

**CITY OF CEDARBURG
COMMON COUNCIL
NOVEMBER 10, 2025**

**CC20251110-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, November 10, 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 7:06 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, Mark Mueller (Zoom), and Amanda Didier

Excused - Council Members Melissa Bitter and Kristian Lindo

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

COMMENTS AND SUGGESTIONS FROM CITIZENS

Terry King, W63N762 Sheboygan Rd: concerned with the pond project in the Town with respect to consumption of water from Cedar Creek.

PUBLIC HEARINGS

A PUBLIC HEARING TO DISCUSS THE 2026 CITY BUDGET

Mayor Thome opened the public hearing to discuss the proposed 2026 budget. Administrator Hilvo summarized the final version of the proposed 2026 budget. There were no comments from the public.

**A PUBLIC HEARING ON VACATING AN UN-BUILT PORTION OF GRANT AVENUE
PUBLIC ROAD RIGHT-OF-WAY LYING SOUTH OF THE INTERSECTION WITH
WILSON STREET**

Mayor Thome opened the public hearing on vacating an unbuilt portion of Grant Avenue public road right-of-way lying south of the intersection with Wilson Street. Planner Censky explained the request from Faith Lutheran Church for the road vacation as well as the request to combine all parcels of land.

A motion was made by Council Member Burkart, seconded by Council Member Simpson, to close both public hearings. Motion carried on a roll call vote with Council Members Fitzpatrick, Burkart, Didier, Simpson, and Mueller voting aye, with Council Members Bitter and Lindo excused.

UNFINISHED BUSINESS

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2025-16 VACATING THE UNBUILT PORTION OF GRANT AVENUE PUBLIC ROAD RIGHT-OF-WAY LYING SOUTH OF THE INTERSECTION WITH WILSON STREET

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve Resolution No. 2025-16 vacating the unbuilt portion of the Grant Avenue public road right-of-way lying south of the intersection with Wilson Street. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR APPROVAL OF A CERTIFIED SURVEY MAP FROM FAITH LUTHERAN CHURCH TO COMBINE MULTIPLE EXISTING ADJOINING PARCELS OF LAND LOCATED AT AND NEAR N35 W6221 WILSON STREET, INTO A SINGLE LARGER LOT.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the Certified Survey Map from Faith Lutheran Church to combine multiple existing adjoining parcels of land located at and near N35 W6221 Wilson Street, into a single larger lot. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON THE WILO CEDAR CREEK CLASSIC (TOUR OF AMERICA'S DAIRYLAND) BIKE RACE TO BE HELD ON JUNE 23, 2026.

A discussion ensued about the pros and cons of holding the bike race in the downtown district. Todd Bugnacki highlighted the many benefits of the race. Many owners of service-oriented businesses spoke of the difficulties of race day including customers not able to get to their appointments and parking issues. Owners of bars and restaurants saw an uptick in business on race day. The Council discussed ways to reduce the negative impact.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the Wilo Cedar Creek Classic tour for June 23, 2026 using the same route we've had for the last two (2) years. Motion carried (3-2) with Council Members Burkart and Didier voting nay and Council Members Bitter and Lindo excused. Council Members Burkart, Simpson, and Fitzpatrick stated they will volunteer for the 2026 race to assist with business concerns.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NOS. 2025-34, 2025-35, 2025-36 REMOVING FEES FROM CITY CODE

A motion was made by Council Member Burkart, seconded by Council Member Didier, to approve Ordinance Nos. 2025-34, 2025-35, and 2025-36 removing fees from City Code and adding to the fee schedule. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO 2025-18 APPROVING THE LATEST FEE SCHEDULE

A motion was made by Council Member Burkart, seconded by Council Fitzpatrick, to approve Resolution No. 2025-18 approving the latest fee schedule. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON 2026 CITY BUDGET

Administrator Hilvo provided an overview of the proposed 2026 City Budget. Official approval will take place at the November 24, 2025 Council meeting.

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson to approve the 2026 City budget. Motion carried with Council Member Burkart voting against and Council Members Bitter and Lindo excused.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON THE AGREEMENT FOR THE OPERATION OF MID MORAINES MUNICIPAL COURT

A motion was made by Council Member Burkart, seconded by Council Member Didier, to approve the agreement for Mid Moraine Municipal Court. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2025-37 APPROVING NEW PARKING PROHIBITIONS ON LAYTON STREET

A motion was made by Council Member Burkart, seconded by Council Member Fitzpatrick, to approve Ordinance No. 2025-37 updating parking prohibitions on Layton Street. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON LIQUOR LICENSE PREMISE DESCRIPTION CHANGE FOR THE STAGECOACH 520 LLC TO INCLUDE THE 20 FT X 50 FT AREA ADJACENT TO THE SOUTH WALL OF THE TIMBER CLUB LOCATED AT W61 N518-20 WASHINGTON AVENUE

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve the liquor license premise description change for the Stagecoach 520 LLC to include the 20' x 50' area adjacent to the south wall of the Timber Club located at W61 N5187-20 Washington Avenue. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

CONSENT AGENDA

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

- A. Discussion and possible action on approval of October 27, 2025 Council Meeting minutes
- B. Discussion and possible action on payment of bills dated 10/08/2025 through 10/31/2025, transfers from 10/30/2025 through 11/03/2025, and payroll from 10/12/2025 through 10/25/2025

Motion carried without a negative vote with Council Members Bitter and Lindo excused.

CITY ADMINISTRATOR'S REPORT

Administrator Hilvo stated Art of Joy and Brandywine are closing their businesses in the downtown district.

COMMENTS AND SUGGESTIONS FROM COUNCIL MEMBERS

Council Member Burkart announced the Veterans Day Parade at 9:00 a.m. on Tuesday, November 11, 2025.

MAYOR'S REPORT

The Mayor wished to thank Art of Joy and Brandywine for all they've brought to the City

A Key to the City will be given to Richard Dieffenbach at the November 24th Council meeting.

ADJOURN TO CLOSED SESSION

A motion was made by Council Member Fitzpatrick, seconded by Council Member Burkart, to adjourn to closed session at 8:37 p.m. pursuant to State Statute 19.85(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 a potential purchase of Lot 5 in the Hwy 60 Business Park by Egan Gardner Development and a Purchase and Sale Agreement and related Tax Guaranty Agreement with Luther Group Acquisition, and to remain in closed session pursuant to State Statute 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. More specifically discussed was a claim submitted by Barbara Neumann.

Motion carried on a roll call vote with Council Members Fitzpatrick, Burkart, Didier, Simpson, and Mueller voting aye and Council Members Bitter and Lindo excused.

RECONVENE TO OPEN SESSION

Open session reconvened at approximately 9:07 p.m.

DISCUSSION AND POSSIBLE ACTION ON POTENTIAL PURCHASE OF LOT 5 IN THE HWY 60 BUSINESS PARK BY EGAN GARDNER DEVELOPMENT

A motion was made by Council Member Fitzpatrick, seconded by Council Member Burkart, to approve the Letter of Intent from Egan Gardner Development with revisions discussed in closed session. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

DISCUSSION AND POSSIBLE ACTION ON SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT WITH LUTHER GROUP

A motion was made by Council Member Fitzpatrick, seconded by Council Member Burkart, to approve the 2nd amendment to purchase and sale agreement with the Luther Group. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

**DISCUSSION AND POSSIBLE ACTION ON NOTICE OF CLAIM SUBMITTED BY
BARBARA NEUMANN**

A motion was made by Council Member Fitzpatrick, seconded by Council Member Simpson, to deny the claim submitted by Barbara Neumann. Motion carried without a negative vote with Council Members Bitter and Lindo excused.

ADJOURNMENT

A motion was made by Council Member Mueller, seconded by Council Member Burkart, to adjourn the meeting at 9:09 p.m. The motion carried without a negative vote with Council Members Bitter and Lindo excused.

Tracie Sette
City Clerk