

**CITY OF CEDARBURG  
COMMON COUNCIL  
October 8, 2007**

**CC20071008-1**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, October 8, 2007 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 P. Myers, Council Members Chris Reimer, Steven Glamm, Haly Besaw, Paul Radtke, Sandra Beck, Kip Kinzel, Robert Loomis

Also Present - City Attorney Kaye Vance, City Administrator/Treasurer Christy Mertes, Deputy City Clerk Amy Kletzien, Director of Engineering and Public Works Tom Wiza, City Planner Jon Censky, Architect Paul Rushing, Library Board Director Mary Marquardt, Library Board President Sue Karlman, interested citizens and news media

**STATEMENT OF PUBLIC NOTICE**

At Mayor Myers' 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 had 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' APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

Motion made by Council Member Loomis, seconded by Council Member Besaw, to appoint Mark Schoenenberger to the Sewerage Commission with an ending term of April 30, 2008.

Deputy City Clerk Kletzien administered the oath of office to Mark Schoenenberger.

**APPROVAL OF MINUTES**

Motion made by Council Member Reimer, seconded by Council Member Besaw, to approve the minutes of the September 24, 2007 meeting. Motion carried without a negative vote with Council Member Beck abstaining.

Council Member Loomis stated he appreciates the quality and detail that has been put into the Common Council minutes.

**REPORTS OF BOARDS, COMMISSIONS & COMMITTEES** - None

**COMMENTS & SUGGESTIONS FROM CITIZENS**

Kelly Einbeck, W67 N732 Franklin Avenue, stated that the Council should not be talking about the Creekwalk. She stated that she spoke with Kathy Kramasz of the DNR, who advised her that in order for the project to be considered or approved by the DNR, the City needs to meet certain criteria that has not been met to-date. This criteria includes agreement by all of the property owners, a flood plan, dam repair, and consideration of the wildlife. Ms. Einbeck stated that the City lost a \$640,000 grant and the \$3 million that may be needed for the dams is not being discussed; therefore, the cost of the Creekwalk will fall onto the taxpayers.

Bruce Beck, N50 W7030 Western Road, stated that the Economic Development position was recently presented to the Chamber of Commerce and the Merchants Association and he encouraged the Council to consider this position to help get the City back onto its feet.

Lynn Buehler, W52 N844 Castle Ct, stated that the Keup Road Subdivision plan has been before the Plan Commission and the Common Council for the last 5 – 7 years with numerous changes. She expressed concern for the developer coming before the Common Council with yet another change. The proposed area for the subdivision has become an eyesore with piles of mud and stone and stated the Council should decide that enough is enough by either approving or disapproving the proposed development.

Brook Brown, N25 W5060 Hamilton Road, stated he wanted to make comments on the Keup Road Subdivision when it is discussed.

**CONSIDER RESOLUTION NO. 2007-34 APPROVING A RELOCATION ORDER AND RIGHT-OF-WAY PLAT FOR PHASE I OF THE CEDAR CREEK WALKWAY**

Director Wiza stated that Crispell-Snyder has completed the right-of-way plat which identifies the temporary and permanent easements that will be required to construct the Cedar Creek Walkway, which is more in line to the citizen's desires and is ADA accessible to Washington Avenue. He pointed out that at this time the City would acquire only those easements associated with the first phase of construction, which involves the Kultgen, Thomas, Covert, and Banas properties just south of Bridge Road, along with the easement from Advent Church immediately north of the Interurban Bridge. In order for staff to proceed with the easement acquisition, the Common Council needs to adopt the Phase I right-of-way plat and relocation order. Once the City officially states its interest in acquiring these easements in this manner, City representatives may then discuss the easement acquisition with residents. At this time, the DNR will need to look at the plan and Crispell-Snyder will need to acquire the necessary permits.

Director Wiza reviewed the plan and pointed out the access points to Washington Avenue that will be used in Phase I. Eventually this phase will connect with part B, which may be more challenging and more expensive.

In answer to Council Member Beck's question, Director Wiza stated that the part B properties located in-between the two sections in Phase I are not all in favor of the Creekwalk at this time.

Director Wiza stated that the cost estimate for Phase I of the Creekwalk is \$283,000. This would not include the cost of real estate acquisition services, power pole relocations, any property owner settlement costs, and various fencing that will likely be required.

Council Member Loomis stated that his analysis showed that the City budgeted \$250,000, \$150,000 from Impact Fees, and \$100,000 funded by a DNR grant.

In answer to Council Member Beck's question, Director Wiza stated that he spoke with Dan Kaemmerer from the DNR and he was told that the City needs to request a time extension through Fall 2008, which should be granted if the City shows its commitment to completing the Creekwalk. Director Wiza reminded the Council that the grant is a reimbursement grant.

Architect Rushing stated that a private Creekwalk Advancement Committee has been working on Phase I for a long time. He asked the Council to look at the larger picture and to see what has been accomplished to-date: the property owners have been contacted by the Committee and the easements have been delineated to start Phase I, the funding is available, and the project is ADA compliant. Architect Rushing stated that this project is essential to the City's economic vitality. He stated that the Creekwalk will add character and spirit to the Downtown area and he asked for the Council's support to move forward with the project.

In answer to Council Member Loomis' question, Architect Rushing stated that Thiensville's riverwalk project has been more difficult for them because of the longer distance and the number of landowners involved in the project. They are moving ahead, however, and they have two sections completed to-date. Architect Rushing stated that Cedarburg would be taking a step in the right direction by approving the construction of Phase I. Cedarburg needs to work on the Creekwalk project very similar to Thiensville by working on sections.

Council Member Loomis asked Architect Rushing how the project would be affected if the DNR forces the City to remove the dams.

Architect Rushing stated that removing the dams would have a big impact and it would be a different creek, but the Creekwalk would still be an asset. He stated that the creek would look similar to Grafton where their dam was removed and would be the width of the creek that is now below the Columbia Dam. Crispell-Snyder will work with the variables and the elevation location should not change but the water will be faster moving.

In answer to Council Member Loomis' question, Council Member Radtke stated that the Creekwalk is part of the ad hoc Downtown Master Plan Committee's economic revitalization plan. The Creekwalk will engage visitors to new areas of the City and provide more traffic to area businesses. The Creekwalk would be a great asset to the City.

Council Member Beck expressed concern for the project and the businesses that are not in favor of the Creekwalk located between the two sections in Phase I.

Director Wiza stated that there will be challenges ahead in the next phase because there are three individuals that are strongly opposed at this point (Lichter, Meyer and Proefrock).

Council Member Beck stated that she has concerns about phasing the Creekwalk project. As stewards of the taxpayer's money, she wants to be assured that the Creekwalk will connect end to end. She asked if there was a better way to handle this project instead of doing it in phases by getting permission from all of the owners involved before committing to the project. Council Member Beck urged the people in attendance tonight, who are in favor of the project, to talk to those neighbors who have reservations about the project to get them on board to do the full project at one time.

Architect Rushing stated he would like to see the entire project done at one time; however, there are three people that are strongly opposed at this time. He stated that there is a window of opportunity here to accomplish Phase I of the Creekwalk project that may springboard to the unwilling landowners when they see the benefits of the first phase. Architect Rushing stated that the DNR funding may not be available without any action tonight to move forward on the project.

Council Member Loomis stated he was concerned about losing the DNR grant for \$100,000 and he was comfortable moving ahead with Phase I of the Creekwalk. Additionally, the City has collected \$150,000 in impact fees for the new park acquisition that can be used for the project because there are no current plans for other parks within the City. He stated it was reasonable to move ahead for the City portion of \$33,000.

Rev. Dr. Janis Kinens, W61 N658 Mequon Avenue, stated that he has lived in Cedarburg for 9 years as the Pastor for Advent Church and has been coming to Cedarburg for nearly 25 years prior to living here. He stated that the creek is Cedarburg's greatest resource and all the properties along the Creekwalk would benefit from the project. Rev. Kinens stated it was hard to keep the area clean behind the church as it is, and a Creekwalk would be a wonderful enhancement. He spoke in favor of moving ahead with this project, as it would be one more step toward adding to Cedarburg's aesthetic nature.

Joe Kultgen, of Kultgen Investments, urged the Common Council to look at this opportunity carefully along with its many benefits.

Steve Banas, W58 N438 Hilbert Avenue, stated he supports the Creekwalk whole heartedly and it is the right time for the project. He would like the Council to be visionaries and make this project happen.

Kelly Einbeck, W67 N732 Franklin Avenue, expressed concern for the habitat and her conversation with the DNR.

City Attorney Vance stated that the DNR concerns, when communicated directly with the City, will be addressed.

Director Wiza stated that tonight's action only authorizes engineering and right-of-way approval for the Creekwalk. The engineering firm will work with the DNR to obtain the proper permits.

Council Member Glamm stated that the DNR will be reviewing the studies that are done by the engineering firm before moving ahead with the Creekwalk.

Marian Yank, W62 N714 Riveredge Drive, asked why the Creekwalk could not be done to the north of Bridge Road. The Boy Scouts would be willing to help with the project and it would get rid of the geese in the area.

Mayor Myers stated that the area north of Bridge Street is not in the current plan and it may be addressed in the future.

Joe Covert, owner of W63 N680-686 Washington Avenue, stated he was in favor of the Creekwalk after having some reservations about the project. He received answers to his questions and now he would like to see the project go forward. He stated that his neighbors that are not currently in favor may just need some answers and reassurance about the project.

Motion made by Council Member Loomis, seconded by Council Member Besaw, to adopt Resolution No. 2007-34 approving a relocation order and right-of-way plat for Phase I of the Cedar Creek Walkway.

Council Member Beck stated she would be voting against the adoption of Resolution No. 2007-34 because the Council needs to be more careful and possibly wait another month or two until all of the property owners involved are on board with the Creekwalk.

Council Member Glamm stated he will vote in favor with some hesitancy. He understands Council Member Beck's apprehension because no one wants to see a fractured Creekwalk, or a walkway to nowhere similar to the Hoan Bridge. Council Member Glamm challenged the people in the audience, who are in favor of the Creekwalk, to talk to their neighbors and to bring them on board to minimize any opposition.

Council Member Besaw stated that at one time there was discontent over the development of the Interurban Trail and now that it is a reality, people regret being opposed to the trail because it is such an asset. She appreciates the foresight that was used in developing the trail and she can see the Creekwalk being just as valuable to the City.

Council Member Kinzel had some of the same concerns as Council Member Beck but he hopes that once the success of Phase I is realized that the rest of the Creekwalk will follow.

Council Member Reimer stated he was in favor of moving forward with Phase I of the Creekwalk and hopes that its success will make the neighbors in favor of a full Creekwalk.

Council Member Radtke stated he would vote in favor of moving forward with the Creekwalk and urged the community to come together for this project.

Mayor Myers stated that he supported the Creekwalk from the start and several months ago he agreed to phase the project. Both sections will have access to the street and open up access to the creek. This opportunity will allow businesses to expand and offer more to residents and guests of the City. Mayor Myers stated he was optimistic that the Creekwalk will be completed once the assets of the project are visible.

Bert Kultgen, of Kultgen Investments, stated that he is donating quite a bit of land for this project and he would like to see it move forward. He expressed concern for the DNR permit that was issued for a retaining wall that will expire in September 2008, if the project is not started.

Executive Director Kristine Hage of the Chamber of Commerce thanked everyone involved in the Creekwalk project for all of their efforts. She stated that the Chamber has allocated funds toward the project with a vision that she hopes will come to fruition. The City needs a shot in the arm and this project would be a great asset.

Bruce Beck spoke on behalf of the Merchants Association in support of the project because it will aid in the viability of the downtown area. He urged all of the people in favor of the project to talk to those who are opposed and reassure them of the benefits of the Creekwalk.

Council Member Beck stated that she believes in the Creekwalk and its positive impact on the City but stated that it needs to be done smarter to ensure its success.

Motion carried with Council Members Reimer, Glamm, Besaw, Radtke, Kinzel and Loomis in favor and Council Member Beck opposed.

**CONSIDER PRELIMINARY PLAT AMENDMENT AND PHASING PLAN AMENDMENT FOR THE 52-LOT KEUP TRAIL SUBDIVISION LOCATED ALONG THE EAST SIDE OF KEUP ROAD IMMEDIATELY NORTH AND SOUTH OF THE INTERURBAN TRAIL AND DEVELOPMENT AGREEMENT AND FINAL PLAT APPROVAL FOR THE 15-LOT FIRST PHASE**

City Planner Censky stated this preliminary plat amendment has been submitted to incorporate a new lot into the first phase of the Keup Trail Subdivision. The original preliminary plat included 51 single-family lots and was approved with the stipulation that Covington Square be shifted slightly north to gain more buildable area for Lot 13, which was limited due to existing wetlands. Once the roadway was shifted, the applicant discovered that one additional Code-compliant lot could be realized and that change was presented to the Plan Commission. The Plan Commission voted 3-2 in favor of the amended preliminary plat and the first phase final plat subject to stipulations. City Planner Censky added that in anticipation of Preliminary Plat amendment approval, the applicant is also seeking development agreement and Final Plat approval of the 15-lot first phase.

In answer to Council Member Glamm's question, City Planner Censky stated that Covington Square was shifted to the north which made lot 13 buildable and also resulted in another possible Code compliant buildable lot (14).

Council Member Kinzel expressed concern for creating another lot with the same problem because lot 14 looks very much like lot 13 did.

City Planner Censky stated that by shifting Covington Square, it created a more buildable area outside the wetlands and allowed for two buildable lots instead of one.

In answer to Council Member Loomis' question, City Planner Censky stated that both lots (13 and 14) have sufficient buildable areas for standard homes that comply with the City's zoning requirements.

Council Member Besaw questioned whether the developer will want to make changes to Phase II if the City allows changes to Phase I.

City Attorney Vance stated that the Final Plat for Phase I will be recorded and the number of lots in Phases II and III cannot be changed.

Council Member Kinzel stated that the original Preliminary Plat was approved for a phased 51-lot subdivision and he does not want amendments made to that plan.

City Attorney Vance stated that the Council cannot deny a Code compliant Final Plat based on the number of lots in the subdivision. The Council needs strong rationale to deny, other than the number of lots.

City Planner Censky reminded the Council that this project had been before them several times in the past. Originally the developer proposed 99 units in 2003, which included single-family and two-family dwellings. That project was unacceptable and they then submitted a plan with 77 lots, which was also unacceptable. The City then reconsidered the zoning and changed it to the RS-1 which increased the minimum lot size from 10,000 sf to 20,000 sf and that the current 52 lot subdivision complies with that. He further stated that another lot cannot be achieved with the present zoning.

Council Member Beck stated that she preferred the original configuration to the amended version.

Plan Commission Member Brown stated that discussions in regard to this subdivision began in 1995 and has been discussed at great lengths to get to this point. In January 2007, the City and the developer agreed on 51 single-family lots. He stated that he feels strongly about solid planning and does not approve of another change. Plan Commission Member Brown stated that the League of Municipalities supports the City's right to reject the amendment if there are continuing issues throughout the process.

Council Member Kinzel stated he preferred the original layout because the addition of another lot changes the complexion of the subdivision.

Mayor Myers stated that he took an oath to uphold the laws of the City and he voted in favor of this plat because the added lot does comply with the RS-1 Zoning.

In answer to Council Member Radtke's question, City Planner Censky stated that the wetlands are part of lots 13 and 14 and there are similar lots in other areas of Cedarburg.

Council Member Kinzel stated he wants the original 51-lot Preliminary Plat to be enforced.

City Attorney Vance stated the Council needs a planning reason other than density to deny the amendment.

Motion made by Council Member Besaw to deny the Preliminary Plat amendment based on traffic flow, lack of green space and the configuration.

Motion failed for lack of a second.

City Planner Censky stated that the Council must justify their decision to reject the Final Plat.

Motion made by Council Member Beck, seconded by Council Member Besaw, to reject the amendment to the Preliminary Plat for a 52-lot subdivision based on the configuration. Motion was seconded by Council Member Besaw.

Council Member Reimer questioned whether State Statutes requires the City to have more of a reason for denial.

Council Member Loomis stated the issue is that the aesthetics are not appealing.

Council Member Kinzel stated he supports only 14-lots because of the layout.

Council Member Loomis stated that he is more comfortable with the 51-lot configuration and he is hopeful that the subdivision will move forward in that direction.

Planner Censky stated that in this case the Council will also need to deny the proposed Final Plat and the Developers Agreement.

Motion made by Council Member Glamm, seconded by Council Member Kinzel, to call the question.

Motion carried with Council Members Besaw, Kinzel, Loomis and Beck in favor and Council Members Reimer, Glamm and Radtke opposed to rejecting the amendment to the Preliminary Plat for a 52-lot subdivision based on the configuration

Motion made by Council Member Besaw, seconded by Council Member Kinzel, to deny the Final Plat for the 15-lot first phase because it does not comply with the Preliminary Plat. Motion carried with Council Members Besaw, Kinzel, Beck and Loomis in favor and Council Members Reimer, Radtke and Glamm opposed.

**CONSIDER AWARD OF CONTRACT TO CRISPELL-SNYDER FOR FINAL DESIGN OF THE CEDAR CREEK WALKWAY-PHASE 1**

Motion made by Council Member Glamm, seconded by Council Member Besaw, to award contract to Crispell-Snyder for the final design of the Cedar Creek Walkway-Phase I. Motion carried unanimously on a roll call vote.

**CONSIDER PUD ZONING/PRELIMINARY PLAT EXTENSION FOR THE SEVEN GABLES SUBDIVISION LOCATED APPROXIMATELY 1,300 FEET SOUTH OF HIGHWAY 60 ALONG THE EAST SIDE OF THE SHEBOYGAN ROAD**

City Planner Censky stated that the Common Council approved the Preliminary Plat for the Seven Gables Subdivision on April 30, 2007. According to Section 13-1-69, it is expected that commencement of a PUD project shall begin within 9 months following approval of a PUD petition. Since the 9-month limit will expire over the winter and the applicant does not expect to begin construction until next year, they are requesting a 9-month extension to this PUD project to begin at expiration of the 9-month limit (i.e., December 30, 2007). Sewer and water still needs to be connected before construction can begin.

Motion made by Council Member Beck, seconded by Council Member Besaw, to approve the PUD Zoning/Preliminary Plat extension for the Seven Gables Subdivision located approximately 1,300 feet south of Highway 60 along the east side of Sheboygan Road. Motion carried without a negative vote.

**CONSIDER RESOLUTION NO. 2007-35 REQUIRING THE ROUTING OF ALL GEO-REFERENCED SUBDIVISION PLATS AND CERTIFIED SURVEY MAPS TO THE COUNTY LAND INFORMATION OFFICE UPON APPROVAL**

Motion made by Council Member Glamm, seconded by Council Member Besaw, to adopt Resolution No. 2007-35 requiring the routing of all Geo-Referenced Subdivision Plats and Certified Survey Maps to the County Land Information Office upon approval. Motion carried without a negative vote.

**CONSIDER ORDINANCE NO. 2007-19 REVISING SECTION 2-6-76 OF THE CITY CODE RE: NON-HARASSMENT**

Motion made by Council Member Loomis, seconded by Council Member Besaw, to adopt Ordinance No. 2007-19 revising Section 2-6-76 of the City Code Re: Non-Harassment. Motion carried without a negative vote.

**CONSIDER RENEWAL OF FARM LEASE FOR 47 ACRES OF THE CITY-OWNED FORMER KOHLWEY PARCEL ON HIGHWAY 60**

Motion made by Council Member Loomis, seconded by Council Member Besaw, to approve the renewal of the farm lease for 47 acres of the City-owned former Kohlwey parcel on Highway 60. Motion carried without a negative vote.

**CONSIDER ECONOMIC DEVELOPMENT COORDINATOR POSITION**

Council Member Radtke provided a draft job description for an Economic Development Coordinator that was compiled by the members of the ad hoc Downtown Master Plan Committee. He stated that in their research they found that it was common for the Economic Development position to be combined with another position.

Council Member Radtke presented the recommendations for an Economic Development Coordinator in order of preference:

- Full-Time position at \$50,000-\$70,000/year.  
Advantages: Good pool of candidates with more time to focus on job responsibilities.  
Disadvantages: Cost
- Part-Time position at \$25,000-\$35,000/year.  
Advantages: Cost  
Disadvantages: Finding qualified candidates looking for part-time employment.

The Committee does not recommend a split staff position, bonus based position, or outsourcing to a realtor or consultant.

Council Member Loomis stated that Mequon recently hired a part-time planner and it may be possible to share the position with another community.

Mayor Myers stated that sharing a planner would be a conflict of interest.

Council Member Radtke stated that the Economic Development Coordinator should be given a list of realistic and obtainable goals, be under the direction of a Committee, and be given the freedom to try new and different ideas.

Council Member Radtke said that the Chamber of Commerce has offered to contribute \$5,000/year to the position and that it may be possible for other organizations to help fund an Economic Development Coordinator.

Council Member Besaw stated it may be feasible to combine the position, similar to combining the City Administrator and Treasurer position. She expressed concern for the County Economic Development Coordinator's ability to devote enough time to Cedarburg.

Council Member Beck stated she was in favor of filling the position on a part-time basis for a one year trial period to help fill the vacant stores in Cedarburg.

Council Member Besaw stated it was realistic to consider the position on a part-time basis, as there may be people in the area that would be able and willing to take on the challenge.

Mayor Myers stated that the Economic Development Coordinator would be an employee of the City and could be under the direction of a Committee.

Council Member Loomis suggested that the position be considered for \$30,000 by an independent contractor to be placed on the unfunded list and discussed during the budget process.

Council Member Glamm stated that if the position is filled by an independent contractor, the person's effectiveness should be measured by the decrease in vacancies in the City.

Bruce Beck, of the Cedarburg Merchants Association, stated that the position should be given enough time to develop a plan for Cedarburg. The economic problem is everywhere and there is a lot of competition. It may take longer than one year to see results. Mr. Beck applauded the ad hoc Downtown Master Plan Committee for their investment in Cedarburg.

Council Member Glamm stated it will be important for the person to make cold calls and the position will need to be measured.

Pat Thome, N68 W5760 Bridge Common Ct., stated she was the former director of Forward Cedarburg. She stated that an independent contractor is a good idea for the position and the person will need to work closely with City staff. The City should provide a blueprint or guidelines and work side-by-side with the person.

Mayor Myers stated that the Coordinator would report to the City Administrator.

Dave Hosack spoke as a member of the Merchants Association and stated that an Economic Development Coordinator position would be very important for the City. This person would be an ambassador for the City and would need to be well received in other areas. The position would require cold calls, research, investigating, talking, and working with the City, Chamber of Commerce, and the Cedarburg Merchants Association.

Bruce Beck stated that the City of Cedarburg is very unique and should not obtain big chain stores. The City should be recruiting very unique shops.

Marline McGrew, N41 W5404 Spring Street, stated it is very important to keep businesses in Cedarburg as-well-as attracting new businesses.

Mayor Myers stated it was the consensus of the Common Council to consider an Economic Development Coordinator position for \$30,000, plus a \$5,000 contribution from the Chamber of Commerce, to be placed on the unfunded list and discussed during the budget process.

The ad hoc Downtown Master Plan Committee was asked to refine the position description in the near future.

### **LICENSE APPLICATIONS**

Motion made by Council Member Kinzel, seconded by Council Member Besaw, to authorize the issuance of a renewal Operators' License for the period ending June 30, 2008 to Kris Klug and a new Operators' License for the period ending June 30, 2008 to Dawn L. Hildebrand. Motion carried without a negative vote.

### **CITY ADMINISTRATOR'S REPORT**

City Administrator/Treasurer Mertes reminded the Common Council Members of the Budget Review meeting scheduled for October 22.

**COMMENTS & SUGGESTIONS BY CITIZENS** - None

**REPORTS & COMMENTS BY COUNCIL MEMBERS**

Council Member Glamm stated the Hanover parking lot is being resurfaced.

**MAYOR'S REPORT**

A proclamation was issued by Mayor Myers recognizing Red Ribbon Week, October 14-20.

Mayor Myers' encouraged the Council Members to look at the nice work that was done on the Centennial Park Ponds. He thanked Director Wiza for all of his hard work and for the ease in which the project was accomplished.

**ADJOURNMENT – CLOSED SESSION**

Motion made by Council Member Besaw, seconded by Council Member Radtke, to adjourn to closed session at 9:25 p.m. pursuant to Wisconsin 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 body with respect to litigation in which it is or is likely to become involved concerning the Town of Cedarburg and (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 require a closed session regarding Plant No. 2 site. Approval of closed session minutes of 9/24/07. Motion carried without a negative vote. Meeting did not reconvene to open session.

Amy D. Kletzien, CMC  
Deputy City Clerk