

**CITY OF CEDARBURG
COMMON COUNCIL
August 12, 2024**

**CC20240812-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, August 12, 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 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 Melissa Bitter, Jim Fitzpatrick, Kristin Burkart, Kevin Curley, Robert Simpson, Kristian Lindo, Mark Mueller

Also Present - City Administrator Mikko Hilvo, Deputy City Clerk Jessica Campolo, City Attorney Michael Herbrand, Fire Chief Jeff Vahsholtz, City Engineer Michael Wieser, 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

PRESENTATIONS

CEDARBURG FIRE DEPARTMENT 2023 ANNUAL REPORT

Fire Chief Vahsholtz presented the Cedarburg Fire Department 2023 Annual Report. He highlighted key points, as well as credited Blake Karnitz and Diana Klingler for creating the report. Chief Vahsholtz expressed that it is an honor to be the first full-time Fire Chief in the City of Cedarburg, and he thanked the Common Council for their support.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON THE TOAD BIKE RACE TO BE HELD WITHIN THE DOWNTOWN BUSINESS DISTRICT IN 2025

This item was previously discussed at the July 8, 2024 Common Council meeting. Todd Bugnacki, organizer for the ToAD Bike Race, reviewed the concerns expressed at the previous meeting. He shared the action items that have since been taken to address those concerns. The Common Council members appreciated the outreach efforts that were made.

Public Comment

Rob White W69 N345 Evergreen Blvd.

Rob is a Cedarburg resident and professional cyclist and shared that the Cedarburg race was favored among the cyclists who participated.

Mike O'Keefe N95 W6502 Fieldcrest St.

Mike was inspired by the elite athleticism of the race.

Kera Karagodsky W55 N737 Cedar Ridge Dr.

Kera thought the race was a great event.

Motion made by Council Member Fitzpatrick, seconded by Council Member Simpson, to approve the ToAD Bike Race for Tuesday June 24, 2025. Motion carried without a negative vote.

PRESENTATION, DISCUSSION AND POSSIBLE ACTION ON FUTURE CREEKWALK PROJECT

City Administrator Hilvo introduced Adam Voltz and Paul Rushing. Adam and Paul made a presentation about the Creek Walk, more specifically, completing the Creek Walk section between the north property line of Advent Lutheran Church and the north property line of Blind Horse Winery. The completion of this portion will create a continuous walkway from Boy Scout Park to Cedar Creek Park. This would be funded through donations and grants. Discussion ensued. Common Council members inquired about the City's role in the ongoing maintenance of the Creek Walk. City Administrator Hilvo explained that the maintenance of the Creek Walk would be provided by city staff.

Public Comment

Steve Brill W69 N419 Fox Pointe Ave.

Steve is opposed to the Creek Walk as proposed and feels efforts should be made to restore Cedar Creek.

Catherine Pullar

W62 N658 Riveredge Dr.

Catherine is concerned about the noise from the Creek Walk.

Andrew Whaley

W62 W628 Washington Ave.

Andrew is concerned about the Creek Walk regarding security.

The Common Council supports pursuing the completion of the next phase of the Creek Walk. No action was taken.

DISCUSSION AND POSSIBLE ACTION ON BIDS RECEIVED FOR THE 2024 HANOVER AVENUE SURFACE PAVING CONSTRUCTION PROJECT

City Engineer Wieser explained the Hanover Avenue surfacing project.

Motion by Council Member Burkart, seconded by Council Member Simpson, to approve the bid from Payne and Dolan Inc. of \$58,487.00 for the Hanover Avenue surface paving construction project. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON BIDS RECEIVED FOR THE 2024 MICRO SURFACING PROJECT CONSTRUCTION CONTRACT

City Engineer Wieser explained the details of the Micro Surfacing Project.

Motion made by Council Member Curley, seconded by Council Member Mueller, to award the 2024 Micro Surfacing Project contract to Fahrner Asphalt Sealers not to exceed \$20,960.00. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON BIDS RECEIVED FOR THE 2024 ASPHALT PAVEMENT REPAIR PROGRAM

City Engineer Wieser explained the details of the 2024 Asphalt Pavement Repair Program.

Motion made by Council Member Burkart, seconded by Council Member Mueller, to award the 2024 Asphalt Pavement Repair contract to Parking Lot Maintenance, not to exceed \$29,820.00. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON HIRING VIERBICHER ASSOCIATES INC. TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR CREATING A HOUSING REPORT

City Administrator Hilvo explained that the City is currently in the process of updating the Smart Growth Comprehensive Land Use Plan. A housing report will assist the City with this update.

Public Comment

Terry King W63 N762 Sheboygan Rd.

Terry is concerned that an outside company might not recognize the uniqueness of Cedarburg when creating a housing report.

Motion made by Council Member Fitzpatrick, seconded by Council Member Burkart, to approve hiring Vierbicher Associates Inc. to provide professional consulting services for creating a housing report not to exceed \$3,500.00. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON APPROVING A PROPOSAL FOR TRAFFIC PLANNING AND ACCESS STUDY FOR THE CITY AND TOWN OF CEDARBURG

City Administrator Hilvo explained that both the City and Town of Cedarburg are at various stages of updates to their Comprehensive Plans. A joint traffic study for the STH 60 corridor from Horns Corners Road to Keup Road, Washington Avenue South of STH 60, and CTH I south of STH 60, would be valuable for both the City and the Town. Discussion ensued.

Public Comment

Terry King W63 N762 Sheboygan Rd.

Terry is concerned this study doesn't address other traffic areas in the City of Cedarburg, such as downtown Cedarburg.

Motion made by Council Member Fitzpatrick, seconded by Council Member Curley, to approve hiring R.A. Smith for a Traffic Planning and Access Study, not to exceed \$45,760.00, contingent on the Town of Cedarburg reimbursing their share of \$15,100.80. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON A ONE-TIME AMPLIFIED MUSIC/SOUND PERMIT IN AN OUTDOOR AREA FOR TURNHALL FINANCIAL GROUP, 236 HAMILTON ROAD, CEDARBURG, WI, FOR A CHARITY BOCCE BALL TOURNAMENT TO BE HELD AT CEDAR CREEK PARK ON SATURDAY, SEPTEMBER 28, 2024 FROM 12:00 NOON – 4:00 P.M., FOR A REDUCED FEE OF \$50.00

Council Member Burkart inquired whether the reduced fee of \$50 only applies to nonprofit organizations. City Administrator Hilvo agreed the policy needs to be clarified and will be reviewed over the winter months.

Motion made by Council Member Burkart, seconded by Council Member Mueller, to approve a one-time amplified music/sound permit in an outdoor area for Turnhall Financial Group, 236 Hamilton Road, Cedarburg, WI, for a charity bocce ball tournament to be held at Cedar Creek Park on Saturday, September 28, 2024 from 12:00 noon – 4:00 p.m. for a reduced fee of \$50.00. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON NEWMARK KNIGHT BROKER SERVICES CONTRACT

City Administrator Hilvo explained that Newmark Commercial Brokers currently represent the City for the sale of land within the Hwy 60 Business Park. They have been working with a potential tenant, but the tenant is looking to make an offer on land that is not in the business park but adjacent to it. The current contract with Newmark does not include properties outside the business park. A new contract will allow for this.

Motion made by Council Member Burkart, seconded by Council Member Simpson, to approve the single party vacant land listing contract with Newmark. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE FOLLOWING ADDITIONAL POLL WORKERS FOR THE REMAINDER OF 2024-2025 ELECTION CYCLE: MARGARET DOYLE, PETER IGEL, LORI MATHIAS, MICHAEL RUZICKA, KATHLEEN RUZICKA, AND REYNOLD WAEDEKIN

Motion made by Council Member Fitzpatrick, seconded by Council Member Mueller, to approve the following additional poll workers for the remainder of 2024-2025 election cycle: Margaret Doyle, Peter Igel, Lori Mathias, Michael Ruzicka, Kathleen Ruzicka, and Reynold Waedekin. Motion carried without a negative vote.

CONSENT AGENDA

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

- A. Discussion and possible action on approval of July 8, 2024 Council Meeting Minutes
- B. Discussion and possible action on payment of bills dated 07/02/2024 through 08/02/2024, transfer list dated 07/01/2024 through 08/09/2024, and payroll from 06/23/2024 through 08/03/2024

Motion carried without a negative vote.

CITY ADMINISTRATOR'S REPORT

City Administrator Hilvo shared that the EPA is seeking public input regarding future cleanup of Cedar Creek, south of Adlai Horn Park. There will be opportunities for the public to meet with the EPA at City Hall later this fall.

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Bitter commented that the County Fair was a fun event, but she did receive a comment from a resident about the noise level being high at 11:00 p.m.

Council Member Curley shared an update from the Diversity Committee. The Diversity Committee will be hosting a blood drive at City Hall on September 10, 2024, in honor of National Day of Service, which is September 11, 2024. They are also working with the City Forester on planting a tree and doing park cleanup on September 11, 2024.

MAYOR REPORT

None

ADJOURN TO CLOSED SESSION

A motion was made by Council Member Curley, seconded by Council Member Burkart, to adjourn to closed session at 9:11 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 to discuss a potential purchase of a property on Hanover Avenue. Motion carried on a roll call vote with Council Members Bitter, Fitzpatrick, Burkart, Curley, Simpson, Lindo, and Mueller voting aye.

RECONVENE TO OPEN SESSION

The meeting reconvened to open session at 9:23 p.m.

DISCUSSION AND POSSIBLE ACTION ON PURCHASE OF PROPERTY ON HANOVER AVENUE

Motion made by Council Member Burkart, seconded by Council Member Mueller, to submit an offer to purchase property at W63 N530 Hanover Avenue in the amount of \$250,000.00 Motion carried without a negative vote.

ADJOURNMENT

Motion made by Council Member Mueller, seconded by Council Member Burkart, to adjourn the meeting at 9:24 p.m. Motion carried without a negative vote.

Jessica Campolo
Deputy City Clerk