

**CITY OF CEDARBURG
COMMON COUNCIL
JANUARY 29, 2018**

**CC20180129-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, January 29, 2018, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor Kinzel called the meeting to order at 7:00 p.m.

ROLL CALL: Present - Common Council: Mayor Kip Kinzel, Council Members John Czarnecki, Jack Arnett, Dick Dieffenbach, Rick Verhaalen, Patricia Thome, Mike O'Keefe

Vacant - Aldermanic District 5

Also Present - City Administrator/Treasurer Christy Mertes, Director of Public Works and Engineering Tom Wiza, Police Chief Tom Frank, City Clerk Constance McHugh, City Attorney Michael Herbrand, 1st District Aldermanic Candidate Sara Dunstone, 3rd Aldermanic District Candidate Kristin Burkart; interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor Kinzel's 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.

APPROVAL OF MINUTES

Motion made by Council Member Thome, seconded by Council Member Dieffenbach, to approve the minutes of the January 8, 2018 meeting. Motion carried unanimously with Aldermanic District 5 vacant.

CONSIDER ADOPTION OF RESOLUTION NO. 2018-03 AUTHORIZING AN APPLICATION FOR A STATE TRUST FUND LOAN

City Administrator/Treasurer Mertes said the anticipated 2018 borrowing includes funds for the construction of the monopole, street projects, and TID No. 4. Borrowing for the monopole needs to be done separately because it is taxable. The Board of Commissioners of Public Lands requires a resolution adopted by the Council as part of the application process for a State Trust Fund loan. The loan is \$300,000.

Motion made by Council Member Czarnecki, seconded by Council Member Verhaalen, to adopt Resolution No. 2018-03 authorizing an application for a State Trust Fund Loan. Motion carried unanimously with Aldermanic District 5 vacant.

CONSIDER ORDINANCE NO. 2018-01 AMENDING SEC. 10-1-17(d) OF THE MUNICIPAL CODE PROHIBITING U-TURNS ON LINCOLN BOULEVARD AT MADISON AVENUE

Director Wiza said the Police Department has requested prohibiting U-turns for east and west bound Lincoln Boulevard at Madison Avenue. Officers have witnessed numerous vehicles making U-turns on Lincoln Blvd. when dropping children off at Westlawn School. Given the amount of vehicular and pedestrian traffic in this area, and the narrow median width at the intersection, a U-turn at this location is awkward, unexpected, and potentially dangerous. The Public Works and Sewerage Commission recommended U-turns be prohibited on Lincoln Boulevard at the Madison Avenue intersection. The principal of Westlawn School was notified this item was on the agenda of this meeting.

Council Member Arnett said he spoke to the principal at Westlawn, who is in agreement with the proposed ordinance.

Chief Frank said the Police Department did a study of this intersection in November of 2017 to determine the need for a crossing guard. At that time an officer noticed parents making numerous U-turns. The officer felt it would help with safety to prohibit U-turns at this location.

Motion made by Council Member Czarnecki, seconded by Council Member Thome, to adopt Ordinance No. 2018-01 amending Sec. 10-1-17(d) of the Municipal Code prohibiting U-turns on Lincoln Boulevard at Madison Avenue.

Sharon Trompeter, N29 W6429 Lincoln Blvd., said she understands that children need to be safe, but suggested there be time restrictions on when U-turns can and cannot be made. She suggested U-turns not be allowed between 8:00 a.m. – 9:00 a.m. and 3:00 p.m. – 4:00 p.m.

Chief Frank said that in the past when temporary signs have been erected officers see noncompliance because people get confused.

Kristin Burkart, W67 N547 Evergreen Blvd., said she understands the safety aspect, but U-turns allow drivers to use both sides of the street.

Director Wiza said other options include making U-turns at Hillcrest Avenue and Lincoln Boulevard or cutting through at the next median.

With Council Members Czarnecki, Arnett, Verhaalen, Thome, and O'Keefe voting aye, Council Member Dieffenbach voting nay, and Aldermanic District 5 vacant, the motion adopting Ordinance No. 2018-01 carried.

PAYMENT OF BILLS

Motion made by Council Member Czarnecki, seconded by Council Member Arnett, to approve the payment of the bills for the period 01/05/18 through 01/19/18, transfers for the period 01/06/18 through 01/22/18, and payroll for the period 12/31/17 through 01/13/18. Motion carried unanimously with Aldermanic District 5 vacant.

LICENSE APPLICATIONS

Motion made by Council Member Czarnecki, seconded by Council Member O'Keefe, to authorize the issuance of new Operators licenses for the period ending June 30, 2018 to Matthew W. Gifford, Thomas W. Krueger, Dale G. Mueller, Erica L. Raffaele, and Alexandra F. Smith. Motion carried unanimously with Aldermanic District 5 vacant.

Motion made by Council Member O'Keefe, seconded by Council Member Thome, to authorize issuance of a Festival Celebration Permit to Festivals of Cedarburg, Inc., for Winter Festival to be held on Saturday, February 17, 2018 from 8:30 a.m. to 10:00 p.m. and on Sunday, February 18, 2018 from 8:30 a.m. to 4:00 p.m. Motion carried unanimously with Aldermanic District 5 vacant.

ADMINISTRATOR'S REPORT

City Administrator/Treasurer Mertes said that subject to confirmation by the Police and Fire Commission, Officer Brian Emmrich will be promoted to Sergeant.

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Dieffenbach asked for an update on the clearance from the DNR for the property on St. John Avenue. City Administrator/Treasure Mertes said this property is owned by Mercury Marine.

Council Member O'Keefe reminded everyone of Winter Festival to be held on February 17 and 18.

CLOSED SESSION

Motion made by Council Member Thome, seconded by Council Member O'Keefe, to adjourn to closed session at 7:16 p.m. pursuant to State Statutes 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, more specifically, to consider compensation for Dispatcher Keith Liebherr. Motion carried on a roll call vote with Council Members Czarnecki, Arnett, Dieffenbach, Verhaalen, Thome and O'Keefe voting aye and Aldermanic District 5 vacant. Approval of January 8, 2018 closed session minutes.

RECONVENE TO OPEN SESSION

Motion made by Council Member Dieffenbach, seconded by Council Member Thome, to reconvene to open session at 7:21 p.m. Motion carried on a roll call vote with Council Members Czarnecki, Arnett, Dieffenbach, Verhaalen, Thome and O'Keefe voting aye and Aldermanic District 5 vacant.

CONSIDER BONUS FOR DISPATCHER LIEBHERR

Motion made by Council Member Thome, seconded by Council Member Arnett, to award a one-time bonus of \$500 to Dispatcher Keith Liebherr. Motion carried unanimously with Aldermanic District 5 vacant.

ADJOURNMENT

Motion made by Council Member Thome, seconded by Council Member O’Keefe, to adjourn the meeting at 7:22 p.m. Motion carried unanimously with Aldermanic District 5 vacant.

Constance K. McHugh, MMC/WCPC
City Clerk