

**CITY OF CEDARBURG
COMMON COUNCIL
September 14, 2009**

CC20090914-1

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, September 14, 2009 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Myers 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 Gregory Myers, Council Members Chris Reimer, Art Filter, Paul Radtke, Michael Maher, Kip Kinzel, Bob Loomis

Excused - Council Member Ron Reimer

Also Present - City Attorney Kaye Vance, City Administrator/Treasurer Christy Mertes, Director of Engineering and Public Works Tom Wiza, City Clerk Constance McHugh, Light and Water Commission appointee Andrew Moss, ad hoc Revolving Loan Fund Committee appointee John Cordio, interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor Myers' request, City Clerk McHugh 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.

CONSIDER MAYOR MYERS' ANNUAL APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS

Motion made by Council Member Loomis, seconded by Council Member Kinzel, to ratify Mayor Myers' reappointments of James Coutts and Andrew Moss to the Light and Water Commission (term to expire 09/30/12) and the appointment of John Cordio to the ad hoc Revolving Loan Fund Committee. Motion carried without a negative vote with Council Member R. Reimer excused.

City Clerk McHugh administered the oath of office to Mr. Moss and Mr. Cordio.

APPROVAL OF MINUTES

Motion made by Council Member Radtke, seconded by Council Member Kinzel, to approve the minutes of the August 31, 2009 meeting. Motion carried without a negative vote with Council Member R. Reimer excused.

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES - None

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

DISCUSS ISSUES RELATED TO THE TOWN OF CEDARBURG, THE COOPERATIVE PLAN, SHARED SERVICES AGREEMENTS

Attorney Vance said the City has not received a proposal from the Town regarding shared services to date.

Council Member Loomis said he understands October 7 is the key date set by the Town in terms of a decision as to whether the Town will pay the County library tax. His concern is that there will not be enough time between the time the City receives the shared services proposal and October 7 to resolve this matter. He suggested the Council schedule a joint meeting with the Town on Monday, September 21.

Attorney Vance said it is her understanding that the Town's attorney will be emailing her a shared services proposal that will include the library, recreation services, and the senior center, and that if it is not agreed to by her and the Town's attorney, there would be a special meeting. She said she does not have the authority to enter into such agreement with the Town. This must be approved by the Council.

Mayor Myers said the City is still waiting for a response from the Town. He said there is no point in scheduling a meeting until a proposal is received.

Council Member C. Reimer said that he agrees with Council Member Loomis and a joint a meeting should be scheduled. Council Members Radtke and Maher were also in favor of scheduling a meeting.

Council Member Filter suggested a meeting be scheduled after the Town's meeting on September 16.

Council Member Loomis said that he believes two meetings are necessary: one meeting for the Council to review and discuss the shared services proposal from the Town, and a joint meeting with the Town to discuss the proposal. He suggested that a special Council meeting be held to discuss the proposal and a joint meeting could be held at the next regular Council meeting.

It was the consensus of the Council to tentatively schedule a special Common Council meeting for Wednesday, September 23, 2009 at 7:00 p.m. to review and discuss the forthcoming shared services proposal from the Town.

CONSIDER THE POSSIBLE FORMATION OF AN AD HOC VILLAGE OF GRAFTON/CITY OF CEDARBURG COMMITTEE AND ESTABLISHING A WORKING RELATIONSHIP BETWEEN THE TWO COMMUNITIES

Mayor Myers said Grafton Village President James Brunnquell suggested establishing a formal committee to discuss issues of interest to both communities. The committee would consist of Cedarburg's Mayor and Council President and Grafton's Village President and an appointee of the Village President, and would begin its work following the completion of the 2010 budget process.

Council Member Radtke said that the creation of a joint committee is a great idea. He said the communities need to work together more.

CONSIDER FORMATION OF AN AD HOC CREEK WALK COMMITTEE AND APPOINTMENT OF MEMBERS

Mayor Myers said he plans to appoint an ad hoc Creek Walk Committee to make recommendations to the Council on the completion of the last section of the Creek Walk. He intends to provide a list of names at the next Council meeting and suggested Council Members provide him with additional names if they know of someone who is interested in serving on this committee.

CONSIDER AWARD OF BANKING SERVICES CONTRACT

City Administrator/Treasurer Mertes said seven RFPs for banking services were sent to local banks. She is recommending that Port Washington State Bank be awarded the contract for banking services because the institution will not charge service fees.

Marci Hauck of Commerce State Bank thanked the Council for the opportunity to respond to the RFP.

Motion made by Council Member Loomis, seconded by Council Member C. Reimer, to accept the recommendation of City Administrator/Treasurer Mertes and award the banking services contract to Port Washington State Bank for a three-year period. Motion carried without a negative vote with Council Member R. Reimer excused.

UPDATE ON PREVAILING WAGE ISSUE AND DEPARTMENT OF WORKFORCE DEVELOPMENT DECISION

Attorney Vance said that Cedarburg was one of sixteen communities challenged by the Construction Business Group regarding possible violation of the prevailing wage law. The parties and the Construction Business Group proposed a settlement of the matter; however, the settlement was rejected by the State Department of Workforce Development. Attorney Vance said it is not clear what will happen next; however, she suggests if there is a simple settlement or stipulation, the City should enter into it, and if the matter is more complicated, the City should apply for the prevailing wage rate determination for the Keup Trails project.

Director Wiza said the contractor for the Keup Trails project indicated that the company has paid the prevailing wage, so the issue may be moot.

Attorney Vance reminded the Council that the State law changes on January 1, 2010 and the prevailing wage rate must be determined up front for any public project over \$25,000.

LICENSE APPLICATIONS

Motion made by Council Member C. Reimer, seconded by Council Member Radtke, to authorize issuance of new Operator's Licenses for the period ending June 30, 2010 to Shanene Otts, Crystal R. Klas, Cayla M. Klumb, Stephen P. Koelpin, Elizabeth N. Schmidt, Thomas J. Drefahl, Terence E.

Akenji, and William C. Chatfield and to authorize issuance of a renewal Operator's License for the period ending June 30, 2010 to Kristin A. Schraml. Motion carried without a negative vote with Council Member R. Reimer excused.

CITY ADMINISTRATOR'S REPORT - None

COMMENTS AND SUGGESTIONS BY CITIZENS - None

REPORTS AND COMMENTS BY COUNCIL MEMBERS

Council Member Loomis said he received a call from a constituent concerned about the H1N1 virus. The constituent said some communities have ordinances that require workers who handle food to wear gloves and thought this may be a good idea for Cedarburg.

MAYOR'S REPORT - None

ADJOURNMENT

Motion made by Council Member Filter, seconded by Council Member Kinzel, to adjourn at 7:29 p.m. Motion carried without a negative vote with Council Member R. Reimer excused.

Constance K. McHugh, MMC
City Clerk