CITY OF CEDARBURG
COMMON COUNCIL
JUNE 24, 2024

A meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, June 24, 2024, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers, and online utilizing the Zoom app.

Mayor Patricia Thome called the meeting to order at 7:45 p.m. A moment of silence was observed. The Pledge of Allegiance was recited.

Roll Call: Present - Mayor Patricia Thome, Council Members Jim Fitzpatrick, Kevin Curley, Mark Mueller, Robert Simpson, Melissa Bitter, Kristian Lindo

Excused - Council Member Kristin Burkart

Also Present - City Administrator Mikko Hilvo, Attorney Michael Herbrand, City Clerk Tracie Sette, Director of Engineering and Public Works Mike Wieser, City Planner Mary Censky and interested citizens and news media.

STATEMENT OF PUBLIC NOTICE

At Mayor Thome's request, City Clerk Sette 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.

COMMENTS AND SUGGESTIONS FROM CITIZENS – None

NEW BUSINESS

INTRODUCTION AND REVIEW OF THE UPCOMING CITY OF CEDARBURG SMART GROWTH COMPREHENSIVE LAND USE PLAN-2025 UPDATE

On July 1, 2024, the Plan Commission will consider and may recommend to the Common Council, adoption of an Ordinance containing the proposed "Public Participation Plan" to serve as the City's guide and commitment to making this update an interactive and public process. This Public Participation Plan is the statutorily required first step before embarking on the update process, fully. Following adoption of the Public Participation Plan, the Plan Commission can start in earnest with the update effort. In light of recent development plans/proposals having been deferred pending receipt of further information and a more comprehensive review of the highest and best uses for these sites, it is likely that the Plan Commission will begin the update with its emphasis on Chapter 8, the 'Land Use

Element'. As a part of information gathering, the Planning Commission may, from time to time, request/recommend to the Common Council that the City engage for certain services, such as Traffic Impact Analysis (TIA), in specific corridors where future land use, growth and development decisions hinge on the capacity of the transportation network to support them.

DISCUSSION AND POSSIBLE ACTION ON ESTIMATE FROM VISU-SEWER FOR THE 2026 CIPP (CURED IN PLACE PIPE) LINING PROGRAM

The Water Recycling Center has been doing CIPP lining in certain areas throughout the City to help alleviate some of the I/I (Inflow and Infiltration) occurring in the City. In an investigation of the collection system, staff found the entire Cedar Hedge subdivision had significant I/I issues. This proposal would cover the lining of the entire collection system in that area. There is significant leaking at some of the joints in the sanitary pipes. Lining the pipes at a cost of $46/ft is significantly cheaper than replacing pipes at approximately $150/ft. The liner is just as strong and lasts as long as the current PVC pipe used in sanitary lines. The proposed estimate only includes the lining portion of this project. Additional costs for the grouting of leading joints may be incurred at approximately $375 per hour plus the grout cost of $12 per gallon.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the estimate from Visu-Sewer for the 2025 CIPP Lining Program in an amount not to exceed $210,000. Motion carried with five (5) ayes, Council Member Curley voting nay, and Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON REVISED PERSONNEL MANUAL

The Personnel Policy Manual was last revised in 2022. Since then, staff has made changes to the City benefits program. A full-time staff has been added to the Fire Department. In addition, changes were made to accommodate who will be responsible for specific tasks within City policy, established working hours were created for specific departments, sections were removed that do not reflect current practiced policies, and a new use of Artificial Intelligence (AI) policy was created.

Cedarburg resident Cathy Czech commented on some of the changes in the revised Personnel Manuel.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the changes to the Personnel Policy subject to removing the cross out that all vacations are approved by the immediate supervisor or City Administrator. Motion carried without a negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON REVISED POLICY AD-12 BACKGROUND CHECKS

The Police Department does not conduct full background checks on regular full-time employees. A criminal history check is completed for each full-time employee. It is the department heads' responsibility to do the remaining background checks that are required for specific jobs they are hiring for. Thus, the policy needed revising.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the revisions to policy AD-12 regarding background checks. Motion carried without a negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON HIRING A THIRD-PARTY CONSULTANT FOR A CONSTRUCTION AUDIT ON TID #7

The Foxrun Development contains a clause in the Tax Incremental Finance (TIF) agreement stating the City shall engage a construction expert to review qualified costs prior to the first payment on the TIF, which is scheduled for October 1, 2024. Staff selected the Concord Group to complete the audit based on previous experience with them on TID #6.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve of the City hiring the Concord Group as the third-party consultant for the construction audit of TID #7, not to exceed $15,000. Motion carried without a negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON MAYORAL APPOINTMENT OF NICK JANOUS TO THE PUBLIC WORKS & SEWERAGE COMMISSION

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to appoint Nick Janous to the Public Works & Sewerage Commission. Motion carried without a negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE AND POSSIBLE ACTION ON AN AMPLIFIED MUSIC/SOUND PERMIT IN AN OUTDOOR ALCOHOL BEVERAGE SEATING AREA FOR UNION HOUSE, W62 N559 WASHINGTON AVENUE; AND THE CHEESE WEDGE UNCORKED, N56 W6339 CENTER STREET

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the Amplified Music/Sound permit in the outdoor alcohol seating area for the Union House and the Cheese Wedge, Uncorked. Motion carried without negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CLASS "B" BEER AND "CLASS C" LIQUOR (WINE ONLY) FOR CEDARBURG CULTURAL CENTER INC, W62 N546 WASHINGTON AVENUE CEDARBURG, WI, JEAN SNOW LAMBO, AGENT, PREMISES TO BE LICENSED: W63 N627 WASHINGTON AVENUE, KNOWN AS KUHEFUSS HOUSE.

A motion was made by Council Member Curley, seconded by Council Member Simpson, to approve the Class B and C (wine only) license for the Cultural Center Kuhefuss House location; W63N627 Washington Avenue. Motion carried without negative vote with Council Member Burkart excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CLASS "B" BEER AND "CLASS B" LIQUOR FOR LANCE P. WOOTEN, N69 W6171 BRIDGE ROAD CEDARBURG, WI, LANCE P. WOOTEN, AGENT, PREMISES TO BE LICENSED: N49 W5471 PORTLAND ROAD, KNOWN AS TBA (ERNIE'S UNTIL JUNE 30)

A motion was made by Council Member Simpson, seconded by Council Member Bitter, to approve the Class B Beer and Liquor license for Lance Wooten for the premises located at N49 W5471 Portland Rd. (The property known as TBA is the former Ernie's Wine Bar). Motion carried without a negative vote with Council Member Burkart excused.

CONSENT AGENDA

A motion was made by Council Member Curley, seconded by Council Member Bitter, to approve the following consent agenda items. Motion carried without a negative vote

- June 10, 2024 Common Council Meeting minutes
- Class A Beer & Liquor (cider only) license renewal for Speedway LLC for 2024-2025; Laura Streubing, Agent
- Cigarette License renewal for Speedway LLC for 2024-2025
- Class B Beer and Class C wine license renewal for Java House for 2024-2025; Kenneth Gaschk, Agent
- Payment of bills dated 06/01/2024 through 06/15/2024, transfer list dated 06/06/2024 through 06/17/2024 and payroll from 05/26/2024 through 06/08/2024

ADMINISTRATOR'S REPORT - none

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Curley commended staff on two (2) successful events in the City (the TOAD bike race and Strawberry Festival) and would like feedback on both.

MAYOR'S REPORT -none

ADJOURNMENT

A motion was made by Council Member Mueller, seconded by Council Member Fitzpatrick, to adjourn the meeting at 8:20 p.m. Motion carried without a negative vote with Council Member Burkart excused.

Tracie Sette
City Clerk