

**CITY OF CEDARBURG
COMMON COUNCIL
OCTOBER 24, 2022**

A meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, October 24, 2022, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers, and online utilizing the Zoom app.

Mayor Michael O’Keefe called the meeting to order at 7:00 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited.

Roll Call: Present - Mayor Michael O’Keefe, Council Members Jack Arnett, Kristin Burkart, Patricia Thome, Robert Simpson, Sherry Bublitz Rick Verhaalen

Excused - District 7 - Vacant

Also Present - City Administrator Mikko Hilvo, Attorney Michael Herbrand, City Clerk Tracie Sette, General Manager-Cedarburg Light & Water Ben Collins, interested citizens and news media.

STATEMENT OF PUBLIC NOTICE

At Mayor O’Keefe’s request, City Clerk Sette 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 - None

NEW BUSINESS

INTRODUCTION OF BEN COLLINS, GENERAL MANAGER OF CEDARBURG LIGHT & WATER

Outgoing General Manager Dale Lythjohan introduced the new General Manager of Light & Water, Ben Collins. He explained General Manager Collins is the fifth (5th) General Manager of Light & Water to occupy that position since 1901. General Manager Collins provided a summary of his background and was given a warm welcome by the Council.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE FIFTEENTH AMENDMENT AGREEMENT FOR THE OPERATION OF THE MID-MORaine MUNICIPAL COURT

Administrator Hilvo explained that the Town of West Bend, Town of Polk, and the Big Cedar Lake Protection and Rehabilitation District have been added as Member Municipalities to the Mid

Moraine Municipal Court. The new agreement inclusive of these new entities requires Council approval.

A motion was made by Council Member Thome, seconded by Council Member Bublitz, to approve the Fifteenth (15th) Amendment Agreement for the operation of the Mid-Moraine Municipal Court. Motion carried without a negative vote with District 7 Council seat vacant.

DISCUSSION AND POSSIBLE ACTION ON HEALTH INSURANCE OPT-OUT PAYMENT POLICY REVISION

During the most recent discussions with the State Health Insurance Plan Provider, the City confirmed that 65% of all WRS eligible employees must choose to be enrolled in the State plan for the City to be approved for enrollment in the State Plan for 2023. Employees that opt out of the State Health Insurance Plan but have coverage through a spouse, parent, or other source, count towards the 65% minimum. The recommended revised policy is to continue allowing an opt-out payment for all employees.

Current City Policy:

- Payment in Lieu of Insurance Coverage. Any full-time employee who elects not to participate in the group health insurance program shall receive payment in lieu of health benefit coverage in amounts determined by the Common Council. (Current amount is \$400/month)

Revised Policy from October 10:

- Payment in Lieu of Insurance Coverage. Any WRS eligible employees who are receiving a payment in lieu benefit on or before October 1, 2022 by electing to not participate in group health insurance will continue to receive the payment if the following condition is met: Individual remains an active WRS eligible employee and elects to not participate in group health insurance. This policy may be modified at the discretion of the City Administrator or Common Council.

Recommended New Policy:

- Payment in Lieu of Insurance Coverage. Any active WRS eligible employees who elect to not participate in the Employer sponsored group health insurance may be eligible to receive a payment in lieu benefit. The Payment in Lieu benefit amount will be determined annually, and this policy may be modified as needed by the City Administrator and/or Common Council.

A motion was made by Council Member Bublitz, seconded by Council Member Thome, to approve the Health Insurance Opt-Out Payment Revised Policy as recommended in the blue sheet (i.e. the Recommended New Policy as listed above). Motion carried without a negative vote with District 7 Council seat vacant.

DISCUSSION AND POSSIBLE ACTION ON COUNCIL INTERVIEW QUESTIONS AND THE SPECIFIC INTERVIEW PROCESS

The Council reviewed the list of eight (8) interview questions to be used for appointing new Council members. Council Member Arnett suggested the addition of “including TIF Districts” to question number 6:

What factors (including TIF Districts) should be considered before proceeding with economic development initiatives?

A motion was made by Council Member Bublitz, seconded by Council Member Thome, to approve the interview questions as presented including the modification of question #6, and a slight modification to the title of the questions to reflect District 1 and 7. Motion carried without a negative vote with the District 7 Council seat vacant.

DISCUSSION AND POSSIBLE ACTION ON FLEXIBLE SPENDING ACCOUNT (FSA) BENEFIT

In conjunction with a new Health Insurance provider and subsequent plan changes, City employees will no longer be able to contribute to a Health Savings Account (HSA.) City staff researched alternate options to be able to provide similar benefits.

It was determined to be beneficial for the City to offer a Health Flexible Spending Account (FSA) and Dependent Care FSA. These FSA accounts are similar to HSA accounts and offer tax-advantages.

Three (3) third party administrators were contacted, and proposals received. The proposals were evaluated based on multiple criteria including benefits provided, overall cost to the employer, budgeting impacts, and ease of use for the employee.

A motion was made by Council Member Thome, seconded by Council Member Bublitz, to approve the new Flexible Spending Account (FSA) benefit. Motion carried without a negative vote with District 7 Council seat vacant.

DISCUSSION AND POSSIBLE ACTION ON PROPOSED 2023 BUDGET

The tax rate remains at \$6.06 which is a \$1.98 decrease from 2022 (\$8.04) and may decrease again before the budget is approved. Changes to the budget include:

- Additional use of General Fund Balance in the amount of \$100,000 for Dam repairs.
 - This use was approved in 2019 when discussions on the dam repairs began. Total use of Fund Balance is estimated at \$351,536.
- The other change is the estimated use of the Library Fund Balance in the amount of \$24,162 for an increase in salaries (1.98%), retirement (15.83%), and publications/subscriptions (32.86%).
 - Use of the General Fund and Library Fund Balances could change after health insurance open enrollment period is completed based on the number of employees opting in or opting out of the State Health Insurance Plan.

Estimated 2023 Ending Fund Balance for General Fund: \$2,912,260

Estimated 2023 Ending Fund Balance for Library Fund: \$81,037

A discussion ensued regarding whether Fund Balance should be utilized for Library salaries.

Council Member Bublitz suggested the City and Town collaborate on a Library agreement.

No action was taken by the Council.

CONSENT AGENDA:

The Mayor recused himself from announcing the Consent agenda as it includes an item of personal interest. Council President Thome announced the Consent agenda and invited a motion for approval.

A motion was made by Council Member Bublitz, seconded by Council Member Arnett, to approve the following consent agenda items. Motion carried without a negative vote with District 7 Council seat vacant.

- October 10, 2022 Common Council Meeting Minutes
- New and Renewal 2022-2023 Operator Licenses for period ending June 30, 2023 for Nicholas Faust and Michael J. O’Keefe
- Payment of Bills dated 10/01/2022 through 10/14/2022, Transfers for the period 09/24/2022 through 10/21/2022, and Payroll for period 10/02/2022 through 10/15/2022

ADMINISTRATOR’S REPORT

Administrator Hilvo reported that Diana Salapata began employment today as the new Administrative Secretary for the Engineering Department.

He also thanked Council Member Bublitz for her time serving on the Council.

COMMENTS AND SUGGESTIONS FROM CITIZENS – None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Thome appreciated working with and learning from Council Member Bublitz during her tenure with the Council.

Council Member Verhaalen requested Amcast site updates be added to future Council agendas.

Council Member Burkart also requested updates on the Amcast sites and mentioned it was a pleasure working with Council Member Bublitz.

Council Member Arnett mirrored other Council Members sentiments towards Council Member Bublitz adding that he also learned a lot from her during her tenure. He also mentioned the Scary Bloody Mary Walk sold over 1000 tickets this year.

Council Member Bublitz thanked everyone for the kind words and said it was an extreme pleasure representing District 1.

MAYOR’S REPORT

The Mayor reiterated the success of the Bloody Mary Walk. He also thanked Council Member Bublitz for her time serving the Council and her dedication serving her constituents.

ADJOURNMENT TO CLOSED SESSION

A motion was made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn to Closed Session at 7:55 p.m. pursuant to State Statute 19.85(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. Specifically discussed was a purchase offer for the Hwy 60 Business Park Lot 1. Motion carried on a roll call vote with Council Members Arnett, Burkart, Verhaalen, Thome, Simpson and Bublitz voting aye, and the District 7 Council seat vacant.

RECONVENE TO OPEN SESSION

Open session resumed at 8:00 p.m.

NEW BUSINESS – CONTINUED

DISCUSSION AND POSSIBLE ACTION ON HWY 60 BUSINESS PARK LOT 1 PURCHASE OFFER

A motion was made by Council Member Arnett, seconded by Council Member Bublitz, to approve the Hwy 60 Business Park Lot 1 purchase offer. Motion carried without a negative vote with the District 7 Council seat vacant.

ADJOURNMENT

A motion was made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 8:01 p.m. Motion carried without a negative vote with the District 7 Council seat vacant.

Tracie Sette
City Clerk