

**CITY OF CEDARBURG
COMMON COUNCIL
November 23, 2009**

**CC20091123-1
UNAPPROVED**

A special meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, November 23, 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, 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 Engineering and Public Works Tom Wiza, Police Chief Tom Frank, Director of Parks, Recreation and Forestry Mikko Hilvo, Senior Center Director Carol LaFontaine, Deputy City Clerk Amy Kletzien, 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 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.

COMMENTS AND SUGGESTIONS FROM CITIZENS

Sue Karlman, W59 N886 Sheboygan Road, stated that she was out of town during the Council's budget process and she wanted to make a few comments as President of the Jt. Library Board. President Karlman recalled when Director Marquardt announced to the Library Board that the Cedarburg Public Library had finally become a Net Borrower. Prior to this announcement, the Board worked very hard to buy publications to reach this goal of lending out more items than the Cedarburg Library borrowed from other libraries. This level will be hard to maintain with the proposed cuts to the Library.

President Karlman also stated that another casualty of the budget will be reduced hours of operation for the library. She stated that people will go to other libraries when needed; similar to a consumer shopping at the stores that are open at the time something is needed.

President Karlman made an appeal to the Common Council to try to keep the library in mind for next year during the budget process. She asked the Council to make a commitment to making it a good City Library because the Town may not be back. She commended the Council for their hard work in balancing this year's budget and said that the cuts were painful for all City departments.

CONSIDER PROPOSED 2010 BUDGET

Mayor Myers introduced the following Ordinances pertaining to the 2010 Budget.

CONSIDER ORDINANCE NO. 2009-14 LEVYING PROPERTY TAXES ON THE GENERAL, DEBT SERVICE, SPECIAL REVENUE, AND CAPITAL IMPROVEMENT FUNDS FOR FISCAL YEAR 2010

Motion made by Council Member Loomis, seconded by Council Member Filter, to adopt Ordinance No. 2009-14 levying property taxes on the General, Debt Service, Special Revenue, and Capital Improvement funds for fiscal year 2010.

In answer to Council Member Maher's question, Director Wiza stated that it will be hard to devote two public works employees to helping Forestry Superintendent Westphal with the Emerald Ash Borer treatments next fall as proposed because of fall leaf collection.

In answer to Council Member R. Reimer's question, Director Wiza stated that there is some overlap between the EAB treatments and leaf pick up in October and November.

Director Hilvo stated that he has committed to helping Superintendent Westphal with the EAB treatment for 1½ - 2 weeks next fall, if the public works crew is unavailable.

Council Member Maher opined that all of the proposed cuts to the budget will have an impact on the quality of services in the City and the Council needs to reconsider some of these cuts.

Director Hilvo stated that the Parks & Recreation office may be affected; however, he will do his best to meet the citizens' requests.

In answer to Council Member Filter's question, Director Hilvo stated that Recreation Supervisor Friess is willing to help when needed in the Parks & Recreation Office.

Council Member Maher stated that the Council is moving nine items totaling \$465,500 into 2011 because of Council's goal of a 0% increase in taxes in Cedarburg this year. He opined that this is not responsible budget planning and taxes should be increased. The Council cannot continue rolling items into the next year's budget and at some point the City will need to increase taxes.

Council Member Loomis stated that \$400,000 in equipment purchases is being pushed back one year. If this amount were left in the budget, it would be a 5.4% increase or .35 per \$1,000 in taxes. He expects that the recession will lessen next year and it will not be as big of a burden on the taxpayers. The Council needs to look at the ability of the citizens to pay their taxes in this time of layoffs and cutbacks. If the economy does not come back next year, the Council will have some more difficult decisions next year and he realizes that in future years the taxes may have to increase.

Council Member C. Reimer agreed with Council Member Loomis and stated he is hopeful that there will be growth next year in the planned subdivisions.

Council Member Maher stated that the Library Board has done a good job in managing their money over the years and they intended to use their current fund balance for the new library. If they are forced to use these funds for the deficit, they will disappear quickly. He opined that in order to sustain the current level of the library, it will require an increase in funding.

Council Member Loomis stated that he understood; however, he would rather use the money from the fund balance this year and do more bond financing later. The citizens of Cedarburg are experiencing hard times and now is the time to hold firm if the City is able.

Council Member Maher stated that the Park & Recreation Department has increased their program fees significantly, which may cause a drop in participation. He disagrees with the direction of the program fees because it is shifting towards the Town's proposal. He opined that it would not make sense to go back to the Town and include them in a shared services agreement for recreation.

Council Member C. Reimer stated that he did a comparison of fees between 2009 and 2010 and 24 program fees out of 34 remained the same.

Director Hilvo stated that the user fee based programs have not been increased; only the taxpayer funded programs were raised. The Department was moving in that direction and it is the responsible thing to do.

Council Member Kinzel stated that it is not a user-based system because it does not consider the entire costs of staff, buildings, fields, etc.

City Administrator/Treasurer Mertes stated that the Recreation programs have been moved into a self-supporting system.

Council Member C. Reimer stated that even though the prices have been increased, the programs are a bargain.

City Administrator/Treasurer Mertes stated that Director Hilvo evaluates the programs annually and will make adjustments as necessary.

Council Member R. Reimer stated that infrastructure needs to be considered in the cost of programs.

Council Member Maher questioned if the use of furlough days were thought through by the Common Council. How will the City decide which days to use as furlough days and will all the employees be off at the same time?

City Administrator/Treasurer Mertes stated that the furlough days will be decided by the Common Council at a future meeting.

Council Member Maher asked how the furlough days will affect the part-time and non-union employees. This will have to be considered when making decisions about the furlough days.

Mayor Myers stated that the furlough days will be an administrative decision.

Council Member C. Reimer stated that is unfortunate that the unions did not consider a wage freeze. If they had, the Council would not have had to consider cutbacks and furlough days. The budget process would have been a little more pleasant.

Council Member Maher stated that the budget process was very difficult and he did not feel comfortable supporting the proposed budget for 2010. He opined that a tax increase is necessary to avoid problems in the future.

Council Member R. Loomis stated that even though he is on the opposite side from Council Member Maher, he respected their differences.

Council Member R. Reimer expressed his concern for the decrease in the 2010 fund balance.

In answer to Council Member C. Reimer's question, City Administrator/Treasurer Mertes stated the fund balance should be somewhere between two and three months of funding.

Council Member Kinzel stated that this is a very difficult year; however, the Council will not be able to afford pushing off capital costs in future years. He is hopeful that the economy will improve for next year and the City will have a chance to recover somewhat from this year's budget.

Council Member Radtke stated that the Council knows where he stands on the budget from previous discussions.

Motion carried with Council Members C. Reimer, Filter, Kinzel, and Loomis in favor and Council Members R. Reimer, Radtke, and Maher opposed on a roll call vote.

CONSIDER ORDINANCE NO. 2009-15 APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE CITY OF CEDARBURG FOR FISCAL YEAR 2010

Motion made by Council Member Loomis, seconded by Council Member Kinzel, to adopt Ordinance No. 2009-15 appropriating the necessary funds for the operation of the government and administration of the City of Cedarburg for fiscal year 2010. Motion carried with Council Members C. Reimer, R. Reimer, Filter, Kinzel and Loomis in favor and Council Members Radtke and Maher opposed on a roll call vote.

CONSIDER ORDINANCE NO. 2009-16 APPROPRIATING THE NECESSARY FUNDS FOR THE 2010 CAPITAL IMPROVEMENT BUDGET

Motion made by Council Member C. Reimer, seconded by Council Member Loomis, to adopt Ordinance No. 2009-16 appropriating the necessary funds for the 2010 Capital Improvement budget.

In answer to Council Member Maher's question, City Administrator/Treasurer Mertes stated that a correction was made to the Park & Recreation capital budget for four items to be funded with impact fees.

Motion carried with Council Members C. Reimer, R. Reimer, Filter, Kinzel, and Loomis in favor and Council Members Radtke and Maher opposed on a roll call vote.

CONSIDER ORDINANCE NO. 2009-17 ESTABLISHING THE USER CHARGE SCHEDULE AND APPROPRIATING THE NECESSARY FUNDS FOR THE SEWERAGE FUND FOR THE OPERATION OF THE WASTEWATER TREATMENT PLANT FOR FISCAL YEAR 2010

Motion made by Council Member R. Reimer, seconded by Council Member Kinzel, to adopt Ordinance No. 2009-17 establishing the user charge schedule and appropriating the necessary funds for the sewerage fund for the operation of the Wastewater Treatment Plant for fiscal year 2010. Motion carried unanimously on a roll call vote.

CONSIDER ORDINANCE NO. 2009-18 APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE SPECIAL REVENUE FUNDS AND ADOPTING THE INDICATED BUDGETS FOR THE FISCAL YEAR 2010

Motion made by Council Member C. Reimer, seconded by Council Member Loomis, to adopt Ordinance No. 2009-18 appropriating the necessary funds for the operation of the Special Revenue funds and adopting the indicated budgets for the fiscal year 2010. Motion carried with Council Members C. Reimer, R. Reimer, Filter, Radtke, Kinzel and Loomis in favor and Council Member Maher opposed on a roll call vote.

COMMENTS & SUGGESTIONS BY CITIZENS - None

REPORTS & COMMENTS BY COUNCIL MEMBERS

Council Member Filter stated that he would not be at the November 30 Council meeting.

MAYOR'S REPORT

Mayor Myers reminded the Council Members that the November 30 Council meeting will begin at 7:30 p.m., after the Annual Tree Lighting Ceremony in front of City Hall.

Ad hoc Village of Grafton/City of Cedarburg Committee

Mayor Myers and Grafton Village President Brunquell have agreed to form an ad hoc Committee to discuss opportunities for working together on services and/or purchases in the future. President Brunquell will discuss it with the Grafton Village Board on December 7 and Mayor Myers will discuss the structure of the Committee at the next Council meeting.

ADJOURNMENT – CLOSED SESSION

Motion made by Council Member Radtke, seconded by Council Member Filter, to adjourn to closed session at 7:47 p.m. pursuant to Wis. Statutes 19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investing of public funds, or conducting other specified public business,

whenever competitive or bargaining reasons require a closed session, more specifically, negotiations with Mercury Marine regarding the Prochnow Landfill. Approval of closed session minutes of 10/16/09. Meeting did not reconvene to open session

ADJOURNMENT

Motion made by Council Member Filter, seconded by Council Member Radtke, to adjourn the meeting at 8:14 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk