

**CITY OF CEDARBURG
COMMON COUNCIL
September 28, 2009**

CC20090928-1

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, September 28, 2009 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Myers called the meeting to order at 7:04 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, Ron Reimer, Art Filter, Paul Radtke, Michael Maher, Kip Kinzel, Bob Loomis

Also Present - City Attorney Kaye Vance, City Administrator/Treasurer Christy Mertes, Director of Parks, Recreation and Forestry Mikko Hilvo, City Clerk Constance McHugh, Fire Chief Richard Van Dinter, Responder of the Year Receipts Jeff Vahsholtz and Kim Gordon, Cedarburg Fire Department Member Ray Vollrath, 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

No appointments were made.

APPROVAL OF MINUTES

Motion made by Council Member Radtke, seconded by Council Member Kinzel, to approve the minutes of the September 14, 2009 meeting. Motion carried without a negative vote.

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

City Administrator/Treasurer Mertes said she received an email from Town Administrator Jim Culotta asking for a response to the Town's September 18, 2009 proposal, including parks, recreation and senior center, by October 2. He suggested that she forward any questions the City

might have regarding the proposal to him and stated that a meeting of up to two elected officials from each community is the only feasible option in terms of meeting.

Mayor Myers said it is important that the City receive an answer regarding the City's offer to the Town of a one-year extension of the current Library shared services agreement with a change in the formula as suggested by the Town.

Council Member Kinzel said the Council needs to find out how the Town intends to fund parks, recreation, and senior center services through user fees, as proposed by the Town.

Council Member Radtke said that it is simple to deal with the Library issue now to get it out of the way, and then move forward on parks, recreation and senior center services after the Library issue is settled.

Council Member Loomis said that it is apparent the City does not agree with what the Town is proposing. The response back should be that that the City would like to hear back from the Town as to whether the Town will fund the Library, and if so, the Council will forward a counterproposal on the other shared services. He suggested there be a formal communication stating the City does not agree with what the Town put forward in terms of parks, recreation and senior center services.

Council Member Kinzel suggested a letter stating the City does not agree to a fee based system for the recreation department or senior center because it just doesn't work.

Council Member Radtke said the Town needs to understand the Library is totally independent and separate from the park, recreation and senior center services. The Town pays the same amount of money whether it sends it to the City or pays it to the County. The Library issue needs to be resolved immediately and other issues can be worked through, possibly in a joint meeting.

Council Member C. Reimer suggested the letter to the Town state that the City's offer on the Library stands and that the two communities should meet in person to discuss the other issues.

Council Member Loomis said there is nothing wrong with saying to the Town that the City has issues with a fee based system encompassed in the Town's recreation and senior center proposal and that the Council would be willing to meet with the Town Board to discuss these issues.

Council Member Maher said it should be stated that the Library decision should be separate and that both communities need to keep working together on the remainder of the issues.

Council Member Radtke made a motion that City Administrator/Treasurer Mertes send a letter to the Town Board of Supervisors stating that the parks, recreation, and senior center side of their proposal does not work within the City's budgetary parameters and that both sides will have to come together to meet to work through these issues; as well as the Pleasant Valley landfill, emergency government, and composting issues in the current Shared Services Agreement that expires at the end of 2009; however, in the interest of time, the City would like an answer on the Library proposal in the City's letter dated September 24, 2009 as soon as possible. The motion was seconded by Council Member Filter. Motion carried without a negative vote.

CONSIDER ORDINANCE 2009-10 CREATING CERTAIN WARDS IN THE CITY OF CEDARBURG AND AMENDING ORDINANCE NOS. 2001-29, 2002-04, 2003-18, 2005-09, 2005-19, 2005-20, 2005-29, AND 2009-01 ASSIGNING ALDERMANIC DISTRICTS AND WARDS TO PROPERTY ANNEXED INTO THE CITY

Motion by Council Member Filter, seconded by Council Member Loomis, to adopt Ordinance 2009-10 creating certain wards in the City and amending Ordinance Nos. 2001-29, 2002-04, 2003-18, 2005-09, 2005-19, 2005-20, 2005-29, and 2009-01 assigning aldermanic districts and wards to property annexed into the City.

City Clerk McHugh said that it has been brought to her attention that some voters in lands annexed to the City have been placed in the wrong County Supervisory District and have been voting in the wrong County Supervisory District. When annexations occurred over the last several years, the annexed lands were placed into existing wards. Unfortunately, these wards crossed County Supervisory lines. In Wisconsin wards cannot be split by County Supervisory Districts. Eight new wards will need to be created so that voters in the annexed lands vote in the correct County Supervisory Districts. The creation of the new wards does not affect voters in current Aldermanic Districts. The lines for Aldermanic Districts will not change.

City Clerk McHugh also pointed out that she determined during this process that some voters in Ward 14 are actually in Ward 13, resulting in these voters voting for the wrong County Supervisory District. This can be dealt with administratively by making the proper changes in the Statewide Voter Registration System (SVRS).

Motion carried without a negative vote.

CONSIDER RESOLUTION 2009-10 OPPOSING LEGISLATION TO LIMIT MUNICIPAL EXTRATERRITORIAL SUBDIVISION APPROVAL POWERS

Motion made by Council Member Loomis, seconded by Council Member Kinzel, to adopt Resolution 2009-10 opposing legislation to limit municipal extraterritorial subdivision approval powers. Motion carried without a negative vote.

CITY ADMINISTRATOR'S REPORT

City Administrator/Treasurer Mertes said she spoke with Tom Baumgartner of Mercury Marine today, who stated that Brunswick and its financial officers are working on putting together a proposal to help the City with its loan repayment issues. The proposal should be received this week.

COMMENTS AND SUGGESTIONS BY CITIZENS - None

REPORTS AND COMMENTS BY COUNCIL MEMBERS

Council Member Loomis said he walked through the City and was impressed with both the Boy Scout walkway and the Creek Walk. He said he hopes the City can build on to the Creek Walk.

Council Member Radtke said the Park and Forestry Board and Leisure Services Commission have met to discuss the budget. The budget crunch is hitting every department this year. He said if the City cannot work out things with the Town, the City will have to come up with some creative solutions.

MAYOR'S REPORT

Mayor Myers issued proclamations to Assistant Fire Chief Jeff Vahsholtz, Fire Captain Kim Gordon, and Firefighter/EMT Robert Kaslick honoring them as 2008 Responders of the Year.

Mayor Myers said these three individuals are the epitome of community service and the proclamations issued are a small way to recognize them.

ADJOURNMENT

Motion made by Council Member Filter, seconded by Council Member C. Reimer, to adjourn at 7:35 p.m. Motion carried without a negative vote.

Constance K. McHugh, MMC
City Clerk