

**CITY OF CEDARBURG
COMMON COUNCIL
JULY 25, 2022**

A meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, July 25, 2022, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers, and online utilizing the Zoom app.

Mayor Michael O’Keefe 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 - Council Members Jack Arnett, Kristin Burkart, Patricia Thome, Angus Forbes, Sherry Bublitz and Rick Verhaalen

Excused - Council Member Robert Simpson

Also Present - City Administrator Mikko Hilvo, Attorney Michael Herbrand, City Clerk Tracie Sette, Engineering & Public Works Director Michael Wieser, Water Recycling Center Superintendent Dennis Grulkowski, 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 - None

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION TO CONSIDER BIDS RECEIVED FOR THE DORCHESTER DRIVE LIFT STATION REHABILITATION PROJECT CONTRUCTION CONTRACT

A total of three bids were received by the City of Cedarburg with the low bid submitted by Advanced Construction. Advanced Construction successfully completed projects in the City of Cedarburg in the past. Their most recent work was on the Sheboygan Road Lift Station Project. Advanced Construction’s bid was for \$573,157 which was slightly above the Engineer’s estimate and significantly above the budgeted amount of \$350,000. The other two bids were significantly higher. This work would take place in 2023, due to long lead times on equipment.

A motion was made by Council Member Bublitz, seconded by Council Member Forbes, to award the contract for the Dorchester Drive Lift Station Rehabilitation Project in the amount of \$573,157 to Advanced Construction. The motion was amended by Council Member Bublitz, seconded by Council

Forbes to include “pending DNR approval”. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-14 TO CONSIDER AMENDING SECTION 10-1-27 OF THE CODE OF ORDINANCES TO AUTHORIZE THE PROHIBITION OF PARKING ON THE NORTH SIDE OF SHERMAN ROAD FOR 1,900 FEET WEST OF WAUWATOSA ROAD TO STONY KETTLE DRIVE

The residents of the Seidler Pond Subdivision are requesting the placement of No-Parking signage on the north side of Sherman Road from the crest of the hill west of Wauwatosa Road to the Seidler Pond Tennis court drive located at the bottom of the hill. There has been an increase in vehicles parking in this area over the last several years. There is a narrow shoulder along Sherman Road which makes the parked cars obstruct the driving lane. This creates a dangerous situation as westbound traffic is forced to cross over the centerline over the hill to get by parked vehicles.

A motion was made by Council Member Bublitz, seconded by Council Member Thome, to approve Ordinance No. 2022-14 amending Section 10-1-27 of the Code of Ordinances to authorize the prohibition of parking on the north side of Sherman Road from Wauwatosa Road to Stony Kettle Drive. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON REQUEST TO USE ARPA FUNDS TO MAKE UP DIFFERENCE IN PRICE OF TELEVISIONING CAMERA

The Water Recycling Center budgeted \$80,000 for a new sewer televising camera. The bids came in significantly higher due to inflation. The lowest quote received was from Macqueen Equipment in the amount of \$102,065. Staff is asking to take \$22,065 from ARPA funds to fund the difference.

A motion was made by Council Member Bublitz, seconded by Council Member Thome, to approve the use of ARPA funds in the amount of \$22,065 for the Water Recycling Center to purchase the new televising camera. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2022-21 AND RESOLUTION NO 2022-22 TO APPROVE THE LOAN APPLICATION FOR BCPL STATE TRUST FUND LOAN PROGRAM

During the budget process in 2021 the Common Council approved of borrowing funds for the purchase of a DPW Dump Truck and for the HWY 60 Business Park infrastructure project for 2022. After discussions with Ehlers Financial Group, local banks, and the Finance Committee, it was determined that the best option for the City is to borrow through the State Trust Fund. The Fund will allow the City to borrow funds for both projects at a rate of 4.5% for a 10-year period with payments beginning in March of 2024.

A motion was made by Council Member Arnett, seconded by Council Member Verhaalen, to approve Resolution Nos. 2022-21 and 2022-22 approving the loan application for the BCPL State Trust Fund Loan Program. Motion carried by roll call vote with Council Members Arnett, Burkart, Verhaalen, Bublitz, Thome, and Forbes voting aye and Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON MEMORIAL WALL FOR FORMER MAYOR JAMES COUTTS TO BE LOCATED ON THE PATIO ON THE EAST SIDE OF THE COMMUNITY GYM AT W63 N643 WASHINGTON AVENUE

Staff continues to work on a memorial for former Mayor Jim Coutts. The idea of a seating wall in front of the gym has been discussed previously as a potential parks project, creating a memorial for a former Mayor and enhancing the front of the Community Gym. The purpose is to provide an area where residents and visitors may gather to enjoy conversations with each other much like former Mayor Coutts enjoyed speaking with people. His legacy of service to our community is valued by everyone who knew him. He was and continues to be an inspiration to many who serve this community in various capacities. All funds required for this project will be gained through fundraising.

A motion was made by Council Member Thome, seconded by Council Member Arnett, to approve the memorial wall for former Mayor James W. Coutts to be located on the patio on the east side of the Community Gym as described in the Council packet, to be provided with private funding, and with confirmation that Tom Kubala will work with LaRosa to make certain the stone shows the words visibly. Motion carried without a negative vote with Council Member Simpson excused.

CONSENT AGENDA:

- **CONSIDER APPROVAL OF 2022-2023 ALCOHOL AND OPERATOR LICENSES:**
 - Ashley T. Cizek, Jaclyn C. Bodi, Amy L. Clark, Kelly S. Einbeck,
 - Mark C. Kowalkowski, Zachary R. Lewis-Grill, Caryn M. Sager
 - John C. Wallus, Thomas E. Wise
- **DISCUSSION AND POSSIBLE ACTION ON PAYMENT OF BILLS DATED 7/08/2022 THROUGH 7/15/2022, TRANSFERS FOR THE PERIOD 7/14/2022 THROUGH 7/19/2022 AND PAYROLL FOR PERIOD 6/26/2022 THROUGH 7/09/2022**
- **APPROVAL OF JULY 11, 2022 COMMON COUNCIL MEETING MINUTES**

A motion was made by Council Member Thome, seconded by Council Member Bublitz, to approve the consent agenda. Motion carried without a negative vote with Council Member Simpson excused.

ADMINISTRATOR'S REPORT

Administrator Hilvo requested Clerk Sette share her report. Clerk Sette explained how electronic poll books will be utilized for the first time at the August Partisan Primary election.

COMMENTS AND SUGGESTIONS FROM CITIZENS – None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS - None

MAYOR'S REPORT - None

ADJOURNMENT TO CLOSED SESSION

A motion was made by Council Member Thome, seconded by Council Member Bublitz, to adjourn to Closed Session at 7:31 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 review the Tax Incremental Finance Agreement for the Fox Run Development project located at N49 W6337 Western Road. Motion carried on a roll call vote with Council Members Arnett, Burkart, Verhaalen, Bublitz, Thome, and Forbes voting aye, and Council Member Simpson excused.

RECONVENE TO OPEN SESSION

Open session resumed at 8:33 p.m.

NEW BUSINESS - CONTINUED

DISCUSSION AND POSSIBLE ACTION ON TAX INCREMENTAL FINANCE AGREEMENT FOR FOX RUN DEVELOPMENT PROJECT LOCATED AT N49 W6337 WESTERN ROAD

A motion was made by Council Member Arnett, seconded by Council Member Thome, to approve the Tax Incremental Finance Agreement for the Fox Run Development subject to revisions of section two (2) paragraph (E), to include the restriction of the sale of 10% or more of the pocket homes to a single buyer or entity, or an entity controlled by the same member, partner, or shareholder. Motion carried by voice vote with Council Members Arnett, Bublitz, Verhaalen, Thome, and Forbes voting in favor, Council Member Burkart voting against, and Council Member Simpson excused.

ADJOURNMENT

A motion was made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 8:35 p.m. Motion carried without a negative vote with Council Member Simpson excused.

Tracie Sette
City Clerk