

**CITY OF CEDARBURG
COMMON COUNCIL
July 11, 2022**

**CC20220711-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, July 11, 2022 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 Sherry Bublitz, Jack Arnett, Kristin Burkart, Rick Verhaalen, Robert Simpson (7:27 p.m.), Patricia Thome, Angus Forbes

Also Present - City Administrator Mikko Hilvo, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Police Chief Mike McNerney, Captain Ryan Fitting, City Planner Jon Censky, interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor O’Keefe’s request, Deputy City Clerk Kletzien 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. Citizen’s present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

NEW BUSINESS

DISCUSSION AND CONSULTATION REGARDING A REQUEST BY THE MANDEL GROUP INC. FOR A PROPOSED MULTI-FAMILY DEVELOPMENT WITH A TOTAL OF 250 UNITS LOCATED ON THE VACANT 17-ACRE SITE AT THE SOUTHEAST CORNER OF HIGHWAY 60 AND SHEBOYGAN ROAD

Planner Censky explained that the Mandel Group is seeking consultation for a proposed multi-family development on the vacant land located at the southeast corner of State Highway 60 and Sheboygan Road. The applicant’s original submittal consisted of ten 2-story luxury apartment buildings, and three 3-story building that will include a total of 310 units on 17-acres for a density of 18.2 units/gross acres. However, after meeting with the Mayor, Council Member Arnett, and City Administrator Hilvo prior to last week’s Plan Commission meeting, the applicant scaled back his plans and reduced his unit count from 310 units to 250 units. Both plans are before the Common Council for discussion/consideration at this meeting. In support of these units, the plans propose 510 parking stalls, 257 of which will be enclosed and the remaining 252 as surface stalls, resulting in a count of 1.6 parking stalls per unit. City Code requires 1.5 stalls per acre.

Since this site is currently classified as commercial on the Comprehensive Land Use Plan, that Plan will need to be amended to the High-Density Residential classification at a density of up to

18.2 units/acre for this project to be realized as proposed. In addition, this project will require a zoning change from the Temporary Rs-1 District to the Rm-2(PUD) District. Procedurally, if Council Members support this concept, the applicant will need to submit a petition and application fee to the City Clerk for an amendment to the 2025 Comprehensive Land Use Map and a change to the City's Zoning District Map.

This project will be served by sewer and water facilities extended from the Cedar Place Apartment Complex to the south and then extended through his site ultimately to Highway 60 where it will be available to serve the future development of the land located to the north and west thereof. At this meeting the applicant is simply seeking feedback on the site design, architectural elevations, density, traffic patterns, etc. If he receives positive feedback, the applicant will petition for Land Use Plan and Zoning Map amendment.

City Planner Censky added that Staff would note that the applicant's plans do reflect our initial discussions that they achieve the look and feel of Cedarburg in terms of architectural style and the layout, as this site is viewed as a gateway to the City of Cedarburg. While the applicant's plans are impressive, and because of its location along a State Highway and a major local arterial, the multi-family use of this site may seem appropriate. However, Council Members should keep in mind that since this area is far removed from our downtown business and service area and even further from the south business district, the current Land Use classification was intended to promote commercial development that would serve the needs of residents in this area.

Development Associate Dan Romnek of the Mandel Group Inc. introduced himself and the project to the Common Council.

- 310 – unit, market-rate luxury apartment plan
 - Combination of 2-story townhome style buildings and 3-story buildings above underground parking
- Representative imagery takes inspiration from downtown Cedarburg with warm tones, intended to provide a modern yet comfortable and familiar aesthetic
- Four apartment styles will be offered
 - Studio, one-bedroom, two-bedroom, and three-bedroom apartments
 - Variety of styles is intended to appeal to a diverse demographic
 - Millennials, young families, and empty nesters
- Amenities superior to its competitors
 - Fitness center, clubroom, outdoor pool, outdoor courtyard with grilling stations and fire pits, dog run, bike storage and repair, and car wash
 - Walking paths that meander through the site, taking advantage of the existing wetlands and terrain
- High-end quality interior finishes
 - Stainless steel appliances, custom cabinetry with soft-close doors and drawers, quartz countertops, luxury vinyl plank flooring throughout and in-unit washers/dryers

The Common Council members discussed the pros and cons of the proposed multi-family development and offered the following comments:

- Would prefer retail/commercial on this land.
- Very little if no interest in providing a TIF, if requested by Developer.
- Against residential/already too much density.
- Hesitant to rush into anything; City should take time.
- Presented positive factors in residential development.
- Failed retail in the area.
- Sheboygan Road is the least traveled artillery road into Cedarburg.
- Several new developments being built in surrounding area.
- Concern over impact on School District.
- Do not need more luxury apartments/need more diversification.
- A substantial commercial element is needed in the proposal.
- At saturation point for high-density housing.
- Commercial would not be supported with the current residential population.
- Five Corners is the best area for commercial business.
- Apartments are not the answer on this property and the City should not be forced to accept this development on this property.

Mayor O'Keefe opened the discussion to public comment.

Four area residents spoke against the development citing the following:

- City is not meeting the requirements of the Smart Growth Plan by adding more multi-family developments.
- Better to do nothing with this property.
- Corner could be used for welcome area to the community similar to Fish Creek.
- Look for cooperative ideas for the property such as a recreational area to benefit the community.
- Nothing wrong with less traffic.
- Look for a long-term plan and work with surrounding communities.
- Building another multi-family development could end up with unintended consequences that would stretch our resources such as the Police Department, Fire Department, and water flow.

A fifth resident asked for a stop light on Sheboygan Road and Washington Avenue, due to the added traffic in the City from new developments.

DISCUSSION AND POSSIBLE ACTION ON ISSUANCE OF A TRANSIENT ENTERTAINMENT LICENSE TO RAINBOW VALLEY RIDES, INC. FOR THE OZAUKEE COUNTY FAIR ON AUGUST 3-7, 2022 (10:00 A.M. TO 11:00 P.M.) AND THE REQUEST TO WAIVE THE REQUIREMENT FOR A CLEAN UP BOND AS REQUESTED BY AGRICULTURAL SOCIETY

Motion made by Council Member Verhaalen, seconded by Council Member Simpson, to approve the issuance of a Transient Entertainment License to Rainbow Valley Rides, Inc. for the Ozaukee County Fair on August 3-7, 2022 (10:00 a.m. to 11:00 p.m.) and the request to waive the requirement for a clean up bond as requested by the Ozaukee County Agricultural Society. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON 2023 BUDGET CALENDAR

City Administrator Hilvo presented the following Budget calendar:

**CITY OF CEDARBURG
BUDGET CALENDAR 2022 (2023 Budget)**

<i>June 15</i>	Budget Memorandum distributed.
<i>July 11</i>	Council Sets Budget Priorities
<i>August 5</i>	Copy of proposed budget narrative, Capital Plan, and line- item budgets to Finance Director and City Administrator. Preliminary proposed budget review process for board, committee, and commission comments.
<i>September 2</i>	Department proposed budget requests due to Finance Director and City Administrator.
<i>September 6-9</i>	Department meetings with City Administrator and Finance Director to discuss your current year budget and 2022 requests.
<i>September 20</i>	Finance Committee Review of Budget
<i>September 26</i>	Budget delivered to Council.
<i>October 10</i>	Council review of budget.
<i>October 24</i>	Consider proposed budget.
<i>November 14</i>	Consider proposed budget. Official public budget hearing for citizen comments
<i>November 28</i>	Final budget adoption.

Motion made by Council Member Thome, seconded by Council Member Bublitz, to approve the 2023 Budget Calendar as presented. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON 2023 BUDGET PRIORITIES

City Administrator Hilvo explained that the Common Council sets the budget priorities annually to guide the development of the budget. In previous years, the Department Heads have provided their budget requests to the Common Council; however, due to having to adjust for inflation, allow for cost of living increases, and to fund current priorities for the City all other increases will not be considered unless requested by the Mayor and/or Common Council. He further explained that inflation has increased fuel, equipment, and other project costs that will require budget increases for all departments and these costs are currently unknown.

City Administrator Hilvo explained that Cost of Living (COLA) is set at 5.9%. If staff wages are increase by 6%, the annual increase to the City would be approximately \$320,000; whereas a 3% annual increase to the City would be approximately \$160,000. Some area municipalities are recommending 6% increases and evaluating other benefits to help with staff retention.

The current priorities are as listed:

- 1) **EMS Services.** Additional full-time FF/EMT's/Paramedics are needed to decrease call response times and to respond to increased calls. The recommended additional staffing levels for 2023 will be funded by a potential grant from Ozaukee County. The increased cost from 2022 to 2023 for the city is estimated at \$10,000.
- 2) **Health Insurance.** Moving to the State Health Insurance plan in 2023 will have long-term savings for the City but the initial surcharge cost will potentially increase the budget by \$428,152 in 2023.
- 3) **Email server change from the County to private provider.** Ozaukee County has advised us that they will no longer handle emails for municipalities. This, along with a Federal requirement to switch to .gov email addresses requires us to switch to Office 365. The increase for 2023 is estimated at \$30,000 with an annual increase of around \$6,000.
- 4) **Street Repairs.** Increased street repair project costs. Based on asphalt prices being increased by 40% this Spring we will either need to increase the budgeted amounts or do less street repairs in 2023.
- 5) **Public Safety.** An increase in new developments within the city and additional safety measures required for festivals, parades, and other events is taxing our police department. To assist with public safety a need for an additional officer is being requested. Estimated cost is \$124,276 with benefits. This cost is being offset with the elimination of third shift dispatch.

The Common Council provided the following budget guidelines in addition to the above priorities and discussion to City Administrator Hilvo:

- Strive for a 0% overall budget increase.
- Examine fees for added revenue.
- Use the City's Fund Balance for Health Insurance this year.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF AN ADDITIONAL PATROL VEHICLE IN 2023 TO THE CEDARBURG POLICE DEPARTMENT FLEET

Police Chief McNerney explained that they currently have five marked patrol cars in addition to one dedicated K9 squad and the new marked School Resource Officer car. One of the patrol cars is used by the School Safety officer, which leaves them with four marked cars for the rest of the patrol. When one goes down for repairs or during special events, they are often out of cars and officers must either wait at the station for a car or double up, which is not efficient. Police Chief McNerney recommended using some of the savings from the change in dispatch for additional patrol car.

Motion made by Council Member Burkart, seconded by Council Member Simpson, to approve an additional patrol vehicle in 2023 to the Cedarburg Police Department fleet. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF ADDING AN ADDITIONAL PATROL OFFICER IN 2023 TO THE CEDARBURG POLICE DEPARTMENT

Police Chief McNerney explained that the goal of the Cedarburg Police Department is to keep the crime rate low and quality of life high and a big part of that is unobligated patrol time. This is one of the biggest crime prevention strategies and their current staffing levels limit their ability to do this. Adding more patrol staff will allow officers more unobligated time so that they can concentrate on patrol and visibility to prevent crime and keep our citizens safe. Police Chief McNerney highlighted a thorough staff study that was completed by Captain Fitting and Sergeant Schellinger on the policing needs of the City. They researched several key areas to include comparable sized cities, population size, growth, and tourism. A police officer has not been added to the Department since 2002, while over this time period the City has added 23 subdivisions, not including any pending proposals or the additional Business Park on State Hwy. 60. The number of festivals and special events that are held within the City have increased along with the attendance levels at these events since 2002, straining their ability to properly staff them. The growth in festivals and special events has increased the number visitors to the City daily, which is also a draw on their available resources. He recommended using some of the savings from the change in dispatch for an additional patrol officer.

Motion made by Council Member Verhaalen, seconded by Council Member Forbes, to approve adding an additional Patrol Officer in 2023 to the Cedarburg Police Department. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON TOWER/LAND LEASE AGREEMENT

City Attorney Herbrand explained that US Cellular is relocating their cell tower equipment from the old water tower on Western Avenue to the monopole. This requires a new lease agreement with them. This lease agreement has been negotiated between First American Site Acquisition Inc., who is representing US Cellular and by Attorney Herbrand for the City. The budgetary impact of this lease is revenue of \$41,523 annually beginning the first year with 3% increases each year after. A one-time payment of \$35,000 is also required to offset the City's cost of constructing the monopole.

Motion made by Council Member Bublitz, seconded by Council Member Simpson, to approve the US Cellular Tower/Land Lease Agreement. Motion carried without a negative vote.

CONSENT AGENDA

Motion made by Council Member Thome, seconded by Council Member Bublitz, to approve the following consent agenda items. Motion carried without a negative vote.

- Approval of June 27, 2022 Common Council meeting minutes.
- Approval of new and renewal 2022-2023 Operator Licenses for:

Raymond Guerin
Jacqueline F. Harrison

Paige M. Rochwite
Michael R. Sheeran

Stephen C. Bicek
Sarah N. Jellen
James J. Levine
Mark A. Nagy

Courtney C. Owrey
Aubrey A. Thiede
Raymond J. Tollefson
Tim J. Van Ryzin

- Approval of payment of bills dated 6/24/22 through 7/1/22, transfers for the period 6/21/22 through 7/6/22 and payroll for period 6/12/22 through 6/25/22.

CITY ADMINISTRATOR'S REPORT - None

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Bublitz explained that the installation of fiber optics by AT&T is a fantastic opportunity for her District and thanked everyone for putting up with the work. Service will begin on July 21.

Council Member Bublitz reported on the work of the Diversity Committee in conjunction with Bridge Builders to plan the Peace in the Park event for August 6. A Film Festival is planned July 20.

MAYOR REPORT - None

ADJOURNMENT

Motion made by Council Member Arnett, seconded by Council Member Forbes, to adjourn the meeting at 9:12 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk