

**CITY OF CEDARBURG  
COMMON COUNCIL  
March 11, 2019**

**CC20190311-1  
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, March 11, 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, Common Council – Council Members Dan von Bargen, Jack Arnett, Kristin Burkart (arrived 7:01 p.m.), Rick Verhaalen, Garan Chivinski, Patricia Thome, Rod Galbraith

Also Present - City Administrator/Treasurer Christy Mertes, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Director of Parks, Recreation & Forestry/Assistant Administrator Mikko Hilvo, Director of Engineering and Public Works Tom Wiza, Economic Development Coordinator Mary Sheffield, General Manager Dale Lythjohan, Administrative Manager Mari Lauer, Karen Egelhoff from the Cedarburg School District, Economic Development Board Member Greg Zimmerschied, 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 Galbraith, to approve the minutes of the February 25, 2019 meeting as presented. Motion carried without a negative vote.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** - None

**NEW BUSINESS**

**ACCEPT AND ADOPT THE RESULTS OF THE BRANDING INITIATIVE AS PRESENTED BY THE BRANDING STEERING COMMITTEE**

Mayor O'Keefe welcomed and thanked those in attendance that were involved in the City's branding initiative.

Council Member Arnett explained that the branding initiative has been underway for approximately 1.5 years and is being presented tonight for acceptance and adoption. The idea began with the Economic Development Board. The Groups that funded the initiative include: Cedarburg Landmark Preservation Society, Ozaukee Bank's Gift to the Future, Cornerstone Buildings, LLC,

Cedarburg Light & Water, Cedarburg School District and the City of Cedarburg. The Chamber of Commerce did not contribute funds; however, they contributed organizational skills that held the group together.

Council Member Arnett voted to expend the funds because former Mayor Kinzel opined that the initiative would pay for itself. If one house is built as a result of this initiative, those taxes will pay for the entire initiative to-date, in 48 months. Financially, it was a good investment.

Council Member Arnett explained that the group learned that the City of Cedarburg has much to be proud of because the brand is already strong. Cedarburg residents and visitors have a love affair with Cedarburg. This is evident in Facebook posts from people who love Cedarburg and it is part of the City's DNA. Research showed that Cedarburg delivers on things that are important to the residents, businesses and visitors (safety, quality of schools, historic preservation efforts, etc.). It is the group's intention that the entities who speak about Cedarburg can use this story as a common theme; that Cedarburg is an irresistible place to love. Additionally, they want this to be a thread that is weaved through web pages, social media, products, advertising, etc.

There is a committee that will help implement and educate the Community on the new branding, which includes; Director Hilvo, Cori Rice of White Rice Advertising, Chamber of Commerce Executive Director Maggie Dobson, Festivals Executive Director BJ Homayouni, Karen Egelhoff from the Cedarburg School District, Light & Water Administrative Manager Mari Lauer, and Economic Development Coordinator Mary Sheffield.

Council Member Arnett explained that everyone who speaks about Cedarburg is representing what the City is about. Instinctively, if everyone is speaking with the same voice the message will be much stronger.

Council Member Arnett read the following quote: *The level of esteem (respect or admiration) that a City's name evokes has a direct impact on the health of its tourism, festivals, economic development, quality of life, quality of schools, sales receipts and prestige.* He added that the more esteem that is given to Cedarburg the more success these other groups will have. Council Member Arnett said that the group wants the Community to start using the branding information to make their organizations more successful. The City is excited to be behind this effort. He presented a couple of the logos and explained that the information is available on the City website. Council Member Arnett is anxious to see how different entities start to run with this information. This is the starting line and everyone is encouraged to start using the information.

Motion made by Council Member Arnett, seconded by Council Member Thome, to accept and adopt the results of the branding initiative.

Council Member Thome thanked and expressed appreciation to everyone involved in this initiative.

Mayor O'Keefe commended all those involved in the process and he recognized the Economic Development Board for initiating the idea. Mayor O'Keefe added that this where the work really starts.

Motion carried without a negative vote.

**REVIEW OF 2018 ANNUAL STORMWATER COMPLIANCE REPORT; AND ACTION THEREON**

Director of Engineering and Public Works Wiza explained that as part of the City's NR216 stormwater permit, the City must prepare an annual compliance report for submission to the DNR which documents our stormwater program accomplishments. As in previous years, AECOM has been retained to assist in compiling the necessary information and performing the required water quality testing.

Director Wiza stated that the DNR requires that the report be reviewed with the governing body. Because the document is very lengthy, Director Wiza passed around sections of the report at the meeting and provided the following review:

**Permit Conditions Imposed on the City:**

- Implement a stormwater public education and outreach program – accomplished with Cedar Post articles brochures and commercials.
- Must inform the public of activities required under the permit – accomplished through the City website and Engineering Department brochures.
- Maintain a program to detect and remove illicit discharges – AECOM assists with dry weather sampling at outfalls.
- Enforce erosion and sediment control for construction sites.
- Monitor post construction water quality controls – best management practices checked/ponds.
- Continue a pollution prevention program.
- Achieve compliance of suspended solids reduction.
- Maintain and update the City storm sewer mapping – the GIS mapping is current.

**Annual Accomplishments:**

- Cleaned virtually all 1,600 catch basin sumps as well as six hydrodynamic separators (98 tons of sediment were removed that would have gone into Cedar Creek).
- Issued fifty-four erosion control permits and three storm water management permits.
- Provided a full display rack of storm water related information brochures at City Hall.
- Published stormwater articles in the Spring and Fall Cedar Post issues.
- Maintained and updated a stormwater webpage.
- Assisted AECOM with illicit discharge investigations.
- Swept downtown streets weekly and residential streets monthly.
- Collected and disposed of street sweepings.
- Collected and composted approximately 1,000 tons of leaves, brush and yard waste.
- Collected and recycled (or burned) used motor oil.
- Installed 53 new catch basins with two foot sumps which incorporate the "Dump No Waste Drains to Stream" logo on the cast iron curb head.
- Updated storm sewer mapping on GIS.
- Participated in the Sweetwater "Respect Our Waters" program for metropolitan Milwaukee.
- Participate in the Mid-Moraine Water Quality Collective.

Director Wiza encouraged the Common Council to contact him with any questions.

Mayor O'Keefe and Council Member Thome expressed appreciation for Director Wiza's efforts.

Motion made by Council Member Thome, seconded by Council Member von Barga, to accept the 2018 Annual Stormwater Compliance report. Motion carried without a negative vote.

**CONSIDER ORDINANCE NO. 2019-05 AUTHORIZING THE STATE OF WISCONSIN TO DISTRIBUTE PAYMENTS FOR STATE PROPERTY TAX CREDITS DIRECTLY TO THE CITY; AND ACTION THEREON**

City Administrator/Treasurer Mertes explained that the City has reached the \$3 million mark which enables the City to receive tax credits directly and distribute them to the other taxing jurisdictions.

Motion made by Council Member Thome, seconded by Council Member Chivinski, to adopt Ordinance No. 2019-05 authorizing the State of Wisconsin to distribute payments for State Property Tax Credits directly to the City. Motion carried without a negative vote.

**CONSIDER THE OPTION OF COMBINING THE ORGANIZATIONAL MEETING SCHEDULED FOR APRIL 16, 2019 WITH ANOTHER REGULARLY SCHEDULED COUNCIL MEETING; AND ACTION THEREON**

City Administrator/Treasurer Mertes stated that there will not be a change in the elected officials in April, which would allow combining meetings if the Common Council agrees.

Motion made by Council Member Burkart, seconded by Council Member Galbraith, to combine the Organizational meeting scheduled for April 16, 2019 with the April 29 regular Common Council meeting. Motion carried without a negative vote.

**CONSIDER REQUEST TO REPLACE CITY CLERK; AND ACTION THEREON**

City Administrator/Treasurer Mertes requested to replace the City Clerk position, due to Ms. McHugh's retirement. She questioned whether the requirement to ask for approval from the Council to replace a position should be removed because this was instituted when the economy was bad and the City was cutting back.

Council Member Arnett stated that he likes to be informed.

Council Member Verhaalen was in favor of lifting the requirement if there is no budgetary impact.

Council Member Galbraith was in favor also if there were no changes in the position or salary.

Council Member Arnett said that it may be worthwhile to review positions before hiring in case they become obsolete.

City Administrator/Treasurer Mertes asked the Council to trust her to be creative and to make the right decision.

Council Member Thome stated it is important to let the employees do their jobs.

In answer to Mayor O'Keefe's question, City Administrator/Treasurer Mertes said that she would be responsible for replacing any position including a department head if nothing changes.

City Administrator/Treasurer Mertes said each position is posted internally for two weeks before advertising. If a Council Member asked her to hold up on the hiring for further discussion there would be no harm done.

In answer to Council Member Thome's question, City Attorney Herbrand explained that the only role the Common Council plays in hiring a significant position would be to approve the final appointment. City Administrator/Treasurer Mertes added that the Council would play a role in filling the City Administrator position.

Mayor O'Keefe asked if this would include replacing police officers; and City Administrator/Treasurer Mertes indicated that it would. Mayor O'Keefe explained that the Common Council has elected in the past to reduce the Police Department by one officer as a tool in tough economic times to reduce costs.

Council Member Galbraith suggested that the hiring policy be reviewed by the Personnel Committee before the Common Council makes a decision. There are a number of issues that need to be made clear before it moves forward. It was the consensus of the Common Council to have the policy reviewed by the Personnel Committee.

Council Member Thome does not want to become too hands on because employees have been hired to do their jobs and she does not want to micro-manage.

Motion made by Council Member Verhaalen, seconded by Council Member Arnett, to approve the request to replace the City Clerk. Motion carried without a negative vote.

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

Motion made by Council Member Galbraith, seconded by Council Member Thome, to approve new Operator License applications for the period ending June 30, 2019 for Desiree N. Devine, Shelby L. Neelis, Logan T. Sheckles and Heather L. Zimel. Motion carried without a negative vote.

Motion made by Council Member Thome, seconded by Council Member Arnett, to authorize granting of temporary Class "B" licenses to Cedarburg Fireman's Park, Inc. for Maxwell Street Days, Firemen's Park, W65 N796 Washington Avenue, for May 26, July 14, September 1, and October 6, 2019 from 6:00 a.m. to 10:00 p.m. Motion carried without a negative vote.

Motion made by Council Member Galbraith, seconded by Council Member Arnett, to authorize granting of temporary Class "B"/"Class B" license to Cedarburg Fireman's Park, Inc. for the Ozaukee County Fair, Firemen's Park, W65 N796 Washington Avenue, for July 31, 2019 through August 4, 2019, 8:00 a.m. to 12:00 a.m. Motion carried without a negative vote.

Motion made by Council Member Galbraith, seconded by Council Member Thome, to authorize granting of temporary Class "B" license to Cedarburg Fireman's Park, Inc. for Raceway Revisited

event, Firemen's Park, W65 N796 Washington Avenue for June 1, 2019, 8:00 a.m. to 3:00 p.m. Motion carried without a negative vote.

**CONSIDER PAYMENT OF BILLS DATED 02/22/19 THROUGH 03/01/19, TRANSFERS FOR THE PERIOD 02/21/19 THROUGH 03/06/19; AND PAYROLL FOR THE PERIOD 02/16/19 THROUGH 03/01/19; AND ACTION THEREON**

Motion made by Council Member Burkart, seconded by Council Member von Bargaen, to approve payment of bills dated 02/22/19 through 3/1/19, transfers for the period 2/21/19 through 3/6/19; and payroll for the period 2/16/19 through 3/1/19. Motion carried without a negative vote.

**ADMINISTRATOR'S REPORT** - None

**COMMENTS AND SUGGESTIONS FROM CITIZENS** - None

**COMMENTS & ANNOUNCEMENTS BY COUNCIL MEMBERS**

Council Member Thome encouraged the Common Council Members to attend the Cedarburg Fire Department event on March 23.

Council Member von Bargaen said that he was reluctantly resigning his position as 1<sup>st</sup> District Alderman to return to his home state of Minnesota to pursue new professional opportunities and to be closer to family. He thanked his constituents in the 1<sup>st</sup> District for entrusting him as their representative, his family and friends for their support, and City Staff for their open door policy and helpfulness. He stated that it has been a pleasure working with fellow Council Members.

**MAYOR'S REPORT** - None

**ADJOURNMENT**

Motion made by Council Member Arnett, seconded by Council Member Verhaalen, to adjourn the meeting at 7:46 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC  
Deputy City Clerk