhaalen and Director Hilvo will represent the City in this discussion.

MAYOR'S REPORT

Mayor Kinzel had a conversation with Detective/Juvenile Officer McNerney and Police Chief Frank in the wake of the disaster that occurred in San Bernardino. He stated that the City of Cedarburg is well ahead of most agencies across the country in regard to equipment and training. This conversation prompted an email to Mayor Kinzel that he shared with the Common Council.

Officer McNerney thanked the Mayor and Common Council for their support, explaining that it is somewhat of a rarity for a Department to receive this kind of support and that their job would be much more difficult without this support. He stated they are very fortunate and the envy of the rest of the Country. He expressed gratitude for working in a City where there is a great relationship with the citizens and their representatives.

ADJOURNMENT – CLOSED SESSION

Motion made by Council Member O'Keefe, seconded by Council Member Thome, to adjourn to closed session at 7:11 p.m. pursuant to State Statutes 19.85 (1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the Council with respect to litigation in which it is or is likely to become involved, more specifically to discuss the Prochnow Landfill, and 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 consider a land purchase to facilitate a public utility extension to serve the Sheboygan Road corridor. Approval of closed session minutes of January 25, 2016. 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 Thome, seconded by Council Member O'Keefe, to reconvene to open session at 7:57 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.

CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2016-02 TO AUTHORIZE THE PURCHASE OF LAND AT THE END OF HIGHLAND DRIVE AND CEDAR CREEK

Motion made by Council Member Thome, seconded by Council Member O'Keefe, to approve Resolution No. 2016-02 to authorize the purchase of land at the end of Highland Drive and Cedar Creek. Motion carried without a negative vote.

ADJOURNMENT

Motion made by Council Member Filter, seconded by Council Member Arnett, to adjourn the meeting at 7:58 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk