

**CITY OF CEDARBURG  
COMMON COUNCIL  
September 9, 2019**

**CC20190909-1  
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, September 9, 2019, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor O'Keefe called the meeting to order at 7:00 p.m.

Roll Call: Present - Mayor Michael O'Keefe, Council Members Sherry Bublitz, Jack Arnett, Kristin Burkart, Rick Verhaalen, Garan Chivinski (via speakerphone), Patricia Thome, Rod Galbraith

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Director of Engineering and Public Works Tom Wiza, Parks, Recreation & Forestry Director/Assistant City Administrator Mikko Hilvo, Water Recycling Superintendent Eric Hackert, Library Director Linda Pierschalla, interested citizens and news media

**STATEMENT OF PUBLIC NOTICE**

At Mayor O'Keefe's 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.

**APPROVAL OF MINUTES**

Motion made by Council Member Thome, seconded by Council Member Bublitz, to approve the minutes of the August 26, 2019 meeting. Council Member Verhaalen requested a change to his comment on page 3, paragraph 4, first sentence to read: Council Member Verhaalen stated that he had received complaints about the road condition of ~~the McKinley Boulevard and Garfield Street intersection~~ Garfield Street between McKinley Boulevard and Filmore Avenue and it had been suggested to him that construction vehicles had contributed to the deterioration. Motion carried without a negative vote.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** – None

**NEW BUSINESS**

**CONSIDER REQUEST FOR COUNTRY IN THE BURG MUSIC EVENT AT CEDAR CREEK PARK ON AUGUST 29, 2020 AND FUTURE YEARS; AND ACTION THEREON**

Director of Parks, Recreation & Forestry/Assistant City Administrator Hilvo explained that Alex Uhan, Founder of Country in the Burg, ran an excellent event. Speaking for the parks side of the event, it went very smooth and the park was fully restored by Tuesday with no indication of an event taking place. He further explained that Alex Uhan is requesting to hold the country music

event again next year with a goal of it becoming an annual event in Cedarburg. The requested date for 2020 is August 29. He is also requesting that for future years beyond 2020, the City allow the event to be held in Cedarburg the weekend before Labor Day weekend.

Alex Uhan thanked the Common Council for allowing the event to happen. The event went above their expectations and the positive feedback has been fantastic. He announced that Country in the Burg will be donating \$50,000 to three charitable organizations (Mel's Charities - \$15,000, Wounded Warrior Project - \$15,000, Children's Hospital of Wisconsin - \$15,000 and \$5,000 will be donated to Kip Moore's Children's Foundation). His two main goals for Country in the Burg are to bring in a new crowd and group of people to the businesses in Cedarburg and to give back to the community and charities. There were 22 states represented at the event with over 1,400 people driving from at least an hour away.

Council Member Arnett said that he read a statement at the last Council meeting in support of Country in the Burg. He spoke to the businesses personally and heard first hand of the positive impact from the event. The Inns were 100% occupied and the restaurants were busy. The Police Chief and Fire Chief said that the event was well run. His constituents enjoyed the event. It is a great way to showcase the City. There were a few complaints; however, the benefits far outweigh those concerns.

Council Member Thome has heard positive feedback from most of her constituents. She reinforced that the City will only permit one year at a time.

In answer to Council Member Thome's question, Alex Uhan explained that Kip Moore finished his performance at 10:41 p.m. and people were out of the park by 11:00 p.m.

Council Member Thome stated that the normal cutoff time for events in Cedar Creek Park is 10:00 p.m. and asked how this will be addressed because the neighbors do not want this happening on a regular basis.

Council Member Burkart said that she heard the same concern about music past 10:00 p.m.

Alex Uhan said that he would like the ending time to be 11:00 p.m. for Country in the Burg.

Motion made by Council Member Arnett, seconded by Council Member Verhaalen, to approve the request for Country in the Burg music event at Cedar Creek Park on August 29, 2020 with future years subject to the permitting and never going past 11 p.m. and confirming with City staff that this does not violate any City noise ordinance.

Council Member Burkart said that 11 p.m. is late for area residents. She observed the event from the American Legion Post and was very impressed on how well it was run.

Alex Uhan said that Kip Moore was told to do a 75 minute to 90 minute performance and he began a few minutes late at 9:10 p.m. Their goal was to end the performance at 10:30 p.m. and have the park cleared by 11:00 p.m.

Council Member Arnett made an amendment to his motion that the music ends at 10:30 p.m. Council Member Verhaalen agreed to the amendment.

There was no public comment.

Council Member Thome said that the City will need to address the equity across-the-board as well as the residential concerns.

In answer to Council Member Galbraith's question, City Attorney Herbrand said the Council is approving the date and parameters of the permit for 2020 and the applicant will still need to go through the annual permitting process each year. If there are any issues in the future, the permitting process may have more scrutiny than other times.

Council Member Galbraith explained that there are a number of events that produce noise in Cedarburg throughout the year that is accepted by the residents. If it does not violate the noise ordinance, he is in favor of Country in the Burg being cleared from the park by 11:00 p.m.

Council Member Bublitz said these types of events should be reviewed on a case-by-case basis. This is a good event for Cedarburg.

Mayor O'Keefe noted that he lives near the fairgrounds and each year at Country Fair time and during Maxwell Street days, his road is congested. These events are for the greater good of the City and Country in the Burg is a charitable event.

Motion carried as amended without a negative vote.

### **PRESENTATION - LIBRARY ANNUAL REPORT**

Library Director Pierschalla presented the highlights of the 2018 Annual Library Report that is submitted to the Wisconsin Department of Public Instruction and the Cedarburg Library Board.

The Library opened the door on their new building five years ago; accumulating the following service benchmarks:

- 984,405 books and media items checked out.
- 438,979 children's books and media items checked out.
- 61,035 e-books checked out digitally.
- 38,251 e-audiobooks checked out digitally.
- 46,339 people attended programs/events.
- 13,981 children/teens/adults attended summer programs.
- 638,196 people entering the building.
- 8,825 Cedarburg residents owning a library card.
- 4,160 non-residents owning a Cedarburg library card.

The 2018 service benchmarks were reviewed. Director Pierschalla stated that she works one shift per week at the reference desk and that the Library is an essential service for the City.

**Return on Investment**

- The per capita expenditure for library service from the City budget is \$62.11, or \$5.18 a month.
- Average Cedarburg family of four pays \$248/year, or \$20.70/month for library service.
- Average use by a family of four in one month costs \$611 in services.

**Looking Forward**

- The Library Board developed the following Technology Vision Statement:
  - The CPL Board of Trustees is committed to supporting, updating, and funding technology in three broad areas:
    - Leading edge “innovative” technology that attracts current and new users and makes CPL an important part of the regional technology hub.
    - The behind-the-scenes “infrastructure” that staff rely on for library operations.
    - The practical “daily use” technology that enjoys frequent use and high levels of public engagement.

**2018 Outcome Goals Accomplished**

- Adobe Creative Suite is available.
- Digital Conversion Lab allows people to convert old family slides and film to digital format and save to USB drives.
- Virtual Reality Equipment was purchased to use for programs, classes and events. Collaborated with high school students and clients of Portal Industries.
- Microsoft Software Classes have been taught by a staff member.
- Coding and Design Classes were implemented this summer. Educational programs and games for all ages were taught by a staff member.
- Drones were part of the coding classes and were used in summer 2018.

**CPL Radio**

- The radio station has been very successful and can be listened to from your computer or smart phone via SoundCloud. It is one of very few library internet radio stations.
- Programming includes and has included:
  - Recorded children’s storytimes and programs.
  - Recorded adult programs: Bridge the Divide, Local History, Local Culture, Local News.
  - Community radio programs: high school students/Cultural Center Blueburg Café/local people talking about their favorite books/interviews at the Humane Society/local pro golfer golf show Smash Factor with Andy Fish/local comedy show/audiobooks/old time radio/local winter Jack Henke reading from his book of News Graphic columns/Jerry Anderson and History Spaces/Digital Confidence for small business, local residents who are marketing professionals developed a program to help small business owners use technology for marketing their projects.

**5 Year Strategic Plan**

- Members of the Library Board are working with a consultant from WI Library Services agency in Madison to craft a 5-year strategic plan for the Library to use in 2020-2025 to guide all services. This is funded by the Friends of the Library.

**Monarch Library System**

- The Monarch Library System includes the 31 public libraries in Dodge, Ozaukee, Sheboygan and Washington Counties and Lakeland College.
- Cedarburg residents have access via the Monarch catalog to over a million items that are delivered 5 days a week. The Library System is an excellent example of resource sharing among four counties to reduce costs and increase services.
- Some of the services provided by Monarch Library System to its member libraries include:
  - Van delivery to four counties
  - ILS administration
  - Public information design
  - Continuing education workshops
  - Group purchasing
  - IT services
  - Member grants
  - Consulting services
  - Mobile application
  - Makerspace equipment available for loan to member libraries

**Thank you Cedarburg Friends of the Library for the Following Contributions:**

- Summer Reading Program - \$3,750
- Year-round programs - \$2,250
- Extra copies of bestsellers - \$2,000
- Staff support - \$1,000
- Various other projects - \$7,000

**Thank you 2018 Library Board of Trustees**

- Sue Karlman, DeWayna Cherrington, Debra Goeks, Todd Bugnacki, Joycelyn Russo, Meghan Wielebski and Council Member Garan Chivinski.

Council Member Arnett said that he is impressed that 8,825 residents hold a library card, considering the total population of the City is 11,628. He is also pleased that the Library Board is exploring the idea of a Joint Library Board.

Director Pierschalla explained that the Library Board will be discussing a Joint Library Board again at the September meeting.

Council Member Bublitz commented that although there is no collaboration with the Town regarding the Library Board, the collaboration happening with the School District is phenomenal. There is sharing of resources and it is saving the taxpayers money.

**NEW BUSINESS - CONTINUED**

**CONSIDER PROPOSED 2020 WATER RECYCLING CENTER BUDGET, DISCUSSION;  
AND DIRECTION THEREON**

Superintendent Hackert explained that the Water Recycling Center budget is an enterprise fund that stands alone and does not require taxpayer money. He referenced articles in *The Municipality* that explained issues across the State that utilities are experiencing, such as underfunded replacement funds and phosphorous issues. Superintendent Hackert reviewed the 2019 Significant Accomplishments; 2020 Objectives to be accomplished; Long Term Objectives; and Budget Variances. He highlighted that the replacement of sludge pumps and controls was done by the staff and that saved the City close to \$35,000 in labor costs. He further highlighted some costly items that will need to be done next year and long-term. Superintendent Hackert provided a lift station summary and added that the Dorchester and Evergreen Lift Stations are buried in the ground and are confined spaces that should be replaced. The operating budget has increased \$60,000 from the previous year, mainly due to salaries and benefits. Looking forward at the equipment replacement fund and the sewer collection replacement fund, the City does not currently have any replacement funds available. Eventually the Center will need to be replaced. The Sewerage Commission has recommended putting some money aside for these upcoming costs instead of borrowing. They proposed an increase in rates to add \$400,000 each to the collection replacement fund and the equipment replacement fund. Last year residents paid \$380 (approximately \$1.05/day per household) for services. The proposed increase would raise this rate by \$80/year or \$.21/day).

In answer to Council Member Arnett's question, Superintendent Hackert explained that impact fees are not covering costs for replacements.

In answer to Council Member Galbraith's question, Superintendent Hackert explained that residential and business customers pay equally. The City has one business that is a large user of water and they will notice an increase.

Superintendent Hackert referenced an article about Grafton that outlines how their residents will be paying an \$18/per \$1,000 rate increase over the next 14 years because of borrowing.

The City of Cedarburg will have large expenses as the facility ages and eventually requires replacement.

Superintendent Hackert is meeting with a consultant on Thursday to look at phosphorous filtration equipment that is added to the budget, which will require \$3 million over three years for filters.

In answer to Council Member Arnett's questions, Director Wiza explained that it would help to eliminate the sprinkling credit as some communities are eliminating this credit. The two items that are driving the increase in rates is phosphorous regulations and a future treatment plant. The City can wait to borrow the money when needed or start putting some money away for future expenses which would reduce the borrowing costs. In regard to a joint facility between Cedarburg and Grafton, it is unlikely at this point. Director Wiza added that regulatory agencies could take the position of asking communities to build regional plants to make it easier for regulation in the future.

Currently, the City has a \$15 fixed fee and charges \$5.40/\$1,000 gallons of water. Superintendent Hackert is proposing a raise to \$7.55/\$1,000 gallons.

Council Member Galbraith stated that sewer and water is a fundamental service and he is in favor of the increase. It is a reasonable investment compared to others.

Mayor O'Keefe is in favor of building reserves for future expenses, which will reduce borrowing. It was the consensus of the Common Council to support the rate increase in the 2020 budget.

**CONSIDER LICENSE/PERMIT APPLICATIONS; AND ACTION THEREON**

Motion made by Council Member Galbraith, seconded by Council Member Verhaalen, to approve new Operator License applications for the period ending June 30, 2020 for: Allen Naparalla, Marcene Jacobs and Geoffrey Krueger. Motion carried without a negative vote.

Motion made by Council Member Galbraith, seconded by Council Member Verhaalen, to approve renewal Operator License applications for the period ending June 30, 2020 for Blake Klug. Motion carried without a negative vote.

Motion made by Council Member Burkart, seconded by Council Member Thome, to authorize issuance of a Class "B" fermented malt beverage license and "Class C" wine license for Cedars 3.2 at W63 N676-678 Washington Avenue. Motion carried without a negative vote.

**CONSIDER PAYMENT OF BILLS DATED 08/23/19 THROUGH 08/30/19, TRANSFERS FOR THE PERIOD 08/26/19 THROUGH 09/04/19; AND PAYROLL FOR THE PERIOD 08/11/19 THROUGH 08/24/19; AND ACTION THEREON**

Motion made by Council Member Burkart, seconded by Council Member Bublitz, to approve payment of bills dated 08/23/19 through 08/30/19, transfers for the period 08/26/19 through 09/04/19; and payroll for the period 08/11/19 through 08/24/19. Motion carried without a negative vote.

**ADMINISTRATOR'S REPORT**

City Administrator/Treasurer Mertes is meeting with Department Heads next week to review their budgets. The levy limit worksheet has been received.

Superintendent Bugnacki sent an email commending the Police Department for their presence and involvement during the first week of school.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** - None

**COMMENTS & ANNOUNCEMENTS BY COUNCIL MEMBERS**

Council Member Burkart expressed appreciation for the Police officer presence at the schools.

Council Member Arnett explained that a branding story magnet was distributed to Light & Water customers in their bills. There will be a limited number of magnets available at the end of the month for customers who receive their bills on-line, if they wish to pick one up at the Utility.

Council Member Verhaalen suggested looking into the Premier Resort Tax or similar program that would allow tourist money to be used for partial funding of maintenance on the City's roads. He also encouraged the Council Members to talk to their representatives in regard to an amendment to the Premier Resort Tax.

### **MAYOR'S REPORT**

Mayor O'Keefe said that many great things are happening in Cedarburg. The recent Country in the Burg and Relay Life events were both very positive events for the Community.

### **ADJOURNMENT – CLOSED SESSION**

Motion made by Council Member Thome, seconded by Council Member Bublitz, to adjourn to closed session at 8:18 p.m. pursuant to State Statute 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of a public employee subject to the jurisdiction or authority of the governing body, more specifically, to discuss administration structure (City Administrator/Assistant Administrator) and discuss bonus pay (Administrative Assistant). Approval of June 10, August 12, and August 26, 2019 closed session minutes. Motion carried unanimously on a roll call vote.

### **RECONVENE TO OPEN SESSION**

Motion made by Council Member Arnett, seconded by Council Member Burkart, to reconvene to open session at 9:59 p.m. Motion carried unanimously on a roll call vote.

### **ADJOURNMENT**

Motion made by Council Member Arnett, seconded by Council Member Burkart, to adjourn the meeting at 9:59 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC  
Deputy City Clerk