

**CITY OF CEDARBURG
COMMON COUNCIL
March 31, 2025**

**CC20250331-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, March 31, 2025 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers and online utilizing the Zoom app.

Mayor Thome called the meeting to order at 7:00 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited.

Roll Call: Present - Mayor Patricia Thome, Council Members Jim Fitzpatrick, Kristin Burkart, Robert Simpson, Kristian Lindo, Mark Mueller (arrived at 7:01 p.m.)

Excused - Council Member Melissa Bitter, District 4 Vacancy

Also Present - City Administrator Mikko Hilvo, Deputy City Clerk Jessica Campolo, Attorney Johnathan Woodward, City Planner Mary Censky, Director of Engineering & Public Works Michael Wieser, Police Chief Michael McNerney, interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor Thome's request, Deputy City Clerk Campolo 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.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

PRESENTATION

PRESENTATION BY FGMA ARCHITECTS ON PUBLIC SAFETY BUILDINGS SPACE NEEDS ASSESSMENT STUDY AND DEFERRED MAINTENANCE PLAN

City Administrator Hilvo introduced Andrew Mayo from FGMA. Andrew presented an update on the Public Safety facility space needs assessment. He explained the current state of the existing space, as well as the goals for a future Public Safety facility. Various concept plans and locations were explored.

James Rognstad from Kraus-Anderson presented the Deferred Maintenance Plan for both the Fire Station and the Police Station. This presentation explained what would need to be done to bring the current facilities to a point where the city felt comfortable maintaining them into the future.

These presentations served as an update and high-level overview for the Common Council members to help prepare for future decision making.

PUBLIC HEARING

REZONING (AS MAP CORRECTION) THE TWO PROPERTIES LOCATED AT W61 N506, AND W61 N508-510 WASHINGTON AVENUE, FROM EXISTING I-1 INSTITUTIONAL

**AND PUBLIC SERVICE DISTRICT WITH HPD HISTORIC PRESERVATION DISTRICT
OVERLAY, TO B-3 CENTRAL BUSINESS DISTRICT WITH HPD OVERLAY**

A motion was made by Council Member Burkart, seconded by Council Member Lindo, to open the Public Hearing. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

City Planner Censky explained that this item was initiated by the city to correct an error in the boundary of the zoning map. This was recommended by the Plan Commission for approval.

There was no public comment.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to close the Public Hearing. The motion carried on a roll call vote with Council Members Fitzpatrick, Burkart, Simpson, Lindo, and Mueller voting aye, Council Member Bitter excused, and District 4 vacant.

Mayor Thome explained that agenda items 9.K., 9.L., and 9.M. would be moved up to immediately follow their respective Public Hearing.

NEW BUSINESS

**DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-17 REZONING THE
PROPERTIES AT W61N506 AND W61N508-510 WASHINGTON AVENUE FROM I-1
INSTITUTIONAL AND PUBLIC SERVICE DISTRICT WITH HISTORIC PRESERVATION
OVERLAY (HPD) TO B-3 CENTRAL BUSINESS DISTRICT WITH HPD OVERLAY**

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to adopt Ordinance No. 2025-17 rezoning the properties at W61N506 and W61N508-510 Washington Avenue from I-1 Institutional and Public Service District with Historic Preservation Overlay (HPD) to B-3 Central Business District with HPD Overlay. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

PUBLIC HEARING

**AMEND SEC. 15-5-11(H) OF THE SIGN CODE AS MIGHT ALLOW PAINTING OF WALL
SIGNS DIRECTLY UPON THE SURFACE OF A BUILDING IN THE B-3 CENTRAL
BUSINESS DISTRICT AND/OR THE HISTORIC PRESERVATION OVERLAY DISTRICT**

Mayor Thome opened the Public Hearing.

City Planner Censky explained that presently, the City Code prohibits painted wall signs which are painted directly on the surface of a building. It was recently asked if this prohibition should continue. The Plan Commission referred this matter to the Landmarks Commission. The Landmarks Commission was generally supportive of the change, with certain conditions put in place. All signs would have to be approved by the Landmarks Commission. Signs cannot be painted on masonry exteriors. Discussion was held among Council members.

There was no public comment.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to close the public hearing. The motion carried on a roll call vote with Council Members Fitzpatrick, Burkart, Simpson, Lindo, and Mueller voting aye, Council Member Bitter excused and District 4 vacant.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-18 AMENDING SECTION 15-5-11(H) OF THE SIGN CODE TO ALLOW PAINTING OF WALL SIGNS DIRECTLY UPON THE SURFACE OF A BUILDING IN THE B-3 CENTRAL BUSINESS DISTRICT AND/OR THE HISTORIC PRESERVATION OVERLAY DISTRICT

A motion was made by Council Member Fitzpatrick, seconded by Council Member Mueller, to adopt Ordinance No. 2025-18 amending Section 15-5-11(h) of the sign code to allow painting of wall signs directly upon the surface of a building in the B-3 Central Business District and/or the Historic Preservation Overlay District. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

PUBLIC HEARING

MODIFY SECTIONS 2-4-10, 13-1-55, 13-1-70, AND 15-1-17 OF THE CITY CODE TO PLACE CERTAIN ACTIONS (APPROVALS) UNDER THE AUTHORITY OF THE LANDMARKS COMMISSION IN ORDER TO PRESERVE THE CITY'S STANDING AS A CERTIFIED LOCAL GOVERNMENT WITH THE STATE OF WISCONSIN HISTORIC PRESERVATION OFFICE (SHPO)

Mayor Thome opened the Public Hearing.

Planner Censky explained that modifying these sections of the City Code will result in the City retaining its certified local government status by assigning the Landmarks Commission the authority to designate landmarks, landmark sites and historic districts within the city limits of Cedarburg, and to regulate the design, construction, repair, maintenance, reconstruction, alteration, and demolition of all landmark structures, landmark sites, and structures located in the historic preservation overlay district by the issuance/approval or denial of a Certificate of Appropriateness. This is necessary to retain status as a Certified Local Government (CLG) with the State Historic Preservation Office (SHPO).

Public Comment

Mike Purnell W349S3090 Waterville Rd. Oconomowoc

Mike owns three properties in Cedarburg. He asked if the members of the Landmarks Commission are elected or appointed.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to close the Public Hearing. The motion carried on a roll call vote with Council Members Fitzpatrick, Burkart, Simpson, Lindo, and Mueller voting aye, Council Member Bitter excused, and District 4 vacant.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-19 MODIFYING SECTIONS 2-4-10, 13-1-55, 13-1-70, AND 15-1-17 OF THE CITY CODE TO PLACE

CERTAIN ACTIONS (APPROVALS) UNDER THE AUTHORITY OF THE LANDMARKS COMMISSION IN ORDER TO PRESERVE THE CITY'S STANDING AS A CERTIFIED LOCAL GOVERNMENT WITH THE STATE OF WISCONSIN HISTORIC PRESERVATION OFFICE (SHPO)

A motion was made by Council Member Fitzpatrick, seconded by Council Member Mueller, to approve Ordinance No. 2025-19 modifying sections 2-4-10, 13-1-55, 13-1-70, and 15-1-17 of the City Code to place certain actions (approvals) under the authority of the Landmarks Commission in order to preserve the City's standing as a Certified Local Government with the State of Wisconsin Historic Preservation Office (SHPO). The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

PUBLIC HEARING

MODIFY/CREATE SECTIONS 2-4-21, 13-1-121, 13-1-122, 13-1-123, 13-1-124, 13-1-125, 13-1-126, AND 13-1-127 CREATING THE NEW CITY OF CEDARBURG SITE AND ARCHITECTURAL REVIEW BOARD (SARB)

Mayor Thome opened the Public Hearing.

Planner Censky shared that the Plan Commission is being presented with a number of new building plans, and they are relying heavily on the two members of the Commission who are architects. Also, with the creation of the Smart Growth Plan comes the desire for future development to be reflective of the character of Cedarburg. A new Site and Architectural Review Board would preview all new architectural and site plans, either in an advisory or authoritative role.

The consensus among the Common Council members was that this is a good idea, and that the Board should be advisory and not authority.

Public Comment

Mike Purnell W349S3090 Waterville Rd. Oconomowoc

Mike shared that he is in the process of building a home in Cedarburg. He feels creating the Board is the right thing to do, and that the Board should serve as an advisory role, not authority.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to close the Public Hearing. The motion carried on a roll call vote with Council Members Fitzpatrick, Burkart, Simpson, Lindo, and Mueller voting aye, Council Member Bitter excused, and District 4 vacant.

No action was taken. This Public Hearing was for feedback purposes only.

AMEND TITLE 13, CHAPTER 1, ARTICLE F OF THE ZONING CODE AS WOULD TRASFER THE REVIEW/APPROVAL AUTHORITY FOR SITE AND ARCHITECTURAL PLAN REVIEW FROM THE PLAN COMMISSION TO THE PROPOSED NEW SITE AND ARCHITECTURAL REVIEW BOARD

Mayor Thome opened the Public Hearing.

It was determined that this item was covered in the previous Public Hearing, and it will appear on a future agenda.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to close the Public Hearing. The motion carried on a roll call vote with Council Members Fitzpatrick, Burkart, Simpson, Lindo, and Mueller voting aye, Council Member Bitter excused, and District 4 vacant.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON ADDITIONAL SERVICES FOR POLICE AND FIRE FACILITY PRE-DESIGN STUDY

City Administrator Hilvo explained that hiring FGMA for additional services will provide more detailed options for both the Cedarburg Fire and Police Departments. The expanded scope includes evaluating renovating/expanding in their existing locations in addition to researching an option for the Fire Department to be located at Fireman's Park.

A motion was made by Council Member Simpson, seconded by Council Member Burkart, to approve the agreement for additional services for Police and Fire Facility pre-design study, utilizing public safety impact fees, not to exceed \$28,000. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM FESTIVALS COMMITTEE TO CLOSE TURNER STREET AND MILL STREET THE FRIDAY BEFORE STRAWBERRY FESTIVAL AND WINE & HARVEST FESTIVAL

City Administrator Hilvo explained that this street closure occurred for the 2024 Wine & Harvest Festival and there were no issues reported from the Police or Fire Departments. Council Member Burkart expressed concern about the pedestrian traffic on the Friday before Strawberry Festival due to Summer Sounds. Police Chief McNerney suggested staffing auxiliary officers to help direct traffic and pedestrians on that evening.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to approve the request from Festivals Committee to close Turner Street and Mill Street the Friday before Strawberry Festival and Wine & Harvest Festival, with the addition of staffing two auxiliary officers paid for by Festivals of Cedarburg. The motion carried without a negative vote with Melissa Bitter excused and District 4 vacant.

DISCUSSION AND POSSIBLE ACTION ON 2025 PEDAL TAVERN APPLICATION

City Administrator Hilvo shared that this is an annual request to approve North 48's Pedal Tavern and their existing route. Administrator Hilvo and Chief McNerney shared there have been no issues with the Pedal Tavern.

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve the 2025 Pedal Tavern application contingent upon receiving insurance and the completion of the inspection. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

**DISCUSSION AND POSSIBLE ACTION ON OZAUKEE COUNTY
INTERGOVERNMENTAL COOPERATION AGREEMENT FOR LAW ENFORCEMENT
MUTUAL AID IN OZAUKEE COUNTY**

Police Chief McNerney explained that this agreement facilitates mutual law enforcement aid among municipalities in Ozaukee County, including Cedarburg.

A motion was made by Council Member Mueller, seconded by Council Member Simpson, to approve the Ozaukee County Intergovernmental Cooperation Agreement for Law Enforcement Mutual Aid in Ozaukee County. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

**DISCUSSION AND POSSIBLE ACTION ON AWARD OF CONTRACT FOR THE 2025
SIDEWALK REPLACEMENT PROGRAM**

Director of Engineering Michael Wieser discussed the bids that were received for the 2025 Sidewalk Replacement Program.

A motion was made by Council Member Mueller, seconded by Council Member Simpson, to award the 2025 Sidewalk Replacement Program Contract to BMCI Construction, not to exceed \$49,712.50. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

**DISCUSSION AND POSSIBLE ACTION ON REVIEW OF THE 2024 ANNUAL STORM
WATER COMPLIANCE REPORT**

Director of Engineering Michael Wieser highlighted items from the 2024 Annual Storm Water Compliance Report.

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve the 2024 Annual Storm Water Compliance Report. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

**DISCUSSION AND POSSIBLE ACTION ON AWARD OF ENGINEERING DESIGN
CONTRACT FOR THE SOUTH WASHINGTON AVENUE RECONSTRUCTION PROJECT**

Director of Engineering Michael Wieser explained the proposals received for the South Washington Avenue Reconstruction Project. A discussion was held about whether the lowest bid is always the best option. Director Wieser acknowledged the concern but shared that in this case he has confidence in the lowest bidder.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to award the engineering design for the South Washington Avenue Reconstruction Project to M Squared Engineering, not to exceed \$69,840. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

UPDATE ON WOOLEN MILL DAM REPAIRS

Director of Engineering Michael Wieser gave an update on the Woolen Mill Dam based on a recent meeting with the WDNR. Discussion was held.

Public Comment

Sampson Parsons W57N511 Hilbert Ave.
Sampson feels a feasibility study is needed.

Tomi Fay Forbes W59 N450 Hilgen Ave.
Tomi feels the dam is important to the history of Cedarburg.

This item was for discussion only. No action was taken.

**DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-15 AND 2025-16
REVISING THE RULES ON AMPLIFIED MUSIC**

City Administrator Hilvo and Attorney Woodward explained that these ordinances remove amplified music from being exclusive to having an outdoor liquor license. The ordinances create a one-time permit for an entity or organization desiring amplified music for a single event not to exceed 6 hours in length. The new permit would carry a fee of \$50 and only requires approval from the City Clerk.

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve Ordinance 2025-15 and 2025-16 revising the rules on amplified music. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

**DISCUSSION AND POSSIBLE ACTION ON AMPLIFIED MUSIC PERMIT FOR FIRST
IMMANUEL LUTHERAN CHURCH TO HOLD WORSHIP SERVICES AT CEDAR CREEK
PARK ON WEDNESDAYS FROM JUNE 25, 2025 THROUGH JULY 30, 2025**

City Administrator Hilvo explained the request from First Immanuel Lutheran to hold services at Cedar Creek Park. Discussion was held about this event being a repeated event on Wednesdays and held in a city park. Concerns were expressed about adding more repeated amplified music events in Cedar Creek Park.

A motion was made by Council Member Mueller, seconded by Council Member Lindo, to postpone discussion and possible action on amplified music permit for First Immanuel Lutheran Church to hold worship services at Cedar Creek Park on Wednesdays from June 25, 2025 through July 30, 2025. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

DISCUSSION AND POSSIBLE ACTION ON CHANGE OF AGENT FOR ART OF JOY

A motion was made by Council Member Fitzpatrick, seconded by Council Member Burkart, to approve the Change of Agent Application for Art of Joy. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

**DISCUSSION AND POSSIBLE ACTION ON MAYORAL APPOINTMENT OF ERIN PURO
TO THE LANDMARK'S COMMISSION**

Mayor Thome shared that she interviewed Erin for the Landmarks Commission and feels that she would be a good addition.

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve the Mayoral appointment of Erin Puro to the Landmarks Commission. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

DISCUSSION AND POSSIBLE ACTION ON ENHANCEMENTS TO THE CITY WEBSITE

City Administrator Hilvo explained that the city website is on an old platform and he shared the costs associated with upgrading to a newer platform. Discussion was held. It was decided more time was needed to make a decision.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to deny moving forward with enhancements to the City website. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2025-05 AUTHORIZING NEW SIGNATURES AND DEPOSITORIES FOR LIGHT & WATER

A motion was made by Council Member Mueller, seconded by Council Member Simpson, to accept Resolution No. 2025-25 authorizing new signatures and depositories for Light & Water. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2025-06 APPROVING THE LATEST FEE SCHEDULE

City Administrator Hilvo highlighted the changes to the Fee Schedule.

A motion was made by Council Member Burkart, seconded by Council Member Fitzpatrick, to approve Resolution No. 2025-06 approving the latest Fee Schedule. The motion carried with Council Member Bitter excused and District 4 vacant.

CONSENT AGENDA

A motion was made by Council Member Fitzpatrick, seconded by Council Member Burkart, to approve the following consent agenda items:

- A. Discussion and possible action on payment of bills dated 02/28/2025 through 03/21/2025, transfers from 03/08/2025 through 03/31/2025, and payroll from 03/02/2025 through 03/15/2025

The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

CITY ADMINISTRATOR'S REPORT

City Administrator Hilvo shared that his 19-year anniversary with the City is this week and he expressed gratitude to the City.

COMMENTS AND SUGGESTIONS FROM COUNCIL MEMBERS

None.

MAYOR’S REPORT

The Mayor signed the Preservationists Proclamation and the Education and Sharing Day Proclamation.

ADJOURNMENT

A motion was made by Council Member Mueller, seconded by Council Member Burkart, to adjourn the meeting at 9:44 p.m. The motion carried without a negative vote with Council Member Bitter excused and District 4 vacant.

Jessica Campolo
Deputy City Clerk