

**CITY OF CEDARBURG
COMMON COUNCIL
November 30, 2009**

CC20091130-1

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, November 30, 2009 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Myers called the meeting to order at 7:30 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, Paul Radtke, Michael Maher, Kip Kinzel, Bob Loomis

Excused - Council Member Art Filter

Also Present - City Attorney Kaye Vance, City Administrator/Treasurer Christy Mertes, Director of Engineering and Public Works Tom Wiza, Director of Parks, Recreation, and Forestry Mikko Hilvo, City Clerk Constance McHugh, 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' APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS

No appointments were made.

APPROVAL OF MINUTES

Motion made by Council Member Kinzel, seconded by Council Member Loomis, to approve the minutes of the November 9, 2009 and November 16, 2009 meetings. Motion carried unanimously with Council Member Filter excused.

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 at its meeting on November 9, the Council directed staff to prepare a letter to City and Town residents explaining the impact of the loss of the shared services agreement beginning January 1, 2010. The letter was prepared and distributed to the Council. City Administrator/Treasurer Mertes said the cost of the City Newsletter with the one-page insert and to mail the one-page letter to Town residents would be \$3,651.

The Common Council reviewed the letter and made some minor changes.

Motion made by Council Member R. Reimer, seconded by Council Member Loomis, that the letter as corrected be inserted in the next City Newsletter. Motion carried unanimously with Council Member Filter excused.

Motion made by Council Member Loomis, seconded by Council Member Kinzel, to send the one-page letter to all Town residents. With Council Members C. Reimer, Radtke, Maher, Kinzel, and Loomis voting aye, Council Member R. Reimer voting nay, and Council Member Filter excused, the motion carried.

Council Member Loomis said the City made an offer of mediation to the Town; however, the Town has failed to respond to the offer. At a Town meeting, Chairman Valentine said that he would contact Mayor Myers to determine if there is an interest in a boundary agreement.

Mayor Myers said that Chairman Valentine called him and left a message just at the point when he was reading an email about Town Supervisor Gary Wickert suggesting that the City be accused of extortion. Mayor Myers said he thought it was best not to call Chairman Valentine at that point. He called City Administrator/Treasurer Mertes and asked her to inform Town Administrator Culotta that Mayor Myers received Chairman Valentine's message and that he would pass the message on to the Common Council. Chairman Valentine should have been notified that Mayor Myers received his message.

Council Member Loomis said the motion the Council passed regarding the boundary agreement included the contingency of reaching agreement on all issues. He said this should remain the policy of the City and the offer to mediate all issues should remain as is.

Mayor Myers said that he isn't sure if Chairman Valentine is interested in anything beyond the boundary agreement. The issue of the boundary agreement is the only matter Chairman Valentine mentioned.

Council Member Loomis said the Town doesn't seem to have an interest in talking to the City, but is more interested in divorcing itself from the City and becoming a village. He said the City has bent over backwards to reach an agreement with the Town that is in the best interests of the community. He said he doesn't know what else the City can do at this point.

Mayor Myers said that he will devote his energy to working with the Village of Grafton on ways to cooperate that will be of benefit to both communities.

Council Member Radtke said the Town is probably not interested in mediation because a mediator will probably tell the Town that it should work together with the City.

Council Member R. Reimer said that it appears the Town has violated the conditions of what the City wants to mediate.

City Attorney Vance said the City completed the first step of the boundary agreement process by adopting the resolution agreeing to begin the process for the preparation a boundary agreement. The next step is to reach agreement on all issues.

The Council took no action on this matter. The offer to the Town regarding mediation still stands.

CONSIDER ORDINANCE NO. 2009-19 ESTABLISHING 2010 PAY RANGES FOR NON-REPRESENTED EMPLOYEES

Motion made by Council Member Loomis, seconded by Council Member Kinzel, to adopt Ordinance No. 2009-19 establishing 2010 pay ranges for non-represented employees. Motion carried unanimously with Council Member Filter excused.

CONSIDER STRUCTURE OF THE PROPOSED AD HOC CITY OF CEDARBURG/VILLAGE OF GRAFTON COMMITTEE

Mayor Myers said he spoke to Grafton Village President James Brunquell about forming an ad hoc City of Cedarburg/Village of Grafton Committee. They both thought the committee should consist of himself and Council President Kinzel, Village President Brunquell, and a Village Board member. The committee will rely on staff as needed. The meetings will be public and he will report back to the Council on matters discussed. Mayor Myers said Village President Brunquell will make a formal presentation to the Village Board at its meeting in December.

Council Member Maher asked if there will be citizens on the committee at some point or citizen input.

Mayor Myers encouraged citizens that have ideas to present them to City Administrator/Treasurer Mertes.

Motion made by Council Member R. Reimer, seconded by Council Member Loomis, that the Mayor and Council President proceed with their counterparts in the Village of Grafton to form an ad hoc committee for the relations of the two communities and to come up with a name for the committee and the scope of activities.

Council Member Loomis said that at some point the Mayor may find it wise to have other Council Members focus on areas that they have expertise on and perhaps form some subcommittees.

Mayor Myers said that he absolutely wants the full Council involved in this and invited Council Members to forward ideas they have to him.

Motion carried unanimously with Council Member Filter excused.

LICENSE APPLICATIONS

Motion made by Council Member C. Reimer, seconded by Council Member Maher, to authorize issuance of new Operator's Licenses for the period ending June 30, 2010 to Alissa M. Anschutz,

Kathleen A. Lanser, Scott Hill, and Sue Ellen Baye. Motion carried unanimously with Council Member Filter excused.

Motion made by Council Member Maher, seconded by Council Member Kinzel, to deny the issuance of a new Operator's License for the period ending June 30, 2010 to Corey R. Dineen based on the recommendation of the Police Chief. Motion carried unanimously with Council Member Filter excused.

Motion made by Council Member Radtke, seconded by Council Member Kinzel, to issue a Class "B" beer and "Class C" wine license to Morales Restaurants, LLC, Debra McQuaid, d/b/a The Vintage Café and City Deli. Motion carried unanimously with Council Member Filter excused.

CITY ADMINISTRATOR'S REPORT - None

COMMENTS AND SUGGESTIONS BY CITIZENS - None

REPORTS AND COMMENTS BY COUNCIL MEMBERS

Council Member Loomis said that typically every year Council Members contribute to the employee holiday luncheon.

Council Member R. Reimer asked if the letter from County Administrator Tom Meaux regarding purchasing property on Washington Avenue has been addressed.

Mayor Myers said this matter will be addressed by the Park and Forestry Board and the Common Council.

Council Member Radtke said the Economic Development Board may potentially review land use in the 4th Aldermanic District.

MAYOR'S REPORT - None

ADJOURNMENT

Motion made by Council Member C. Reimer, seconded by Council Member Kinzel, to adjourn at 8:10 p.m. Motion carried unanimously with Council Member Filter excused.

Constance K. McHugh, MMC/WCPC
City Clerk