

**CITY OF CEDARBURG
COMMON COUNCIL
January 13, 2014**

**CC20140113-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, January 13, 2014 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Kinzel called the meeting to order at 7:00 p.m. The meeting began with a moment of silence followed by the Pledge of Allegiance.

Roll Call: Present - Common Council – Mayor Kip Kinzel, Council Members Ron Reimer (participated via speakerphone), Art Filter, Paul Radtke, Michael Maher, Mike O’Keefe

Excused - Council Member Chris Reimer, 6th District - Vacant

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Kaye Vance, Deputy City Clerk Amy Kletzien, Engineering and Public Works Director Tom Wiza, Parks, Recreation & Forestry Director Mikko Hilvo, Parks, Recreation & Forestry Secretary II Chris Robel, Building Inspection & Public Works Secretary II Judy Guse, Parks, Recreation & Forestry Board Member Dick Dieffenbach, former Mayor Jim Coutts, Plan Commissioner Brook Brown, 6th Aldermanic District candidates Patricia Thome and Sandy Beck, 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 December 9, 2013 Common Council minutes. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

COMMENTS & SUGGESTIONS FROM CITIZENS

Brook Brown, N25 W5060 Hamilton Road, stated that he applauded the Common Council for asking very important questions regarding the TID #3 agreement. He believes that these and many other concerns need to be asked and questions answered before the agreement is approved by the Common Council. He expressed the following four main points:

1. The cost of the project to City taxpayers will be at least \$250,000 and probably more. The cost to benefit ratio should be looked at closely and considered.
2. The plan for the development needs to be shown and discussed.

3. The front lot should be developed first. This is the “blighted” area and the main reason a TID is being considered.
4. Parking needs to be addressed now and not later.

He requested that the Common Council continue their close scrutiny of this plan.

NEW BUSINESS

CONSIDER RESOLUTION NO. 2014-01 COMMENDING RETIRING EMPLOYEE CHRIS ROBEL FOR HER YEARS OF SERVICE TO THE CITY

Motion made by Council Member Radtke, seconded by Council Member Filter, to adopt Resolution No. 2014-01 commending retiring employee Chris Robel for her years of service to the City. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

CONSIDER RESOLUTION NO. 2014-02 COMMENDING FORMER COUNCIL MEMBER DOUG YIP FOR HIS YEARS OF SERVICE TO THE CITY

Motion made by Council Member Radtke, seconded by Council Member Maher, to adopt Resolution No. 2014-02 commending former Council Member Doug Yip for his years of service to the City. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

CONSIDER ORDINANCE NO. 2014-01 AMENDING SEC. 14-1-34(f) OF THE MUNICIPAL CODE PERTAINING TO FINAL SUBDIVISION PLAT FOR CONDOMINIUM PLAT AND DECLARATION RECORDATION AND AMENDING SEC. 14-1-42(f) PERTAINING TO CERTIFIED SURVEY MAP LAND DIVISION RECORDATION

Director Wiza explained that the City’s present land division ordinance requires that final subdivision plats and certified survey maps be recorded at the Register of Deeds Office within 30 days of final approval. In practice this is difficult to do, as there are numerous signatures to be obtained, letters of credit, State and County approvals, mortgage releases, etc. If the documents are not recorded in the 30 day timeframe, the ordinance requires the developer to resubmit the land division for approval by the Common Council. Director Wiza stated that State Statutes allow six months for recording of a certified survey map and twelve months for recording of a subdivision plat after the date of final approval.

In answer to Mayor Kinzel’s question, Director Wiza stated that it is in the best interest of the developer to record their documents as soon as possible. He recommended adoption of Ordinance No. 2014-01 to make the required timeframe for recording consistent with the State Statutes.

Motion made by Council Member Filter, seconded by Council Member Maher, to adopt Ordinance No. 2014-01 amending Sec. 14-1-34(f) of the Municipal Code pertaining to final subdivision plat for condominium plat and declaration recordation and amending Sec. 14-1-42(f) pertaining to Certified Survey Map land division recordation. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

CONSIDER ORDINANCE NO. 2014-02 AMENDING SEC. 7-1-3(a)(3) OF THE MUNICIPAL CODE PERTAINING TO DOG AND CAT LICENSE FEES

Council Member R. Reimer stated that he proposed this change to correct a discrepancy in the City Code. This action will make the license fee for cats and dogs the same (\$5 for spayed or neutered dogs or cats and \$10 for unspayed or unneutered dogs or cats).

Motion made by Council Member R. Reimer, seconded by Council Member Radtke, to adopt Ordinance No. 2014-02 amending Sec. 7-1-3(a)(3) of the Municipal Code pertaining to dog and cat license fees. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

CONSIDER APPLICATION FROM THE CHISELLED GRAPE WINERY, LLC, HARALD G. TOMESCH, AGENT, FOR A “CLASS B” WINE LICENSE AT W64 N713 WASHINGTON AVENUE FOR THE PERIOD ENDING JUNE 30, 2014

Harald Tomesch of the Chiselled Grape Winery stated that they are glad to move to the City of Cedarburg and commended the development staff for assisting them in the move. They are busy changing the landscape inside the home to bring back some of its original character and they plan to open on February 1, 2014.

Motion made by Council Member Maher, seconded by Council Member O’Keefe, to issue a “Class B” Wine License to The Chiselled Grape Winery, LLC, Harald G. Tomesch, Agent, at W64 N713 Washington Avenue for the period ending June 30, 2014. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

CONSIDER THE PROCESS THE COUNCIL WISHES TO USE TO DEVELOP QUESTIONS FOR THE 6TH ALDERMANIC VACANCY AND HOW THE COUNCIL WISHES TO USE THE QUESTIONS

In answer to Mayor Kinzel’s question, Council Member R. Reimer stated that this item is an appointment to fill a vacancy as the 6th District Council Member. He is requesting an addition to the questions proposed by other Council Members. Council Member R. Reimer would like to appoint a person with experience; and thereby, submitted two questions to be considered.

Mayor Kinzel stated that the City’s Policy for filling Aldermanic position vacancies requires a resume, which will address the question of experience. However, his questions may be added if the Council is in agreement.

The Common Council reviewed applicant questions that were used on June 28, 2004 and January 12, 2009 when there were vacancies on the Council. After discussion, it was the consensus of the Common Council to ask the following questions of the prospective candidates for the 6th Aldermanic vacancy at the January 27 Council meeting:

1. What factors have motivated you to seek appointment to the Common Council at this time? With this appointment being the remainder of a term, are you planning to run for this office in April of 2015?

2. What is your point of view regarding growth for Cedarburg?
3. There are generally two approaches to serving as a member of the Common Council: I have been elected to this position and must do what is best for the City, or, I must follow the will of the majority of my constituents. Which of these two approaches do you think most closely describes your position? Why?
4. As a Council Member, how would you deal with a board, commission or committee recommendation with which you do not agree?
5. What factors should be considered before proceeding with economic development initiatives?
6. What concerns you about the future of our City?

It was also determined that follow-up questions would be asked after the initial question for clarification, prior to the next person answering the same question. Follow-up questions should be limited.

Mayor Kinzel suggested that closing remarks by the candidates should be limited to two minutes.

City Attorney Vance stated that the vote will be done by paper ballot. Three votes for the same person will be required for that person to fill the vacancy. The new Council Member may be sworn in immediately and begin serving the 6th District that evening.

CONSIDER PAYMENT OF BILLS FOR THE PERIOD 12/5/13 THROUGH 1/3/14, ACH TRANSFERS FOR THE PERIOD 12/4/13 THROUGH 1/10/14, AND PAYROLL FOR THE PERIOD 11/24/13 THROUGH 1/4/14

Motion made by Council Member Filter, seconded by Council Member Radtke, to approve payment of bills for the period 12/5/13 through 1/3/14, ACH transfers for the period 12/4/13 through 1/10/14, and payroll for the period 11/24/13 through 1/4/14. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

CONSIDER LICENSE APPLICATIONS

Motion made by Council Member O'Keefe, seconded by Council Member Radtke, to approve new Operator's License applications for the period ending June 30, 2014 for Daniel W. Brush, Hailey E. Gunville, Allan H. Haas, Elizabeth A. Jacobson, Bruce K. Knutson, Mariya Litvak, Josette Mattias, Jacob M. Scherger, Harald G. Tomesch, Nathan D. Walters, Clarey B. Wamhoff, Courtney M. Wendorf, Frederick M. Werkmeister. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

LIBRARY FUNDRAISING UPDATE AND LIBRARY BUILDING UPDATE

Council Member Maher received an email from Library Director Pierschalla stating that the Friends of the Library have raised \$500,000 to-date and the goal is \$730,000. The sneak-a-peek event on

January 4 was a success with over 400 people walking through the new Library. Another sneak-a-peek event will be held on Saturday, February 15, 2014.

In answer to Mayor Kinzel's question, Council Member Maher stated that if the Library goes over budget they will need to use the Friends of the Library contributions. The equipment, furnishings and moving expenses have not been bid to-date and the final numbers are unknown.

In answer to Council Member Radtke's questions, Council Member Maher stated that old furniture from the present Library will not be used in the new Library. However, twenty-five sturdy wood chairs will be refinished for the new Library because they could not be replaced for less than \$1,500 each.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS - None

MAYOR'S REPORT

Mayor Kinzel issued a Proclamation in recognition of Adult School Crossing Guard Week (January 13-17, 2014).

ADJOURNMENT

Motion made by Council Member Filter, seconded by Council Member Maher, to adjourn the meeting at 7:52 p.m. Motion carried without a negative vote with Council Member C. Reimer excused and the 6th Aldermanic position vacant.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk