

**CITY OF CEDARBURG
COMMON COUNCIL
June 9, 2025**

**CC20250609-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, June 9, 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 7:03 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited.

Roll Call: Present - Mayor Patricia Thome, Council Members Melissa Bitter (via Zoom), Jim Fitzpatrick, Kristin Burkart, Amanda Didier, Robert Simpson, Mark Mueller

Excused - Council Member Kristian Lindo

Also Present - City Administrator Mikko Hilvo, Deputy City Clerk Jessica Campolo, City Attorney Michael Herbrand, City Planner Mary Censky, Director of Engineering & Public Works Michael Wieser, Water Recycling Center Superintendent Dennis Grulkowski, 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

Cathy Czech N119W5835 James Circle

Cathy inquired if there will be an opportunity to discuss the SARB Resolution later in the meeting. She also stated that she wrote to the city on May 18th and again on Friday and she is still waiting for a response.

PRESENTATION

AUDIT REPORT PRESENTED BY BAKER TILLY

City Administrator Hilvo introduced Paul Frantz who was online via Zoom. Paul presented the Audit Report. City Administrator Hilvo thanked Finance Director/Treasurer Kelly Livingston and Deputy Treasurer Maureen Hartjes for their work on the audit.

UNFINISHED BUSINESS

DISCUSSION AND POSSIBLE ACTION ON CEDARBURG WOOLEN MILLS DAM REMOVAL FEASIBILITY STUDY

City Administrator Hilvo explained that the city has received an updated proposal from Inter-Fluve, Inc. to conduct a Feasibility Study for the potential removal of the Cedarburg Woolen Mills Dam on Cedar Creek. The total cost of the study is \$60,209. He also explained the cost for a Feasibility Study of the Ruck Dam is \$49,619. The Ruck Dam is owned by the Landmarks Preservation Society, and they have communicated they are not planning to remove or allow removal of the dam. The city is still waiting to hear what the cost will be to repair the dam, the most recent estimate being \$800,000, with \$400,000 grant funding available.

Council Member Fitzpatrick expressed that the cost of the Feasibility Study in proportion to the cost of the dam repair is too high, especially when the Council is unlikely to support removing the dam. Council Members Mueller and Simpson agreed. Council Member Didier wants to wait for the updated repair estimate. Council Member Burkart feels that the cost of the study is too high considering the community does not support removing the dam. Mayor Thome expressed that the dams are the face of Cedarburg and are symbolic, and she does not support removing them.

Chuck Buehler W52N844 Castle Court
Chucks feels the dams are important to the history of the community.

Mark Sanders N72W5873 Appletree Lane
Mark expressed that the dam has no purpose, is not historic, and repairing it is not a good use of funds.

Cheryl Nenn, Milwaukee Riverkeeper 600 E. Greenfield Ave. Milwaukee
Cheryl thinks the city should do the Feasibility Study.

Mayor Thome acknowledged that she knows the dam is not an original dam that is being preserved. When she refers to the history of the dams, she is referring to the history of having dams in Cedarburg.

No action was taken by the Common Council.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON THE INSTALLATION OF A FREE TRIAL AND FUTURE PURCHASE OF FLOCK SECURITY CAMERAS

Police Chief McNerney explained that the department is requesting approval for a free 60-day trial of Flock Security Cameras. During this time the department will evaluate the Flock system and determine if they would like to request them in the 2026 budget. The cameras assist in criminal investigations, stolen vehicle recovery, and locating missing persons. Council Member Simpson shared that Flock Cameras are an incredible tool for law enforcement.

A motion was made by Council Member Simpson, seconded by Council Member Mueller, to approve the installation of a free trial and future purchase of Flock Security Cameras in the City of Cedarburg, camera locations stipulated by the Police Chief. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2025-10 APPROVING THE 2024 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR) FOR THE WATER RECYCLING CENTER

Water Recycling Center Superintendent Dennis Grulkowski explained that this is an annual report for the DNR.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to approve Resolution 2025-10 approving the 2024 Compliance Maintenance Annual Report (CMAR) for the Water Recycling Center. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON AMENDMENT TO THE TOWER/LAND LEASE AGREEMENT FOR T-MOBILE ON THE WESTERN AVENUE MONOPOLE

Director of Engineering & Public Works Michael Wieser explained that the amendment provides T-Mobile with more lease area to place a generator on the Western Avenue Monopole site. The amendment also increases the cap of engineering review and inspection costs incurred by the City that T-Mobile would be responsible to reimburse from \$2,500 to \$7,500 on future T-Mobile projects within the monopole site.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Mueller, to approve the amendment to the Tower/Land Lease agreement for T-Mobile on the Western Avenue Monopole. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-23, CREATING A NEW SITE AND ARCHITECTURAL REVIEW BOARD (SARB) UNDER SECTION 2-4-17 OF THE CITY'S MUNICIPAL CODE

City Administrator Hilvo explained that this ordinance will formally create the Site and Architectural Review Board. After discussion, it was suggested that under (2) Membership and Appointments, all members appointed to the SARB, including the Common Council member and Plan Commission member, shall be confirmed at the first Common Council meeting in May, instead of the second Common Council meeting in April. Council members agreed to this change.

Cathy Czech N119W5835 James Circle
Cathy asked for clarifications regarding the wording of the ordinance.

Discussion was held about (3) Powers, Duties, and Appeals. It was suggested that the word "recommend" be added to clarify that this is solely an advisory board. Council members agreed to this addition.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Mueller, to approve Ordinance No. 2025-23, creating a new Site and Architectural Review Board (SARB) under Section 2-4-17 of the City's Municipal Code, with the changes that were discussed. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-24 AMENDING ARTICLE F DESCRIBING THE SITE AND ARCHITECTURAL DESIGN REVIEW BOARD (SARB) PURPOSE, PRINCIPLES, STANDARDS AND PROCEDURES

City Planner Censky explained that this ordinance formalizes SARB's advisory role to the Plan Commission.

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve Ordinance No. 2025-24. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-25 REGARDING THE MINIMUM SIZE REQUIREMENT FOR CITY PARKING STALLS

Planner Censky gave the following overview: the City's current parking stall size requirement is 180 sq. ft., generally laid out as 10' wide by 18' deep stalls. The Plan Commission expressed interest in approving a smaller size of 162 sq. ft. as the minimum. This is not uncommon around Wisconsin and beyond, and is being proposed more often in plans submitted to the Plan Commission. On May 12, 2025, the Common Council denied the smaller minimum size but favored giving flexibility to the Plan Commission where the Plan Commission deems it is appropriate. Therefore, the ordinance being proposed this evening states the size of each parking space shall be not less than 180 square feet, laid out in 10' wide by 18' deep configuration, *and* this minimum required stall size and configuration may be waived or modified by the Plan Commission in certain circumstances. Discussion was held.

Terry King W63N762 Sheboygan Road
Terry supports the bigger parking stall size.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to approve Ordinance No. 2025-25 regarding the minimum size requirement for City parking stalls. The motion carried with Council Members Bitter, Burkart, Didier, Simpson, and Mueller voting aye, Council Member Fitzpatrick voting nay, and Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF MAYORAL COMMON COUNCIL COMMITTEE ASSIGNMENTS

A motion was made by Council Member Burkart, seconded by Council Member Fitzpatrick, to approve the Mayoral Common Council Committee Assignments. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF MAYORAL APPOINTMENTS TO SARB: ADAM VOLTZ, PAUL RUSHING, PETER DAMSGAARD, JACK ARNETT, KRISTIN BURKART (COUNCIL REP)

Mayor Thome explained that Adam Voltz is moving from the Plan Commission to the SARB. The Mayor will search for a Plan Commissioner to replace Adam. Attorney Herbrand clarified that Adam Voltz will be a three-year appointment, Paul Rushing will be a two-year appointment, and Peter Damsgaard will be a one-year appointment. Adam Voltz will be the Chairperson.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the Mayoral Appointments to SARB, subject to the stipulations presented. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF A CLASS "A" BEER AND "CLASS A" LIQUOR LICENSE, EFFECTIVE JULY 1, 2025, FOR SPEEDWAY LLC, P.O.

BOX 139044, DALLAS, TX 75313, LAURA M. STREUBING, AGENT, PREMISES TO BE LICENSED: W63N121 WASHINGTON AVENUE, KNOWN AS SPEEDWAY #4203

Deputy City Clerk Campolo explained that Speedway has applied to expand their license to include “Class A” Liquor.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to approve a Class “A” Beer and “Class A” Liquor license, effective July 1, 2025, for Speedway LLC, P.O. Box 139044, Dallas, TX 75313, Laura M. Streubing, Agent, premises to be licensed: W63N121 Washington Avenue, known as Speedway #4203. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF A CHANGE OF AGENT AND RENEWAL OF A “CLASS C” LIQUOR (WINE ONLY) FOR CHISELLED GRAPE WINERY LLC, W64N713 WASHINGTON AVENUE, CEDARBURG, WI 53012, SALLY BRETSCH, AGENT, PREMISE TO BE LICENSED: W64N713 WASHINGTON AVENUE, KNOWN AS CHISELLED GRAPE WINERY

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve a change of Agent and renewal of a “Class C” Liquor (wine only) for Chiselled Grape Winery LLC, W64N713 Washington Avenue, Cedarburg, WI 53012, Sally Bretsch, Agent, premise to be licensed: W64N713 Washington Avenue, known as Chiselled Grape Winery. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON CREATIONS OF A HUMAN RESOURCES MANAGER POSITION FOR THE CITY OF CEDARBURG

City Administrator Hilvo explained the need for a Human Resources Manager position proposed for 2026. Council Member Burkart spoke on behalf of the Personnel Committee, reiterating this need. The job description and duties were discussed, as well as how the position will be funded.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to approve the creation of a Human Resources Manager position that would start in 2026. The motion carried without a negative vote with Council Member Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON 2026 BUDGET PARAMETERS AND BUDGET CALENDAR

City Administrator Hilvo explained that the budget parameters and priorities are brought before the Council annually to help guide the development of the upcoming fiscal year’s budget. The three budget priorities are the hiring of a Human Resources Manager, the installation of Flock and Security cameras, and the Cost-Of-Living Adjustment wage increase.

A motion was made by Council Member Burkart, seconded by Council Member Didier, to approve the 2026 Budget Parameters and Budget Calendar. The motion carried without a negative vote with Council Member Lindo excused.

UPDATE ON AMCAST SITE

City Administrator Hilvo shared that the EPA and Army Corps recently did testing on the Amcast site. City Attorney Herbrand gave an overview of the two legal matters currently pending with the Amcast site.

CONSENT AGENDA

Prior to the Consent Agenda being approved, Mayor Thome reminded the businesses applying for Amplified Music/Sound to be mindful of decibel levels and how sound travels, especially over the creek.

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

- A. Discussion and possible action on approval of May 12, 2025 Council Meeting minutes
- B. Discussion and possible action on payment of bills dated 05/08/2025 through 06/01/2025, transfers from 05/12/2025 through 06/02/2025, and payroll from 04/27/2025 through 05/24/2025
- C. Discussion and possible action on approval of Application for Amplified Music/Sound in an Outdoor Alcohol Beverage Seating Area for the following businesses, effective June 10, 2025, through June 30, 2026: Art of Joy, Blanca's Commercial Kitchen, Brunch/The Rooftop, Cedarburg Art Museum, Lime Cantina, North 48, The Cheese Wedge, Stagecoach Inn, and Union House Cedarburg
- D. Discussion and possible action on 2025-2026 Alcohol License renewals (see list attached)

The motion carried without a negative vote with Council Member Lindo excused.

CITY ADMINISTRATOR'S REPORT

City Administrator Hilvo shared that there is a temporary art installation of a quilt in front of City Hall, in collaboration with the quilt museum. The artists are Luke Haynes and Nicole Leth from Asheville, North Carolina. The quilt is part of the Affirmation Quilt Project.

COMMENTS AND SUGGESTIONS FROM COUNCIL MEMBERS

None.

MAYOR'S REPORT

None.

ADJOURN TO CLOSED SESSION

A motion was made by Council Member Fitzpatrick, seconded by Council Member Mueller, to adjourn to Closed Session at 8:55 p.m. pursuant to State Statute 18.85(1)(e) to deliberate or negotiate the purchase of public property, the investment of public funds, or to conduct other specified public business, whenever competitive or bargaining reasons require a closed session. Specifically discussed

was the Letter of Intent from Luther Group for Lot 4 in the Hwy 60 Business Park. The motion carried on a roll call vote with Council Members Bitter, Fitzpatrick, Burkart, Didier, Simpson, and Mueller voting aye, and Council Member Lindo excused.

RECONVENE TO OPEN SESSION

Open session reconvened at 9:09 p.m.

DISCUSSION AND POSSIBLE ACTION ON LETTER OF INTENT FROM LUTHER GROUP FOR LOT 4 IN THE HWY 60 BUSINESS PARK

A motion was made by Council Member Mueller, seconded by Council Member Simpson, to approve the Letter of Intent from Luther Group for Lot 4 in the Hwy 60 Business Park with the terms discussed in Closed Session. The motion carried without a negative vote with Council Member Lindo excused.

ADJOURNMENT

A motion was made by Council Member Mueller, seconded by Council Member Burkart, to adjourn the meeting at 9:11 p.m. The motion carried without a negative vote with Council Member Lindo excused.

Jessica Campolo
Deputy City Clerk