

A regular meeting of the Landmarks Commission, City of Cedarburg, Wisconsin, was held Thursday, April 10, 2025 at Cedarburg City Hall, W63 N645 Washington Avenue, lower level, Room 1.

The meeting was called to order by Chairperson Tom Kubala at 8:34 a.m.

Roll Call: Present – Chairperson Tom Kubala, Vice Chairperson James Pape, Council Member Kristin Burkart, Tomi Fay Forbes, Elizabeth Krimmel, Doug Yip, Erin Puro

Also Present – City Planner Mary Censky, Opal Stone, Ken Gaschk, Mayor Patricia Thome

STATEMENT OF PUBLIC NOTICE

Chairperson Kubala acknowledged that the agenda for this meeting was posted and distributed in compliance with the Wisconsin Open Meetings Law.

APPROVAL OF MINUTES

Motion made by Commissioner Yip and seconded by Commissioner Puro to approve the minutes of the February 27, 2025 meeting. Motion carried without a negative vote.

COMMENTS AND SUGGESTIONS FROM CITIZENS

None.

REGULAR BUSINESS

REVIEW, DISCUSSION, AND POSSIBLE APPROVAL OF THE SIGN PLAN FOR APPLICANT OPAL STONE, D/B/A WILD & PRECIOUS BOUTIQUE COLLECTIVE, THE NEW TENANT OCCUPANT OF THE GROUND FLOOR SPACE IN THE BUILDING LOCATED AT W62 N540-542 WASHINGTON AVENUE (I.E. TAX PARCEL #13-107-02-05-00.) THIS PROPERTY IS ZONED B-3 CENTRAL BUSINESS DISTRICT W/HPD HISTORIC PRESERVATION OVERLAY DISTRICT.

The proposed signage includes a sign projecting off of the front façade, in the same location as the present sign, and within the code's sign dimensions. Signage is proposed for the four window sections, the code permits up to 25% of the glass covered, the proposal is well within that limit. An additional sign is proposed that would be mounted within the same frame already existing on

the southeast side of the building, viewable from Mill Street. It was confirmed that these signs are not proposed to be illuminated.

Council Member Burkart made a motion to accept the signage as proposed. Commissioner Puro seconded the motion. Motion carried without a negative vote.

REVIEW, DISCUSSION, AND POSSIBLE RECOMMENDATION TO THE PLAN COMMISSION FOR APPLICANT JAVA HOUSE WISCONSIN, IN C/O KEN GASCHK, AS CO-OWNER, REQUESTS CERTIFICATE OF APPROPRIATENESS AND TEMPORARY USE APPROVAL TO OPERATE A MOBILE FOOD ESTABLISHMENT DIRECTLY IN FRONT OF THEIR FIRST FLOOR TENANT SPACE LOCATED AT W63 N653 WASHINGTON AVENUE (I.E. TAX PARCEL # 13-107-04-09-005). THIS PROPERTY IS ZONED B-3 CENTRAL BUSINESS DISTRICT WITH HPD HISTORIC PRESERVATION OVERLAY DISTRICT.

- 1) REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED SITE ‘IMPROVEMENTS’ (I.E. TABLES, GRILL, AND HAND-WASHING STATION) BY CERTIFICATE OF APPROPRIATENESS (COA) IN SUPPORT OF THE PROPOSED USE; AND**
- 2) REVIEW, DISCUSSION AND RECOMMENDATION TO THE PLAN COMMISSION FOR TEMPORARY USE MOBILE FOOD ESTABLISHMENT.**

Code permits a temporary use to be conducted 14 days out of every 365-day calendar year, excluding festivals and certain other dates. The proposed concept is that on 14 different days during the summer this food cart set-up will be rolled out, used, and then put away. The vendor intends to set a time frame of 8:00am to 5:00pm. Mr. Gaschk is proposing moving the tables and chairs away from the front of the Java House on the days of the food cart and placing the carts with a grill and a hand-washing station in the small brick area between the sidewalk and the building. He stated there is limited seating inside the Java House, patrons will take a look inside, don’t see any place to sit, and move on. The stairway into the coffee shop is also a deterrent for some potential customers. The intention is to serve limited food and drink, not coffee, to pedestrians, who may not necessarily sit to eat. The stand will be staffed; vs a cash register, possibly just a cash box and iPad will be used to accept payment. Mr. Gaschk does not plan to put up signage. He stated he is cognizant of the appearance of downtown.

Landmarks Commission has full authority over the appearance of this proposed food stand. The Planning Commission will consider if the use is appropriate. Commissioner Forbes mentioned that, as someone who frequently pushes a double-wide stroller downtown, it is helpful to have a

wide enough sidewalk space. Council Member Burkart questioned if the proposed equipment, tables, would really fit in the designated space.

Mr. Gaschk stated that he reviewed plans with the Fire Department and had their approval (subject to certain conditions). He stated he talked to a Health Department official at the County level. Chairperson Kubala requested that something in writing be obtained from the Health Department, that he has seen food operations designed that were then denied by the Health Department. Commissioners recalled that a food cart was occasionally set up downtown, placed in a grassy area in front of a building. Upon Commissioner Yip's inquiry, Mr. Gaschk stated he will provide a trash receptacle and that he and his staff would monitor the trash can by his building and personally empty it when it is overflowing, even if it is the City trash cans.

Commissioner Krimmel asked if we could approve it for this year and see what the response is. Mr. Gaschk stated he would be open to that. Chairperson Kubala stated that he would like to see the equipment be completely out of sight when not in use, not tucked along the side of the building. Commissioners were having a challenge picturing just what this food stand would look like. Chairperson Kubala stated he does like the idea of a food stand in that it contributes to the vitality of the downtown.

Commissioner Burkart proposed that we postpone a decision until the next meeting when Mr. Gaschk will bring a more detailed drawing of the anticipated space and equipment details so we can see how the parts and pieces will look together. Commissioner Forbes seconded the motion. Motion carried without a negative vote.

REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING PRESERVATION/RESTORATION OF THE CITY-OWNED DESIGNATED LOCAL LANDMARK IMMANUEL CEMETERY WINDMILL, LOCATED AT N32 W5400 HAMILTON ROAD (I.E. TAX PARCEL # 13-051-01-20-001). THIS PROPERTY IS ZONED I-1 INSTITUTIONAL & PUBLIC SERVICE DISTRICT.

Planner Censky received a quote from Paul Behrends, whom she contacted to inquire about the feasibility and cost of restoring and maintaining the windmill so it becomes operable again and does not further deteriorate. The windmill needs mechanical work and blade replacement. Mr. Behrends quoted a cost of \$8,920.40, including his costs for two trips from Illinois and the rental of a crane. The City owns the windmill and is responsible for it but has no funds in its budget to do this work. The windmill is a Designated Local Landmark. Possible scenarios include asking if the city can contribute a share of the money needed, inquiring if the Cemetery Association can contribute to the project, making an application to the Greater Cedarburg Foundation (which would not issue the funds until the spring of 2026, private donations, and other types of

fundraising. Commissioners did not reach a conclusion; however, Planner Censky will make some inquiries.

The foundation around the building needs regrading and stones or stone pavers laid around its base. Planner Censky said she had talked with the Building Inspector and the City Engineer/Director of Public Works, and they said the city's seasonal staff is in a position to do that work. The building itself needs maintenance, repair, and paint. Chairperson Kubala will draw up a specific list of the work that needs to be done, and the Commission will seek a Boy Scout working on his Eagle project to complete the work.

Chairperson Kubala made a motion that the City's Department of Public Works will take care of the grading and drainage issues around the foundation of the building, a specific list of tasks to maintain the wood building will be drawn up to share with a local Boy Scout troop for an Eagle project, and that ideas for funding be pursued. Council Member Burkart seconded the motion. Motion carried without a negative vote.

COMMENTS AND SUGGESTIONS BY LANDMARKS COMMISSIONERS AND/OR CITY PLANNER

Commissioner Pape stated that some historic plaques in the community need to be repainted. These are on city property.

Planner Censky reported that the Council voted favorably to the proposed changes to the code that will give the Landmarks Commission the authority to approve or deny certificates of appropriateness, bringing Cedarburg's Landmarks Commission in line with Wisconsin's requirements as a Certified Local Government. The Common Council also passed the amended sign code regarding limited permission for painting signage directly on the exterior wall of a non-masonry building area.

ADJOURNMENT

A motion was made by Council Member Burkart, seconded by Commissioner Yip to adjourn the meeting at 9:37 a.m. Motion carried without a negative vote.

Tomi Fay Forbes
Secretary