

**CITY OF CEDARBURG
COMMON COUNCIL
July 26, 2021**

**CC20210726-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, July 26, 2021, at City Hall, W63 N645 Washington Avenue, second floor Council Chambers, and online utilizing the Zoom app.

Mayor O’Keefe called the meeting to order at 7:00 p.m.

Roll Call: Present - Mayor Michael O’Keefe, Council Members Jack Arnett, Patricia Thome, Barbara Lythjohan, Sherry Bublitz, Robert Simpson, Kristin Burkart

Excused – Council Member Rick Verhaalen

Also Present - City Administrator Mikko Hilvo, Attorney Jonathan Woodward, City Clerk Tracie Sette, news media and interested citizens.

STATEMENT OF PUBLIC NOTICE

At Mayor O’Keefe’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. Citizens present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS

A comment was made by Richard Didier, W60 N859 Sheboygan Road. His concern is about the lack of sidewalks on the northern end of Sheboygan Road where the speed limit is 45 miles per hour. He contacted the Department of Motor Vehicles and they are not interested in reducing the speed limit. He requested the city install sidewalks, however, Mayor O’Keefe explained that may be property owned by the Town of Cedarburg.

APPROVAL OF MINUTES

A motion was made by Council Member Thome, seconded by Council Member Bublitz to approve the July 12, 2021 Common Council minutes. Motion carried without a negative vote with Council Member Verhaalen excused.

Immediately following the approval of minutes, Mayor O’Keefe took up agenda item (9a) Oath of Office for Patrol Officers Jonathan Schemenauer and Brandon Becker. Police Chief Frank introduced both officers and Clerk Sette administered the oaths of office.

PRESENTATION

Police Chief Frank presented the 2020 Police Department Annual Report. The following crime statistics were included with his report.

	2020 Statistics	2019 Statistics
Violent Crimes	6	1
Property Crimes	79	93
Stolen Property	\$91,068	\$44,037
Felony Arrests	32	12
Misdemeanor Arrests	75	57
Accidents	190	233

Department Activity

Reports Investigated	670	675
Calls for Service	25,805	28,033
Persons Assisted	2,605	2,726
Citizens at Station	5,175	6,526
Phone Calls	9,838	10,267
911 Calls	4,204	3,700
Alarms	87	93
Non Traffic Arrests	191	258
Traffic Arrests	919	1,569
Non Traffic Warnings	219	211
Traffic Warnings	3,601	4,592
Speeding	85	121
OAWI	31	44

Drug Offenses

Adult Alcohol Arrests	9	18
Juvenile Alcohol Arrests	1	21
Tobacco Violations	12	29
Drug Offenses	39	60

Chief Frank summarized various services the Police Department performed for the community in 2020.

- 106,140 door checks (112 found open)
- 1,442 vacation checks
- 88 vehicle lockouts
- 961 rescue calls
- 230 fire calls

The department also participated in Safety Town/Safety Camp, School Liaison Officer program, inspected child safety seats, participated in National Night Out, informed citizens via social media platforms, held public meetings, participated in Bicycle Safety programs and patrol, Cops and Bobbers, and completed 674 vehicle registrations.

Chief Frank highlighted (2) retirements in 2020; Captain Glenn Lindberg and Sergeant Scott Miller. Also, two new officers were hired; James Bailey and Anthony (TJ) Schlice.

Chief Frank further explained how Cedarburg Police Department is represented in Multijurisdictional Units in Ozaukee County.

In 2020, the Department purchased two (2) marked patrol vehicles, Axon video body cams and Bolo Wraps.

The Department employs twelve (12) school crossing guards located at seven (7) intersections within the City. There are also fourteen (14) members of the Emergency Government Auxiliary Police.

Chief Frank also highlighted seven (7) members of the Department who received awards in 2020.

NEW BUSINESS

CONSIDER RECOMMENDATION OF POLICE CHIEF TO DENY NEW OPERATOR'S LICENSE APPLICATION OF MICHAEL J. MORALES; AND ACTION THEREON

Police Chief Frank explained that during a background check it was discovered that Michael J. Morales was involved in a very serious investigation in 2015. A renewal application from Michael J. Morales came before the Council in 2016, however, due to the charges in 2015, the Council denied the renewal.

A motion was made by Council Member Bubnitz, seconded by Council Member Simpson to deny the new Operator's license application of Michael J. Morales following the recommendation of Police Chief Frank. Motion carried without a negative vote with Council Member Verhaalen excused.

CONSIDER RECOMMENDATION OF APPROVAL FOR PROPOSED MURAL TO BE INSTALLED ON THE NORTH WALL OF THE FIDDLEHEADS BUILDING LOCATED AT W62 N605 WASHINGTON AVENUE; AND ACTION THEREON

Fiddleheads requested to install a mural on the north wall of their building in the historic downtown district. This request required Landmarks Commission approval for the installation of the mural and Public Art Committee approval for the content of it. Both committees met independently and have made their recommendations to approve the mural.

All seven Council members, including the Mayor, received feedback from constituents expressing disapproval of the mural and that it does not fit the aesthetics of historic downtown Cedarburg. The Council also discussed how restrictive the Landmark's Commission may be on downtown businesses with respect to colors and building materials on the exterior side of the buildings. The Council was in agreement that a set of standards should be in place for the Public Art Commission and Landmark Commission to better determine suitability of future applications for murals such as this. The Council also agreed that the mural is a beautiful piece of artwork, however, it does not reflect the historic downtown nature of Cedarburg.

Judy Jepson of Landmark's Commission expressed her disapproval of the mural despite the Landmark's Commission voting in favor.

Raymond Marcy, Owner of Fiddleheads Coffee Roasters, is celebrating 25 years in business and is planning to install murals in all Fiddlehead locations. He feels the mural reflects the current year/time we are in. The artist, Emma Daisy, is a nationally recognized muralist.

A motion was made by Council Member Arnett, seconded by Council Member Burkart, to table the mural to be installed on the north wall of Fiddleheads. Motion carried without a negative vote with Council Member Verhaalen excused.

CONSIDER ORDINANCE NO. 2021-15 TO DEFINE THE PLACING OF CHAIRS FOR JULY 4TH FIREWORKS; AND ACTION THEREON

Council members unanimously received overwhelming feedback from constituents and downtown businesses in favor of keeping the chair reservations no earlier than 8:00 a.m. the day of the July 4th parade. The business owners felt placing of chairs the evening prior to the parade hindered business and invoked tension & unwanted disputes.

Ann Denk of Wyndrose Jewelry agreed with the Council and would be in favor of keeping the ordinance as is with chair placement allowed beginning at 8:00 a.m. the day of the parade.

Since Ordinance No. 2021-14 currently prohibits the placing of chairs along the parade route prior to 8:00 a.m. the day of the parade, the Council took no action.

CONSIDER REQUEST OF MICHAEL JACKSON OF C. WIESLER'S TO AMEND THE PREMISE DESCRIPTION OF ITS CLASS "B" BEER AND "CLASS B" LIQUOR LICENSE AT W61 N493 WASHINGTON AVE TO SERVE BEER AND LIQUOR IN AN ENCLOSED AREA IN THE PARKING LOT FOR AN EVENT TO BE HELD ON SEPTEMBER 18, 2021; AND ACTION THEREON

Michael Jackson of C. Wiesler's is seeking permission to amend its premise description to serve beer and liquor in an enclosed area in the parking lot on September 18, 2021. This would be for a one-time event only to end at 11:00 p.m. for the Class of 1985 reunion.

A motion was made by Council Member Bublitz, seconded by Council Member Thome to approve the application from C. Wiesler's to amend the premise description of its Class "B" beer and "Class B" liquor license at W61 N493 Washington Ave to serve beer and liquor in an enclosed area in the parking lot for an event to be held on September 18, 2021. Motion carried without a negative vote with Council Member Verhaalen excused.

DISCUSSION ON REVISED STRATEGIC PLAN; AND ACTION THEREON

Administrator Hilvo explained the goal of the revised Strategic Plan is to bring into focus a clear vision statement and guiding principles for all Boards, Committees, and Commissions. He explained each segment of the revised vision statement: *To be a safe and welcoming city with an emerging urban vibrancy guided by a "small town" sense of community*

He further described the guiding principles:

- 1) We will seek to preserve the historic, “small town” character.
- 2) We will promote a vibrant, safe, and active Downtown.
- 3) We will provide high level of government services.
- 4) We will promote responsible and well-managed growth.
- 5) We will provide a safe, healthy, and inclusive community.
- 6) We will provide quality educational and recreational opportunities for all.
- 7) We will preserve and provide community open spaces, natural areas, and accessible parks and trails.
- 8) We will promote Cedarburg as a tourist destination.
- 9) We will collaborate and develop partnerships with neighboring communities and local organizations to deliver quality programs, facilities, and services in a fiscally responsible manner.

Council Members Burkart and Bublitz expressed concern with the term urban vibrancy. They do not see Cedarburg as having urban vibrancy which sparked a discussion regarding the definition of urban vibrancy.

Council Member Thome felt there is a slowly occurring vibrancy beginning to happen in Cedarburg.

Council Member Arnett explained that the company hired to do the branding interviewed hundreds of visitors, citizens, and dozens of community leaders of Cedarburg when the new branding discussions were taking place. Perhaps data from those interviews might better define the culture of Cedarburg.

CONSIDER LICENSE/PERMIT APPLICATIONS; AND ACTION THEREON

A motion was made by Council Member Burkart, seconded by Council Member Bublitz to approve the new Operator License applications for the period ending June 30, 2022 for Sherry D.M. Bentz, William T. Erbes, Roy G. Maumee, Raymond J. Tollefson, and Lynda K. Wachter. Motion carried without a negative vote with Council Member Verhaalen excused.

A motion was made by Council Member Burkart, seconded by Council Member Bublitz to approve the renewal Operator License applications for the period ending June 30, 2022 for:

Evan N. Bray	Dennis F. Jaeger	Robert M. Nash
Elizabeth M. Bursten	Sarah N. Jellen	Richard J. Roden
Terri J. Daute	Dennis H. Loberger	Robert Roden
Julie B. Gottfried	Neal C. Maciejewski	Jeannette M. Schupp
LeRoy C. Haeuser	Bradley J. Mayer	Kari S. M. Schwartz
Lori A. Haeuser	Antonija Mitt	Warren D. Seifert
Mark J. Hilgendorf	Judith A. Murphy	

Motion carried without a negative vote with Council Member Verhaalen excused.

CONSIDER PAYMENT OF BILLS DATED 06/19/2021 THROUGH 07/02/2021, TRANSFERS FOR THE PERIOD 07/03/2021 THROUGH 07/20/2021 AND PAYROLL FOR PERIOD 06/27/2021 THROUGH 07/10/2021; AND ACTION THEREON*

Motion made by Council Member Burkart, seconded by Council Member Thome, to approve payment of bills dated 06/19/2021 through 07/02/2021, transfers for the period 07/03/2021 through 07/20/2021 and payroll for the period 06/27/2021 through 07/10/2021. Motion carried without a negative vote with Council Member Verhaalen excused.

ADMINISTRATOR'S REPORT

In addition to the Administrator's report included in the packet, Administrator Hilvo informed the Council of staffing changes. Gretel Pitre is the new Senior Center Director, replacing Aubrey Suppinger who resigned last month. Custodian Jay Buntrock announced his retirement will be effective August 20, 2021. Public Works Crewperson Don Hahn will be retiring August 13, 2021.

CLERK'S REPORT

Clerk Sette provided a copy of the Code of Ethics Certification to the Council. There were three (3) committees not certified yet, however, the Ethics Code will be placed on the next agenda for those committees' review and certification.

Clerk Sette explained that the Census processing is delayed due to Covid-19, so population results won't be released to municipalities until mid-August. The county will then have 60 days to complete redistricting before any municipalities may begin the process. The deadline for redistricting completion is December 1, 2021.

COMMENTS AND SUGGESTIONS FROM CITIZENS – None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Lythjohan was at Brandywine last Friday evening and noticed competing amplified music from surrounding businesses. Amplified music during Summer Sounds should not exceed 80 decibels.

Council Member Burkart encourages residents to stay informed on Council business by clicking the Notify Me button on the City website and completing the page. Council Member Arnett mentioned perhaps holding live broadcasts of Council meetings as a way for people to stay informed.

Council Member Bublitz explained the lack of sidewalk on Sheboygan Avenue is a problem and she would like this topic placed on a future Council agenda.

MAYOR'S REPORT

Mayor O'Keefe explained the Police and Fire Commission has the ultimate authority to hire the next Police Chief and they are currently focusing on internal candidates.

ADJOURNMENT - CLOSED SESSION

A motion was made by Council Member Thome, seconded by Council Member Bublitz, at 8:41 p.m., to adjourn to closed session pursuant to State Statute 19.85(1)(c) to consider employment, promotion,

compensation, or performance evaluation data of a public employee subject to the jurisdiction or authority of the governing body. Specifically discussed was the Administrator's evaluation. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Thome, Lythjohan, Simpson and Burkart voting aye and Council Member Verhaalen excused. (6-0)

RECONVENE TO OPEN SESSION

Open session reconvened at 9:49 p.m.

ADJOURNMENT

A motion made by Council Member Arnett and seconded by Council Member Simpson to adjourn the meeting at 9:50 p.m. Motion carried without a negative vote with Council Member Verhaalen excused.

Tracie Sette
City Clerk