

**CITY OF CEDARBURG
COMMON COUNCIL
July 8, 2019**

**CC20190708-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, July 8, 2019, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. Mayor O'Keefe called the meeting to order at 7:02 p.m.

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

Excused - Council Member 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, Police Chief Thomas Frank, Patrol Officer/Canine Handler Steven Chojnacki, Canine Officer Ranger, 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 Burkart, to approve the minutes of the June 24, 2019 meeting as presented. Motion carried without a negative vote with Council Member Galbraith excused.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

PRESENTATIONS – OATH OF OFFICE – CANINE OFFICER RANGER

Police Chief Frank provided background information on Ranger and introduced his handler, Patrol Officer Steven Chojnacki.

Deputy City Clerk Kletzien administered the Oath of Office to Canine Officer Ranger.

NEW BUSINESS

CONSIDER PROPOSAL FROM RUEKERT & MIELKE FOR PRELIMINARY ENGINEERING SERVICES RELATED TO THE FUTURE HIGHWAY 60 BUSINESS PARK DEVELOPMENT; AND ACTION THEREON

City Administrator/Treasurer Mertes explained that the City had completed preliminary engineering studies on the Highway 60 Business Park back in 2006 but the project was indefinitely postponed due to a downturn in the economy. Over the years the City has worked with private developers to extend utilities to serve the Highway 60 corridor, and the City is at the point where it would make sense to formally update the construction cost estimate for a potential business park development. Ruekert and Mielke, the firm who completed the previous business park studies, has submitted a proposal to prepare an updated construction cost estimate along with a wetland delineation report. The wetland delineation would help pin down development yield, which is critical in evaluating the viability of a TIF District. City Administrator/Treasurer Mertes brought attention to the map provided to the Council Members showing the orange outline areas as the current wetland and the purple outline areas as potential wetland.

Council Member Arnett explained that 60 acres of land was purchased on Hwy 60 in 1997 with the intent to diversify the tax base in Cedarburg. Business Park #1 is 100% occupied with no other available options at this time. Due to area development, the utilities are within 1,300 feet of the proposed business park. Council Member Arnett explained that the City should do this work now to determine the cost of the required improvements to Hwy. 60 to advance the plans of developing a business park on this land.

Council Member Arnett further explained that the wetland delineation report would include the Baehmann property and would determine the viability of the property. The Baehmann Family would need to contribute approximately \$10,000 and they asked for some additional time to make a decision. The two components can be done separately.

Council Member Thome explained that this is a good opportunity to see if all the pieces will come together to make it work.

Mayor O'Keefe explained that city homeowners will benefit from a manufacturing presence and their purchase of power and water from Cedarburg Light & Water.

Discussion ensued about the private Town land behind Circle B and a connection to Sheboygan Road. City Attorney Herbrand said there may be two options of either going across the quarry or using a right-of-way on Hwy. 60. Council Member Arnett added that the City has the right to put infrastructure on Town property.

In answer to Council Member Verhaalen's question regarding a possible TIF, Council Member Arnett explained that a TIF would be needed for the sewer and streets. City Administrator/Treasurer Mertes said that a TIF would help the City pay for infrastructure.

Council Member Arnett explained that Mukwonago had a large tenant that wanted to expand. Mukwonago did a lot of work in advance to allow the tenant to build in their community. It would be appropriate for Cedarburg to move forward and be able to respond to interested businesses.

It was a consensus of the Common Council to hold off on the wetland delineation report at this time. Mayor O'Keefe said the work should be done before the end of September, before the ground freezes.

Motion made by Council Member Arnett, seconded by Council Member Thome, to award the contract to Ruekert & Mielke for preliminary engineering services related to the construction cost estimate on the future Highway 60 Business Park development in an amount not to exceed \$10,500. Motion carried without a negative vote with Council Member Galbraith excused.

CONSIDER RECOMMENDATION OF POLICE CHIEF TO DENY RENEWAL OF OPERATOR'S LICENSE APPLICATION OF CRAIG LOWDERMILK; AND ACTION THEREON

Police Chief Frank made a recommendation to deny the license application submitted by Craig E. Lowdermilk based on his arrest and conviction record. Mr. Lowdermilk was recently arrested for a 3rd offense operating while intoxicated in December 2018. This is a criminal misdemeanor conviction.

Motion made by Council Member Verhaalen, seconded by Council Member Chivinski, to deny the renewal of an Operator License application for Craig Lowdermilk based on the Police Chief's recommendation. Motion carried without a negative vote with Council Member Galbraith excused.

City Attorney Herbrand explained that this will require a formal hearing allowing the license holder the right to attend. A hearing will be set for August 12 or 26 at 6:30 p.m. prior to a Council meeting.

CONSIDER RECOMMENDATION OF PERSONNEL COMMITTEE REGARDING AN ADDITIONAL DEFERRED COMPENSATION PLAN; AND ACTION THEREON

City Administrator/Treasurer Mertes explained that the Personnel Committee is recommending an additional deferred compensation plan be offered to employees. The Wisconsin Deferred Compensation Plan (WDC) is offered through the Employee Trust Fund (ETF), which also administers the City pension plan. The Light & Water staff has requested the City add this plan as an option for employees. It does not cost the City any money; all contributions are made by the employees. Currently 39 employees take advantage of the other two plans offered by the City.

Motion made by Council Member Thome, seconded by Council Member Burkart, to approve the recommendation of the Personnel Committee for an additional deferred compensation plan (WDC) offered through the Employee Trust Fund (ETF). Motion carried without a negative vote with Council Member Galbraith excused.

CONSIDER LICENSE/PERMIT APPLICATIONS; AND ACTION THEREON

Motion made by Council Member Verhaalen, seconded by Council Member Thome, to approve new Operator License applications for the period ending June 30, 2020 for: Abigail L. Arnholt, Mark A. Arnholt, Jaime L. Jacobson, Lane M. Kassner, Zachery R. Lewis-Grill, Stephen S. Ladd, JoAnne LaVake, and Loren R. Salsman. Motion carried without a negative vote with Council Member Galbraith excused.

Motion made by Council Member Verhaalen, seconded by Council Member Thome, to approve renewal Operator License applications for the period ending June 30, 2020 for: Joey M. Baumle,

Benjamin S. Clithero, Elizabeth A. Albers, Stephen C. Bicek, Lys M. Buck, Daniel S. Kniess, Alexander J. Knaus, Brian A. Kurlinski, William A. Langholz, Gary W. Rogahn, Caryn M. Sager, and Brian C. Tiegs. Motion carried without a negative vote with Council Member Galbraith excused.

CONSIDER PAYMENT OF BILLS DATED 06/21/19 THROUGH 06/28/19, TRANSFERS FOR THE PERIOD 06/25/19 THROUGH 07/05/19; AND PAYROLL FOR THE PERIOD 06/16/19 THROUGH 06/29/19; AND ACTION THEREON

Motion made by Council Member Burkart, seconded by Council Member Bublitz, to approve payment of bills dated 06/21/19 through 06/28/19, transfers for the period 06/25/19 through 07/05/19; and payroll for the period 06/16/19 through 06/29/19. Motion carried without a negative vote with Council Member Galbraith excused.

ADMINISTRATOR'S REPORT

City Administrator/Treasurer Mertes reminded the Common Council of the special budget meeting scheduled on Monday, July 15 at 6:30 p.m. at the Cedarburg Cultural Center.

POLICE DEPARTMENT ANNUAL REPORT

Police Chief Frank presented a summary report of the Police Department activities for 2018. He acknowledged the Police & Fire Commission and their contributions. The following facts were presented:

- There were 3 violent crimes in 2018.
- Property crimes decreased to 59 in 2018, compared to 71 in 2017.
- Stolen property increased to \$46,425, compared to \$35,445 in 2017.
- 17 felonies and 61 misdemeanors occurred in 2018, compared to 24 felonies and 61 misdemeanors in 2017.
- 635 reports were investigated in 2018, compared to 548 in 2017.
- Calls for service increased to 24,597, compared to 23,614 in 2017.
- 2,694 people were assisted in 2018, compared to 2,141 in 2017.
- Citizens at the station increased to 6,039 compared to 5,700 in 2017.
- Telephone calls increased to 10,456, compared to 10,290 in 2017.
- 911 calls increased to 3,416 compared to 3,047 in 2017.
- Alarms decreased from 202 in 2017 to 188 in 2018.
- Department activities included 207 non-traffic arrests in 2018, compared to 273 in 2017; 1,603 traffic arrests in 2018, compared to 1,444 in 2017.
- Warnings for non-traffic offenses decreased from 301 in 2017 to 202 in 2018.
- Traffic warnings increased from 4,222 in 2017 to 4,769 in 2018.
- 104 speeding tickets were issued in 2018, compared to 129 in 2017.
- OWI offenses increased to 34 in 2018, compared to 15 in 2017.
- Arrests for adult alcohol offenses increased to 28 in 2018, compared to 6 in 2017.
- There were 4 juvenile arrests in 2017 and 2018.
- 19 tobacco violations occurred in 2018, compared to 3 in 2017.

- Drug offenses increased to 34 in 2018, compared to 28 in 2017.
- 32 bicycle/skateboard warnings were issued in 2018, compared to 40 in 2017.
- There were no worthless checks in 2018, compared to \$107 in 2017.
- 182 accidents occurred in 2018, compared to 191 in 2017.
- Community policing included 105,850 checked doors with 209 open, 1,875 vacation checks, 131 vehicle lockouts, 861 rescue squad calls, 231 fire calls, Safety Town and Safety Camp for 190 students, School Liaison Officers, child safety seat inspections (45), Safety Days, Website, Tele-care program, Facebook, Tip app, Hunter safety program (50 participants x 2), Community Room (97 public meetings), Cops and Bobbers, and the DMV vehicle registration program resulted in 468 transactions totaling \$3,685 in profit to the City.

Personnel changes included two retirements (Sgt. Richard Leach and Officer Joseph Biliskov) and the addition of two Patrol Officers (Steven Chojnacki and Benjamin Buckenberger).

The Cedarburg Police Department participates in Mutual Aid with three officers and one negotiator on the Ozaukee Special Response Team and one officer plus the K-9 on the Ozaukee Drug Enforcement Unit.

Equipment changes consisted of two marked patrol vehicles, handgun replacements for all officers, and a siren replacement on the Interurban Trail at the south end.

The Department has 14 crossing guards at 10 intersections that work diligently in all types of weather.

Chief Frank explained that Emergency Government/Auxiliary Police helps with traffic control and parades/runs/walks. The 16 active members are a tremendous help in alleviating overtime and are an asset for the Police Department and the community.

Sergeant Joe Kell received the Paul Jacobs Master Firearms Award and Officer Bradley Meyer received the Top Shot Award for having the high score in the yearly competition.

The Police Department had an on-site review last month for their 4th WILEAG Accreditation and will be notified in September if awarded.

The Common Council Members commended Chief Frank on a well-run Department and expressed their appreciation for working hard to keep the citizens of Cedarburg safe and their focus on community engagement.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS & ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Verhaalen asked that parking be reviewed on Spring Street east of the railroad tracks before the bend in the road. It is especially difficult to pass during festivals.

Council Member Bublitz expressed concern for a narrow road when both sides are parked on Fieldcrest Street and Willowbrooke Drive during special events.

Police Chief Frank explained that Summer Sounds is busy and parking is a challenge. There are rarely any accidents because people have to drive slowly. One way streets help but it is a burden on the Department of Public Works.

In answer to Mayor O’Keefe’s question, Police Chief Frank confirmed that the Department is paying overtime for two police officers to be present at Summer Sounds. The event is getting very busy and there have not been any problems; however, he wants to be proactive and have a police presence at the event.

Council Member Verhaalen explained that the offensive odor in the vicinity of Kemp’s Dairy is due to a broken pipe that is scheduled for repair on July 14.

In answer to Mayor O’Keefe’s question, Director Hilvo explained that the fountains in Centennial Park and Willowbrooke Park ponds will be installed this week.

MAYOR’S REPORT – None

ADJOURNMENT

Motion made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 8:17 p.m. Motion carried without a negative vote with Council Member Galbraith excused.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk