

**TOWN OF CEDARBURG
MEETING OF THE BOARD OF SUPERVISORS
July 7, 2010**

Present:

David Valentine, Chairman	James Culotta, Administrator
David Flowers., Supervisor, Dist. 1	Bob Eichner, Dir. Public Works
David Salvaggio, Supervisor, Dist. 2	Brad Hoeft, Town Attorney
Gary Wickert, Supervisor Dist. 3	Charles Pretty, Treasurer
Joe Rintelman Supervisor, Dist. 4	Dawn Priddy, Clerk
Eric Ryer, Mgmt. Asst. for Parks & Planning	

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Chairman Valentine called the meeting to order at 7:05 pm. 31 residents were present.

2. HEARING OF THE PEOPLE: *If you wish to address the Town Board on subjects pertaining to today's meeting agenda, please wait until that item on the agenda is reached. If you wish to address the Board on an item not on the agenda, please do it during the Hearing of the People. Please note whenever you speak on any issue, the person chairing the meeting must recognize you, and then you may approach the microphone and give your name and address for the public record. Please note you will be limited to three (3) minutes*

Resident Barrow asked if there was any way to speed up negotiations with the City. He also stated he was ashamed with the County Board for having several officials walk out and refuse to vote when the board presented a Resolution to apologize to the citizens of Arizona for the boycotting of Arizona by MATC school board.

3. COMMUNICATIONS AND REQUESTS FOR HOLDING TANK AGREEMENTS AND OPERATOR LICENSES:

a. Discussion and possible motion on an operator license application for Theresa Jean Stay and Rosemary Louise Jacque of Clearwater Inn (formerly Country Keg)

Supervisor Flower made a motion to approve an operator license application for Theresa Jean Stay and Rosemary Louise Jacque of Clearwater Inn (formerly Country Keg). Supervisor Wickert seconded the motion. Motion passed unanimously.

b. Discussion and possible motion on a temporary liquor license application for Buckskin Bowmen

Supervisor Flowers made a motion to approve the temporary liquor license application for Buckskin Bowmen. Supervisor Salvaggio seconded the motion. Motion passed unanimously.

4. CONSENT AGENDA: *The Consent Agenda contains routine items and will be enacted by one motion without separate discussion unless someone requests an item to be removed for separate consideration and vote.*

- Approving May 26, 2010 Special Town Board Meeting Minutes
- Approving June 2, 2010 Regular Town Board Meeting Minutes
- Accepting May 19, 2010 Park & Recreation Committee Meeting Minutes

David Salvaggio made a motion to approve the consent agenda items. Joe Rintelman seconded, and the motion passed unanimously.

Chairman Valentine stated an email from a citizen regarding the April 7th Town Board minutes, regarding a statement that was made. He asked if we could verify what was actually said. Attorney Hoeft stated he had talked with the Town Clerk and felt the topic was accurately covered.

5. TREASURER'S REPORT

a. Motion Accepting the June 2010 Treasurer's Report

David Flowers made a motion to move item 5a to be discussed before item 10. Joe Rintelman seconded the motion. Motion passed unanimously.

Treasurer Pretty summarized the report. Following the summary, David Flowers made a motion to accept the Treasurer's Report for June 2010. David Salvaggio seconded. Motion was unanimously approved.

6. PRESENTATION OF BILLS/PURCHASE ORDER/PAYROLL/AWARDS

Presentation of Bills/Purchase Orders/Payroll/Awards for June 1, 2010 to June 30, 2010 (Check #'s 7636 - 7777) & Manual Checks (2010-26 through 2010-30). Check 7840 voided, issued to wrong vendor.

Chairman Valentine questioned check number 7855 to Traffic Analysis & Design. Public Works Director Eichner stated it was for the traffic analysis study that the Board approved.

Supervisor Salvaggio made a motion to accept all bills as presented for review. Supervisor Rintelman seconded. Motion was approved 5 – 0.

7. REPORTS TO BE RECEIVED/FILED (Non-action items)

a. Possible report regarding local nuisance/law enforcement issues (Constable Terry Zimmerman)*

Constable Zimmerman said it has been a very busy month. There were several abandoned vehicle issues he had to deal with, most have been taken care of. There were some property maintenance issues, burning complaints and dog issues. He will be issuing a citation regarding some animal issues.

b. Possible report regarding the Cedarburg Fire Department 2009 Year End Report (Fire Chief Rich Van Dinter)*

Fire Chief Richard Van Dinter presented the board with the 2009 year end report. It was noted that the annual fire report was available for review in Town Hall. Resident Ralph Luedtke asked how many emergency calls do trucks come out of Fire Station #2. Chief Van Dinter stated out of the 57 town calls, trucks were dispatched from Station #2 25 times.

c. Report on recreation program revenues and expenditures (Administrator Jim Culotta)

Administrator Culotta addressed the Board on the revenues & expenditures to date for the recreation program. The bulk of expenditures for Little League were for fixed assets such as the fencing. Costs for flag football should not be as substantial as Little League. Chairman Valentine stated he has heard a lot of good comments regarding the Little League program.

8. PUBLIC HEARINGS

None

9. OLD BUSINESS

David Salvaggio made a motion to move item 10a ahead of 9a. Joe Rintelman seconded. Motion passed unanimously

a. **Discussion and possible motion regarding contracted refuse, recycling and yard waste collection ***

Staff put together an analysis of public works tasks that are not currently being completed. With a one person operated truck, another worker could be freed up to help with these tasks and possibly maintain a zero increase in the overall Public Works budget. Staff also offered a survey of several municipalities which provide in-house refuse collection as well as contracted refuse collection. In general those who contract out did not offer convincing arguments for switching, while those that provide in-house refuse collection have analyzed the service and seem to agree with the Town staff findings.

David Flowers made a motion to proceed with the Town collection of refuse. Gary Wickert seconded the motion. Motion passed unanimously

b. **Discussion and possible motion on the purchase of a new refuse truck**

Coupled with the fact that the Town can provide the service in-house at a lower cost per household, the decision was made to purchase a 31-yard, cab-over, refuse truck with automated arm (allowing for one person pickup).

Because of the efficiencies that can be achieved with this truck there also was some discussion that, in the future, this truck could potentially be used for single stream recycling pickup.

Gary Wickert made a motion to approve the purchase of the RNOW 31 yard cab-over for \$198,555.00. Joe Rintelman seconded the motion. Motion passed unanimously.

c. **Discussion and possible motion on proposed Resolution 2010-10, "Approving Wage for the Recreation & Planning Director Position ***

Administrator Culotta addressed the board stating, as they know, the job has been offered to Eric Ryer with a pay salary of \$48,000.00. Supervisor Salvaggio stated he felt Eric was a good fit for the position. Supervisor Rintelman and Flowers both stated they were struggling with the amount of the pay increase. However, Supervisor Flowers stated he was comfortable with the position going to Eric, he felt he was well qualified.

Supervisor Salvaggio made a motion to approve Resolution 2010-10, "Approving Wage for the Recreation & Planning Director Position. Supervisor Wickert seconded the motion. Motion passed 4-1, Supervisor Rintelman voting nay.

Supervisor Salvaggio made a motion to take items 10B and 10E before 9d. Supervisor Flowers seconded the motion. Motion passed unanimously.

d. **Discussion and possible motion on advertising signage and concessions for the Fields at Five Corners ***

Supervisor Salvaggio stated the Park and Recreation Committee met regarding additional sponsorship opportunities. The committee is looking to give local businesses the opportunity to purchase signs/banners for advertising at the ball park. The Board addressed the concession stands stating if is there going to be a concession stand they would like it to be a nice building and attractive to the ball park. Supervisor Salvaggio stated as long as the

Board agrees there should be a concession stand, the committee will research further into it. The consensus of the Board was to go ahead and proceed with advertising options.

e. Discussion and possible motion on appointments to the Community Pool Commission

Chairman Valentine made a recommendation to appoint Larry Lechner and Terry Skebba to the Community Pool Commission. Chairman Valentine offered to be the alternate for the Community Pool Commission.

David Flowers made a motion to appoint Larry Lechner and Terry Skebba with Chairman Valentine as the alternate. Gary Wickert seconded the motion. Motion passed unanimously.

f. Discussion and possible motion regarding the purchase and easement thereto vacant land (a part of Tax Parcel ID #03-021-01-006.00) located adjacent to Town owned property.

Town Attorney Hoeft addressed the Board regarding the purchase of the northern part of the Galioto property. They are looking to close with in 2 weeks. The offer also includes on the southern part of their parcel a temporary access easement for ingress and egress that would serve temporarily to give the Town access to the Prochnow property. The easement would end if there is an official road extended to the Prochnow property.

Supervisor Salvaggio made a motion to approve the purchase and easement thereto vacant land (a part of Tax Parcel ID #03-021-01-006.00) located adjacent to Town owned property. Supervisor Rintelman seconded the motion. Motion passed unanimously.

g. Discussion on possible mediation dates with the City of Cedarburg

Administrator Culotta stated Judge Snyder said his availability in August would be any Monday through Thursday with the exception of August 3rd and August 26th. The Board suggested Administrator Culotta look at the 2nd week of August, this would give them enough time to review the City proposal.

10. NEW BUSINESS

a. Discussion and possible motion on a text amendment to Chapter 320 of the Town of Cedarburg Code of Ordinances, regarding the addition of banquet facility as a conditional use in the B-1 Business District, and adding a definition for the term

Ms. Lieven from Clearwater Inn, formerly Country Keg, is asking that the Town consider adding banquet facility as a conditional use (amending Section 320-19), and defining it in Section 320-137 (thus amending Section 320-137). The term and the proposed definition are listed below. If the Board approves these amendments, Ms. Lieven would then be able to apply for a conditional use permit to operate a bar, restaurant, and banquet facility.

Applicant proposed term and definition: Banquet facility: A room attached to, and made a part of, an existing bar-restaurant for the purpose of hosting and catering of parties, banquets, weddings and other receptions, meetings, additional restaurant seating or other social events and activities related to the use of the restaurant and bar.

Town staff is generally supportive of the proposed term and definition but suggests it be broadened to allow for banquet facilities that are **not** attached to or a part of an existing bar-restaurant.

Chairman Valentine directed staff to put this item on the Plan Commission agenda for a public hearing at their July 21st meeting. Should matters proceed favorably, the proposed ordinance could come before the Board at their August 4th meeting. Ms. Lieven would then be able to apply for a conditional use permit for the uses of bar, restaurant, and banquet facility to operate her business.

Supervisor Salvaggio questioned whether they would be able to work on the building even though the CUP hasn't been approved yet. Administrator Culotta stated a building permit has already been issued and they are able to proceed with improvements. His understanding is that Clearwater Inn is not planning on reopening until September, so the proposed timeline should work.

David Salvaggio then moved, and Joe Rintelman seconded a motion to recommend an amendment to Chapter 320 of the Town of Cedarburg Code of Ordinances, regarding the addition of banquet facility as a conditional use in the B-1 Business District, and adding a definition for the term to the Plan Commission. Motion passed 4-0 Gary Wickert abstained.

b. Discussion and possible motion on the 2010 Five Corners Matching Grant.

The Plan Commission did a survey of the 3 businesses that submitted paperwork for the matching grant. The purpose of the matching grant program is to give businesses within the Five Corners area an incentive to plan and complete a project that will enhance the appearance of their business. As in the first three years of the program, \$5,000 will be made available this year, which could be awarded to one or more businesses. Eligible applicants include businesses located along STH 60 between Horns Corners Road and CTH I and those located approximately a half mile north and south of STH 60.

There were three applicants. Johnson Garden, Roadhouse Bar & Grill and Wayne's Drive In. Johnson's Garden scored the highest among Plan Commission and Staff reviewers, with 2nd highest rating to Roadhouse Bar & Grill and Wayne's Drive In scoring in the bottom of the three. Supervisor Rintelman stated the application from Roadhouse Bar & Grill states they would need the full \$5,000 in order to complete their project.

Supervisor Wickert made a motion to give Johnson Garden's \$3,500.00 and Wayne's Drive In \$1,500.00. Supervisor Flowers seconded the motion. Motion passed 4-1, Supervisor Salvaggio voting nay because he didn't feel it was appropriate to spend Town funds on this program at this time.

c. Discussion and possible motion on the Five Corners Matching Grant Award Policy

This year was the first time an application was submitted for the Five Corners Matching Grant after work on a project had already been completed (the Wayne's proposal which would essentially reimburse Wayne's for updating their Neon lighting with LED lighting).

The issue at hand is that, nowhere in the current Five Corners Matching Grant Policy/Application, is it clarified as to whether or not projects can or cannot be completed before an application is submitted.

The Board felt that the projects should be started in the year of the award but an extension could be granted if it is not finished in that year. Administrator Culotta also suggested the Director of Recreation and Planning be one of the reviewers. The Board agreed.

d. Discussion and possible motion on a purchase order for refuse carts

The Town Board approved funding in the 2010 budget to purchase the rest of the needed inventory (1061 carts) to allow residents to meet the end of year mandate. This number includes about 60 additional carts for either existing homeowners who wish to purchase multiple carts, or for new homes currently under construction or future construction. Staff received 2 quotes for refuse carts. Staff is recommending approval of a purchase order to Cascade Engineering in the amount of \$41,758.50. Carts should be received sometime in August.

Supervisor Salvaggio made a motion to approve a purchase order for refuse carts. The motion was seconded by Supervisor Wickert. Motion passed unanimously.

e. Discussion and possible motion on the partial funding of a video of the historic Turn Halle

Over the past several months, Henke & Associates has taken the lead in documenting the renovation through the help of Andy Glab of Remember Media, a Cedarburg business. Bill Henke has negotiated a reduced price with Mr. Glab for the remaining video production, totaling \$2,500 not including narration. This price is a fraction of the usual rate Mr. Glab typically charges. The Town has yet to incur any costs. The Town's 2010 budget has \$2,500 available for this type of historic preservation effort. While already a reasonable price, several steps were taken to further reduce its cost. Henke & Associates is writing the script for the video and has convinced Wayne Larrivee, a professional sportscaster, to narrate the video for free. Bill Henke has also secured a \$500 donation from the Cedarburg Landmark Preservation Society. Town staff has secured a \$200 donation from the Ozaukee County Historical Society. The remaining balance for Town Board consideration is \$1,800.

Town Staff felt the main reason for this video is for telling the history of the town. Supervisor Salvaggio asked if there was a recommendation from the Landmarks Committee. Administrator Culotta stated this did not go before the Landmarks Committee, code does not describe a video as part of what the Committee would recommend, however, he stated if they felt it should go before the committee if could. Supervisor Salvaggio questioned how the Board could approve funds that are budgeted out of the Landmarks budget when the Landmarks Committee wasn't a part of the decision. Supervisor Rintelman felt this is a great project but he felt this would be better suited as a privately funded project. He stated he would be happy to try and solicit private donations. He agrees that times are tough right now and didn't feel that \$1,800 was warranted out of the budget.

Resident and Landmark member Carol Boettcher stated she was not even aware of this project. She felt the Landmark Committee should have participated in this.

Supervisor Rintelman made a motion to have this project sent before the Landmark Commission and to look for other sources of funding. Supervisor Wickert seconded the motion. Motion passed unanimously.

11. CLOSED SESSION

Town Board did not go into closed session.

At 9:16 pm, David Salvaggio made a motion that was seconded by Dave Flowers to adjourn.
The motion was unanimously approved.

12. ADJOURNMENT

Respectfully Submitted,

Dawn Priddy
Town Clerk