

**CITY OF CEDARBURG  
JOINT MEETING OF THE COMMON COUNCIL  
AND COMMUNITY DEVELOPMENT AUTHORITY  
August 14, 2024**

**CCFDA20240814-1  
UNAPPROVED**

A joint meeting of the Common Council and Community Development Authority of the City of Cedarburg, Wisconsin, was held on Wednesday, August 14, 2024 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 6:30 p.m.

Roll Call: Present - Common Council - Mayor Patricia Thome, Council Members Melissa Bitter, Jim Fitzpatrick, Kristin Burkart, Kevin Curley, Robert Simpson (via Zoom), Kristian Lindo

Community Development Authority – Mayor Patricia Thome, Council Member Melissa Bitter, Dale Lythjohan, James Roemer, Eric Arvold, Mark O’Neill

Excused - Mark Mueller (Common Council)

Absent - Eric Stelter (Community Development Authority)

Also Present - City Administrator Mikko Hilvo, City Attorney Michael Herbrand, Attorney Lawrie Kobza, Deputy Clerk Jessica Campolo, interested citizens and news media

**STATEMENT OF PUBLIC NOTICE**

At Mayor Thome’s request, Deputy 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

**NEW BUSINESS**

**UPDATE ON AMCAST SITE**

City Administrator Hilvo gave an update on the Amcast site, specifically explaining the recent two orders that were issued to the owner, Olivar Fiontar LLC. One is a cease use and vacate property order for storing items. The other is notification of public nuisance, related to structural issues and physical barriers to the property. City Administrator Hilvo explained that EPA cleanup of this property is scheduled for 2030, and there are currently no development plans for the site.

**Public Comment**

Steve Brill W69 N419 Fox Pointe Ave

Mr. Brill asked the following questions, and they were answered by City Attorney Herbrand and City Administrator Hilvo.

Brill: Who owned the property prior to the TIF?

Herbrand: Amcast/Meta Mold owned it. When these companies went bankrupt, the City acquired it through a tax foreclosure and deeded it to Oliver Fiontar LLC for the purpose of remediation.

Brill: What type of contaminated soil is on the property and where?

Herbrand: The EPA has done reports on the contamination, which is outlined in a Record of Decision published by the EPA, and those reports are available to the public.

Brill: Who made the analysis of the soil and recommended remediation efforts?

Herbrand: The prior environmental contractors working for Amcast/Meta Mold or the EPA have made the analysis.

Brill: Who will be doing the soil remediation and when?

Herbrand: The EPA will do the remediation, currently scheduled for 2030.

Brill: Who owns the property now?

Herbrand: Olivar Fiontar LLC, a company owned by Daniel J. Burns, owns the property.

Brill: How much did the current owner pay for it?

Herbrand: The current owner did not pay the City anything for it.

Brill: How was this owner/developer selected over other proposals?

Herbrand: The City went through a long process. There was one other developer that stepped forward, but they were not credible. This was done at public hearings.

Brill: What does this developer promote as a finished development?

Herbrand: The developer has presented concepts of apartments. An apartment development was recently approved for the Amcast parcel on the south side of Hamilton Road, but no work has occurred on that potential development.

Brill: Did we just pay an engineer to say the concrete slab, underground storage area and two-story block building can remain?

Herbrand: No. The City hired Ambrose Engineering to perform a structural analysis on the remaining building on the Amcast parcel on the north side of Hamilton Road. The engineer has pointed out issues with the two-story building. A nuisance order has been issued by the City as a result. The structural analysis is a public document.

Brill: Show us a survey of the properties in the TIF.

Herbrand: The TID Project Plan includes a map of all property within the TID. This is available on the City of Cedarburg website.

Brill: How many additional funds is the developer requesting?

Herbrand: The developer is not requesting any additional funds to date.

Herbrand: Did taxpayers pay for snow plowing and landscaping services?

Hilvo: No, taxpayers did not.

**ADJOURN TO CLOSED SESSION**

A motion was made by Council Member Fitzpatrick, seconded by Council Member Curley, for the Common Council, and a motion was made by James Roemer, seconded by Eric Arvold, for the Community Development Authority, to adjourn to Closed Session at 6:45 p.m. pursuant to State Statute 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session, more specifically, for discussion on Amendment to Developers Agreement for Amcast. Motion carried on a roll call vote with Council Members Bitter, Fitzpatrick Burkart, Curley, Simpson, and Lindo voting aye, and Mark Mueller excused, and Community Development Authority members Mayor Thome, Council Member Bitter, Lythjohan, Arvold, Roemer, and O'Neill voting aye, and Eric Stelter absent.

**RECONVENE TO OPEN SESSION**

The meeting reconvened to open session at 8:03 p.m.

**DISCUSSION AND POSSIBLE ACTION ON AMENDMENT TO DEVELOPERS AGREEMENT FOR AMCAST**

No action was taken.

**ADJOURNMENT**

For the Common Council, motion made by Council Member Burkart, seconded by Council Member Bitter, to adjourn the meeting at 8:03 p.m. Motion carried without a negative vote.

For the Community Development Authority, motion made by James Roemer, seconded by Dale Lythjohan, to adjourn the meeting at 8:04 p.m. Motion carried without a negative vote.

Jessica Campolo  
Deputy City Clerk