

**CITY OF CEDARBURG
COMMON COUNCIL
October 10, 2022**

**CC20221010-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, October 10, 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, Patricia Thome

Vacant - 7th District Alderperson

Also Present - City Administrator Mikko Hilvo, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, City Clerk Tracie Sette, Finance Director/Treasurer Kelly Livingston, Deputy Treasurer Maureen Hartjes, Police Chief Michael McNerney, Fire Chief Jeff Vahsholtz, Parks, Recreation & Forestry Director Danny Friess, Director of Engineering and Public Works Mike Wieser, Assistant Engineer Dylan Urbanek, Public Works Superintendent Joel Bublitz, Water Recycling Center Superintendent Dennis Grulkowski, Forrester Kevin Westphal, Senior Center Director Gretel Anderson, 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 POSSIBLE ACTION ON ORDINANCE NO. 2022-16 ADOPTING THE WISCONSIN UNIFORM DWELLING CODE § SPS 320-325 AND § SPS 327

City Administrator Hilvo explained that the City is currently in the process of renewing its Uniform Dwelling Code (UDC) delegation. Part of the renewal process requires the City to adopt SPS 327 which relates to camping units. When discussing this with the Department of Safety and Professional Services Division of Industry Services at the State level, it was determined that adding SPS 327 to the Code in areas that list SPS 320-325 was the best approach to complying with the Code.

Motion made by Council Member Bublitz, seconded by Council Member Simpson, to adopt Ordinance No. 2022-16 adopting the Wisconsin Uniform Dwelling Code § SPS 320-325 and § SPS 327. Motion carried without a negative vote with District 7 vacant.

DISCUSSION AND POSSIBLE ACTION ON 2023 BUILDING INSPECTION FEES

City Administrator Hilvo explained that due to an increase in operational and supply costs, the City is recommending increasing Building Inspection fees. The fee changes reflect surrounding municipalities fees and are conforming to the Building Inspectors Association of Southeastern Wisconsin Region recommended fee schedule (attached).

Motion made by Council Member Burkart, seconded by Council Member Bublitz, to adopt the proposed 2023 Building Inspection fees. Motion carried without a negative vote with District 7 vacant.

DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF NEW ELECTION WORKERS

Deputy City Clerk Kletzien explained that Election Officials are appointed by the Mayor in December of odd-numbered years to serve a two-year term as per Wisconsin State Statutes 7.30(4)(a). The following election officials represent those who recently expressed interest in becoming Election workers: Karen Desotelle, John Lerand, Elizabeth Moriarty, Dawn Nowansacksy, Kathleen Myers, Catharine Rucktenwald, Krisitine Schaub, Peggy Tracy, Judith Weiss, and Jennifer Wooten.

Motion made by Council Member Bublitz, seconded by Council Member Simpson, to appoint the Election Officials as presented. Motion carried without a negative vote with District 7 vacant.

DISCUSSION AND POSSIBLE ACTION ON LEASING OF POLICE VEHICLES

City Administrator Hilvo explained that discussions on leasing vehicles have been ongoing for the past two years. Several communities within Ozaukee and Washington Counties have moved to leasing either all municipal vehicles or only Police Department vehicles. Through their experiences and discussions with two different leasing agencies, staff has determined that leasing only Police Department vehicles is the best option for the City. Southgate leasing has provided the best customer service for us and have created a sustainable plan for the next seven (7) years that realizes the budget constraints placed on the City through the State levy limits.

Police Chief McNerney explained that there will be an annual savings in the Capital Improvement and Vehicle Repair/Maintenance budgets. The cost to purchase four (4) vehicles would be \$210,000 vs. \$44,000 for leasing the same four (4) vehicles in 2023. This increases slightly on an annual basis as new vehicles are added to the fleet. The highest cost for the leasing program is in 2026 in the amount of \$152,000. This allows for three (3) new vehicles every year, which saves in repair/maintenance costs.

Motion made by Council Member Burkart, seconded by Council Member Thome, to approve leasing four (4) Police vehicles in 2023 for \$44,000. Motion carried without a negative vote with District 7 vacant.

**DISCUSSION AND POSSIBLE ACTION ON HEALTH INSURANCE OPT-OUT PAYMENT
POLICY REVISION**

City Administrator Hilvo explained that the State Health Insurance Plan requires that 65% of all WRS eligible employees are enrolled in the plan. If a municipality does not have a 65% participation rate at the time of enrollment, they will not be allowed into the plan for the following year. During the year, this number can fluctuate but must be at or greater than 65% after open enrollment is completed each year. The concern is that the City might drop below this percentage if we continue to offer an opt-out payment program for employees that are currently on the City's health insurance plan or any new employees. It will still be important to continue offering the opt-out payment for current employees (22) utilizing it since the cost of them coming back to the insurance is more expensive than the opt-out payment received by the employee. Ideally, being slightly greater than the 65% rate would be most financially beneficial to the City; however, after consulting a labor attorney and human resource support firm the recommendation allows the City to keep as much of the program in place as possible but does not create a new situation that would benefit some and not others. This policy does not exclude employees from opting out of the City's health insurance plan but instead it does not provide them an opportunity to receive an opt-out payment for doing so.

The revised policy for Payment in Lieu of Insurance Coverage will state that: Any WRS eligible employees who are receiving a payment in lieu of benefit on or before October 1, 2022 by electing to not participate in group health insurance will continue to receive the payment if the following condition is met: Individual remains an active WRS eligible employee and elects to not participate in group health insurance. This policy may be modified at the discretion of the City Administrator or Common Council.

Motion made by Council Member Bublitz, seconded by Council Member Burkart, to adopt the revised policy for Payment in Lieu of Insurance Coverage in the Personnel Manual Section 4-3: Insurance and Retirement Benefits. Motion carried without a negative vote with District 7 vacant.

DISCUSSION ON 2023 CITY BUDGET

City Administrator Hilvo presented the first draft of the proposed 2023 budget. The revised tax rate is \$6.06 which is a \$1.98 decrease from 2022 (\$8.04). The decrease reflects a change in property values after the revaluation was completed in 2022. The average home value went from \$280,000 to \$392,000. The decrease in the tax rate does not necessarily equate to a decrease in property taxes. The City tax rate calculation used is: Assessed Value/1,000*\$6.06. By Comparing the City portion of the tax rate for last year to this year will provide a resident an estimate of what to expect in City tax payments. The full tax rate will be available in late October once the School District, MATC, and Ozaukee County provide their information to the City. Public Safety (Fire/EMS) and Health Insurance changes are priorities for 2023. The challenge for 2023 is to fund the part-time/seasonal wage increases for Public Works, Parks/Recreation & Forestry, and pool staff along with cemetery grass cutting and crossing guards.

City Administrator Hilvo presented the draft Budget Memorandum that will be presented at the Public Hearing on November 14, detailing the components of the 2023 Budget. All Department Heads were available for questions and discussion.

The following questions and comments were made:

- The borrowing on TID #7 will be paid by increment and not taxpayer money.
- It is acceptable to use some of the City's fund balance to enter the State Insurance Plan.
- Debt will be decreasing beginning in 2025.
- The City needs to stay within the Levy Limit, and it may be necessary to borrow for some projects going forward.
- It would be helpful to use some of the remaining ARPA funds to relieve the taxpayer burden in 2024.
- The increase to the hourly rate for part-time and seasonal employees is necessary to retain people for the pool and grass mowing positions.
- The Finance Committee is very helpful in overseeing the budget process ahead of the Common Council and making the process more efficient.

Mayor O'Keefe and the Common Council thanked City Administrator Hilvo, the Treasurer's office, and Department Heads for presenting a solid budget.

DISCUSSION AND POSSIBLE ACTION ON DISTRICT 1 ALDERPERSON VACANCY

City Administrator Hilvo explained that according to Policy CC-20A, the Common Council may appoint successors to the District 1 and District 7 Alderperson positions and those appointees will have the option of running for office at the April 2023 election as the incumbent. He presented a set of interview questions for consideration. According to the Policy, the interview questions are to be distributed to the applicants in advance of the meeting.

It was the consensus of the Common Council to interview and fill the vacancies for District 1 and 7 on November 14, 2022 until April 2023, at which time the voters will determine the representatives for the remainder of the term for Districts 1 and 7. Suggestions were made to rotate the questions amongst the candidates and to make the final decision on both Districts before swearing them in and to seat them at the same time.

Council Member Bublitz made a plea to the citizens of Cedarburg that being a Council Member is a great opportunity to give back to the Community. She encouraged anyone with interest in District 1 or 7 to apply for the position by November 7, 2022 because the Community needs you.

Motion made by Council Member Arnett, seconded by Council Member Simpson, to approve the appointment procedure as set forth in the notice of vacancies. Motion carried without a negative vote with District 7 vacant.

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 with District 7 vacant. Consent Agenda Item 8.B. was discussed separately following this motion and vote.

- September 26, 2022 Common Council meeting minutes as corrected to change the Reconvene to Open Session time to 8:44 p.m.

- New and renewal 2022-2023 Operator Licenses for Sally A. Anderson, Kerri Belfor, Janiel Bord, Amanda E. Chang, Terry L. Clark-Bauman, Christian J. Frank, Ryan A. Murray, Chris R. Velnetzke, and Patrick S. Wengel.
- Payment of bills dated 9/23/22 through 9/30/22, and payroll for period 9/18/22 through 10/01/22.

DISCUSSION AND POSSIBLE ACTION ON MOVING THE OCTOBER 31, 2022 COMMON COUNCIL MEETING TO OCTOBER 24, 2022

Motion made by Council Member Bublitz, seconded by Council Member Simpson, to move the October 31, 2022 Common Council meeting to October 24, 2022. Motion carried without a negative vote with District 7 vacant.

CITY ADMINISTRATOR'S REPORT

City Administrator Hilvo thanked the Finance Department and Department Heads for their work on the 2023 budget.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Burkart inquired about the CedaLights program and stated that she would like all the downtown buildings to have the same lights and be illuminated within the same timeframe.

MAYOR REPORT – None

ADJOURNMENT – CLOSED SESSION

Motion made by Council Member Thome, seconded by Council Member Burkart, to adjourn to closed session at 8:10 p.m. pursuant to State Statutes 19.85(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically, claim review for Harold Rose. Approval of the September 26, 2022 closed session minutes. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Burkart, Verhaalen, Simpson, and Thome voting aye, and District 7 vacant.

RECONVENE TO OPEN SESSION

Motion made by Council Member Arnett, seconded by Council Member Thome, to reconvene to open session at 8:14 p.m. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Burkart, Verhaalen, Simpson, and Thome voting aye, and District 7 vacant.

NEW BUSINESS – CONTINUED

DISCUSSION AND POSSIBLE ACTION ON CLAIM REVIEW FOR HAROLD ROSE

Motion made by Council Member Arnett, seconded by Council Member Thome, to deny the claim for Harold Rose. Motion carried without a negative vote with District 7 vacant.

ADJOURNMENT

Motion 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 with 7th District vacant.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk



2023 ANNUAL BUILDING PERMIT FEE SCHEDULE

Approved 10/10/2022, effective 01/01/2023

<u>General Permits</u>	<u>Fee Amount</u>
1) Minimum Permit Fee for all Permits	\$60.00
2) Residential (1 & 2 Family & Attached Garage)	
a) New Construction & Addition	\$0.40/gross sq. ft.
b) Alterations, Remodeling, Repairs	\$0.35/per sq. ft.
3) Multi-Family Dwellings (3 or More Dwelling Units)	
a) New Construction & Addition	\$0.42/gross sq. ft.
b) Alterations, Remodeling, Repairs	\$0.39/per sq. ft.
4) Commercial (Office, Retail, Institutional, etc.)	
a) New Construction & Addition	\$0.39/gross sq. ft.
b) Alterations, Remodeling, Repairs	\$0.33/per sq. ft.
5) Manufacturing or Industrial (Office Areas to be included under (4)(a))	
a) New Construction & Addition	\$0.33/gross sq. ft.
b) Alterations, Remodeling, Repairs	\$0.30/per sq. ft.
6) Accessory Structures (Garages, Sheds, Decks, etc.)	
a) New Construction, Additions, Alterations	\$0.33/per sq. ft.
7) Permit to Early Start (Footing & Foundation Only)	
a) Residential	\$150.00
b) Commercial, Manufacturing, Industrial, Multi-Family	\$275.00
8) All other Structures & Projects (Buildings, Structures, Alterations and repairs where square footage cannot be calculated.)	\$13.00/\$1000.00 of value
9) Building Plan Examination	
a) Residential (1 & 2 Family)	\$275.00
1) Additions	\$125.00
2) Alterations	\$60.00
b) Multi-Family	\$330.00 + \$30.00 per unit
1) Additions	\$150.00
2) Alterations	\$60.00
c) Commercial, Manufacturing, Industrial	\$430.00
1) Additions	\$200.00
2) Alterations	\$100.00
d) Accessory Structures (Garages, Sheds, Decks, Pools, etc.)	\$40.00

Continued

10) Occupancy Permits	
a) Residential (1 & 2 Family)	\$60.00
b) Multi-Family (per Dwelling Unit)	\$60.00/unit + 100/Bldg.
c) Business, Commercial, Manufacturing, Industrial	\$160.00
11) Erosion Control Fees	
a) Residential Lots (1 & 2 Family)	\$190.00
b) Commercial, Manufacturing, Industrial, Multi-Family	\$225.00/Bldg. + \$6.00/1000 sq. ft. of disturbed area Maximum \$2450.00
12) Wrecking, Razing & Interior Demolition	
(Fee may be waived at the discretion of Building Inspector)	\$95.00 + \$0.13/per sq. ft. Maximum \$925.00
13) Moving Building over Public Ways	
	\$250.00
14) Miscellaneous Fees	
a) Address Numbers (Complete Set)	\$35.00
b) Wisconsin Permit Seal	\$75.00
c) Right-of-Way Permit (Driveway Approach/Culvert, Sidewalk, etc.)	\$60.00
d) Siding	\$60.00
e) Reroofing	
1) Residential (1 & 2 Family)	\$60.00
2) Commercial, Manufacturing, Industrial, Multi-Family	\$14.00/\$1000.00 valuation Maximum \$300.00/Bldg.
g) Sign Permit	\$60.00 includes review fee
h) Fire Projection Plan Review & Permit	\$60.00
15) Special Inspection Fees	
a) Special Inspection	
1) Residential (1 & 2 Family)	\$100.00
2) Commercial, Manufacturing, Industrial, Multi-Family	\$200.00/Bldg.
3) Accessory Structures (Garages, Sheds, Decks, etc.)	\$60.00
b) Special Inspection with written report	\$100.00 additional
c) Special Inspection after working hours	\$175.00 additional
16) Re-inspection (Building, Plumbing, Electrical, HVAC, Soil Erosion, Etc.)	
	\$75.00
17) HVAC, Plumbing & Electrical Permit Fees	
	<u>See Individual Permit Forms</u>

Continued

- 18) **DOUBLE FEES** will be assessed to any person, company or corporation who fails to obtain a permit before work has begun, except in emergency cases where the Building Inspection Office has been notified of the emergency and has determined it to be.

TRIPLE FEES for Subsequent Offenses.

- 19) **NOTE:** Gross square footage calculations are based on exterior dimensions, including garage each finished floor level. Unfinished basements or portions thereof are not included.

NOTE: In determining construction cost, all costs for building and labor shall be included except costs associated with the Plumbing, Electrical, HVAC and Landscape work.

NOTE: All fee categories shall be rounded to the nearest whole dollar amount.