

**CITY OF CEDARBURG
COMMON COUNCIL
FEBRUARY 28, 2022**

**CC20220228-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, February 28, 2022, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers, and online utilizing the Zoom app.

Acting Mayor Patricia Thome called the meeting to order at 7:00 p.m.

Roll Call: Present - Council Members Jack Arnett, Barbara Lythjohan, Sherry Bublitz, Kristin Burkart, Rick Verhaalen, Patricia Thome, Robert Simpson

Excused – Mayor Michael O’Keefe

Also Present - City Administrator Mikko Hilvo, Attorney Michael Herbrand, City Clerk Tracie Sette, City Planner Jon Censky, Police Chief Michael McNerney, news media and interested citizens.

STATEMENT OF PUBLIC NOTICE

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

Council Member Thome stated that as Acting Mayor, she would retain her right to vote as Council Member of the 6th Aldermanic District.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

APPROVAL OF MINUTES

A motion was made by Council Member Bublitz, seconded by Council Member Burkart, to approve the February 14, 2022 Common Council minutes. Motion carried without a negative vote.

PRESENTATION

INNOVATIONS IN URBAN FORESTRY AWARD PRESENTATION TO CEDARBURG GREEN

Cedarburg Green, a non profit organization, was recognized by the Department of Natural Resources-Innovations in Urban Forestry for their extensive efforts in increasing the City’s tree canopy. The non-profit instituted a multifaceted public awareness and tree planting campaign that included fund raising, tree sales, grant writing, educational activities for all ages, and media attention

PUBLIC HEARINGS

A PUBLIC HEARING ON PROPOSED IMPACT FEES RESULTING FROM THE PUBLIC FACILITIES NEEDS ASSESSMENT REPORT

Acting Mayor Thome opened the Public Hearing at 7:18 p.m. to discuss proposed Impact Fees resulting from the Public Facilities Needs Assessment Report. Todd Taves of Ehlers Financial Group explained how Impact Fees are imposed at the beginning of construction. He further explained the Public Facilities Needs Assessment Report resulted in the recommendation to increase Impact Fees, Designated Fees in Lieu of Park Land, and an adjustment to the Sanitary Sewer Connection Fee. The last time these fees were adjusted in the City of Cedarburg was 2012. There were no public comments.

A motion was made by Council Member Arnett to close the Public Hearing at 7:25 p.m., seconded by Council Member Burkart. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Verhaalen, Simpson, Thome, Burkart and Lythjohan voting aye.

A PUBLIC HEARING TO CONSIDER AMENDING THE COMPREHENSIVE LAND USE PLAN FOR PROPERTY LOCATED AT N49 W6337 WESTERN ROAD, TO RETAIN THE MEDIUM DENSITY RESIDENTIAL CLASSIFICATION (3.6 to 5.2 UNITS/ACRE) ON THE SOUTH 4.5 ACRES OF PROPERTY AND TO REPLACE THE HIGH-MEDIUM DENSITY RESIDENTIAL CLASSIFICATION (5.2 TO 10.8 UNITS/ACRE) ON THE NORTH 8.15 ACRES WITH THE HIGH-DENSITY RESIDENTIAL CLASSIFICATION (25 UNITS/ACRE)

Acting Mayor Thome opened the Public Hearing at 7:25 p.m. to discuss the possibility of amending the Comprehensive Land Use Plan for property located at N49 W6337 Western Road to retain the medium density residential classification on the south 4.5 acres of property and to replace the high-medium density residential classification on the north 8.15 acres with the high-density residential classification. City Planner Censky explained this change has been recommended by the Plan Commission in support of a proposed development. There were no comments from the public.

A motion was made by Council Member Burkart to close the Public Hearing at 7:28 p.m., seconded by Council Member Bublitz. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Verhaalen, Simpson, Thome, Burkart and Lythjohan voting aye.

A PUBLIC HEARING TO CONSIDER REZONING THE PROPERTY LOCATED AT N49 W6337 WESTERN ROAD FROM M-2 GENERAL MANUFACTURING DISTRICT TO RS-6/PUD SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICT/PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT FOR THE SOUTH 4.5 ACRES AND TO RM-2/PUD RESIDENTIAL MULTIPLE-FAMILY DISTRICT/PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT FOR THE NORTH 8.15 ACRES OF THE SITE

Acting Mayor Thome opened the Public Hearing at 7:29 p.m. to discuss the rezoning of property located at N49 W6337 Western Road from M-2 General Manufacturing District to RS-6/PUD single family and two-family residential district/Planned Unit Development Overlay for the south 4.5 acres; and to RM-2/PUD residential multiple family district/Planned Unit Development Overlay for the north 8.15 acres of the site.

A map of the proposed project was displayed and summarized by the developer.

City Planner Censky explained a traffic study was conducted and the outcome showed the proposed development will not have a significant impact on local roadway systems.

Elizabeth Brennan, W62 N355 Hanover Avenue addressed the Council in favor of the Planned Unit Development (PUD) portion of the project and the variety of housing it offers. She spoke against the proposed Zoning change as it does not contribute to more affordable housing for the City.

A motion was made by Council Member Bublitz to close the Public Hearing at 7:49 p.m., seconded by Council Member Burkart. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Verhaalen, Simpson, Thome, Burkart and Lythjohan voting aye.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2022-05 AMENDING THE CITY OF CEDARBURG COMPREHENSIVE LAND USE PLAN-2025 FOR THE PROPERTY LOCATED AT N49 W6337 WESTERN ROAD

A motion was made by Council Member Burkart, seconded by Council Member Bublitz to approve Resolution No. 2022-05 amending the City of Cedarburg Comprehensive Land Use Plan-2025 for the property located at N49 W6337 Western Road. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2022-05 TO REZONE A 12.65-ACRE PARCEL OF LAND LOCATED AT N49 W6337 WESTERN ROAD

A discussion ensued about the lack of affordable housing in the City of Cedarburg. Council Member Bublitz expressed her approval of the proposed project citing it is the best possible solution for the entire City.

A motion was made by Council Member Bublitz, seconded by Council Member Verhaalen, to approve Ordinance No. 2022-05 to rezone a 12.65-acre parcel of land located at N49 W6337 Western Road. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2022-01 UPDATING IMPACT FEES

A motion was made by Council Member Burkart, seconded by Council Member Bublitz, to approve Ordinance No. 2022-01 updating Impact Fees. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2022-02 UPDATING DESIGNATED FEES IN LIEU OF PARK LAND

A motion was made by Council Member Burkart, seconded by Council Member Bublitz, to approve Ordinance No. 2022-02 updating Designated Fees in Lieu of Park Land. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2022-03 UPDATING AND ADJUSTING THE AMOUNT OF THE SANITARY SEWER CONNECTION FEE IMPOSED ON NEW DEVELOPMENTS

A motion was made by Council Member Burkart, seconded by Council Member Bublitz, to approve Ordinance No. 2022-03 updating and adjusting the amount of the Sanitary Sewer Connection Fee imposed on new developments. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2022-08 AUTHORIZING SUBMISSION OF AN IDLE SITE REDEVELOPMENT PROGRAM GRANT THROUGH THE WISCONSIN ECONOMIC DEVELOPMENT CORPORATION (WEDC)

Grants up to \$250,000 are available for Wisconsin municipalities for redevelopment of idle industrial and commercial sites. Smart Growth Area #2 on Western Avenue has been identified as a future redevelopment area and could potentially qualify for this grant. The initial grant application submission deadline is March 15. Any grant funds received by the City would offset future costs of the redevelopment. The terms for any use of the funds would be negotiated with a developer. As part of the application process the WEDC requires a resolution from a municipality to apply for the grant.

A motion was made by Council Member Bublitz, seconded by Council Member Simpson, to approve Resolution No. 2022-08 authorizing submission of an Idle Site Redevelopment Program Grant through the Wisconsin Economic Development Corporation (WEDC). Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON PURCHASE OF MOBILE FIELD FORCE EQUIPMENT FOR THE CEDARBURG POLICE DEPARTMENT

Ozaukee County is beginning a Mobile Field Force to respond to unrest and protests that have the potential to become violent. Each department in the county is participating and part of that participation is to provide officers with the proper equipment. Chief McNerney requests the use of ARPA funds for the purchase of equipment.

A motion was made by Council Member Simpson, seconded by Council Member Thome, to utilize ARPA funds to purchase Mobile Field Force Equipment in the amount of \$10,000. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON LICENSE/PERMIT APPLICATIONS

A motion was made by Council Member Verhaalen, seconded by Council Member Simpson, to approve the New Operator License applications for the period ending June 30, 2022 for Alicia M. Bennett, Gregory J. Fechter, Terrance A. King, Jared A. Mikkelsen, James C. Rahming, Tyler E. Slowiak and Brittany M. Walters. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON PAYMENT OF BILLS DATED 2/05/2022 THROUGH 2/18/2022, TRANSFERS FOR THE PERIOD 1/29/2022 THROUGH 2/25/2022 AND PAYROLL FOR PERIOD 2/06/2022 THROUGH 2/19/2022

A motion was made by Council Member Bublitz, seconded by Council Member Burkart, to approve the payment of bills dated 02/05/2022 through 02/18/2022, transfers for the period 01/29/2022 through 02/25/2022, and payroll for period 2/06/2022 through 2/19/2022. Motion carried without a negative vote.

ADMINISTRATOR'S REPORT

The Administrator's report was included in the Council packet. In addition, Administrator Hilvo mentioned the new Deputy Treasurer began her position today. He also informed the Council that Phase Two (2) of Fairway Village will be starting sooner than originally planned.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Simpson announced the I-43 highway project begins tomorrow (3/1/2022).

MAYOR'S REPORT - None

ADJOURNMENT

A motion was made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 8:15 p.m. Motion carried without a negative vote.

Tracie Sette
City Clerk