

**CITY OF CEDARBURG
COMMON COUNCIL
SEPTEMBER 25, 2023**

A meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, September 25, 2023, 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 7:04 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited.

Roll Call: Present - Mayor Michael O’Keefe, Council Members Jim Fitzpatrick, Kristin Burkart, Patricia Thome, Robert Simpson, Kevin Curley, Mark Mueller,

Excused - Council Member Melissa Bitter

Also Present - City Administrator Mikko Hilvo, Attorney Michael Herbrand, City Clerk Tracie Sette, Director of Engineering and Public Works Mike Wieser, interested citizens and news media.

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 ON THE ENGINEERING DESIGN CONTRACT FOR THE 2024 STREET UTILITY PROJECT

Director of Engineering and Public Works Mike Wieser explained the 2024 Street and Utility Project is planned for Edgewater Drive from Sunnyside Lane to Highland Drive, Sunnyside Lane from Edgewater Drive to Birch Street, Birch Street from Sunnyside Lane to Edgewater Drive, Georgetown Drive from Cedar Ridge Drive to Windsor Drive, Windsor Drive from Georgetown Drive to Bywater Lane, and Eton Court.

Cedarburg Light and Water (CL&W) will be replacing lead services from the water main to the houses on Edgewater Drive, Sunnyside Lane, and Birch Street; and will be utilizing the engineering firm of R.A. Smith due to their experience with the Safe Drinking Water Loan funding program through the

DNR. To streamline these two (2) projects happening simultaneously, the engineering staff requests to forgo the standard RFP process and award the contract to R.A. Smith for the entire 2024 Street and Utility Project, provided the quote is reasonable. Attorney Herbrand confirmed it is legal to forgo the RFP process since this is a service project and not a public construction project.

Director of Engineering Wieser explained what he feels is an acceptable quote as a formula based on previous charges from R.A. Smith during the past few years' worth of similarly sized projects.

A motion was made by Council Member Burkart, seconded by Council Member Thome, to forgo the typical RFP process and seek a bid from R.A. Smith for the 2024 Engineering Design Contract for the 2024 Street Utility Project. Council Member Curley requested that Director of Engineering Wieser, upon returning to the Council with a bid from R.A. Smith, also include a summary of similarly sized projects with costs as a comparison. Motion carried without a negative vote with Council Member Bitter excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-13 TO UPDATE CITY CODE SECTION 15-1-101 TO REMOVE BUILDING INSPECTION FEES AND PLACE THEM ON A FEE SCHEDULE TO BE PERIODICALLY REVIEWED AND ADOPTED BY THE COMMON COUNCIL BY RESOLUTION

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-19 TO UPDATE CITY CODE SECTION 15-1-52 OF THE CITY PLUMBING PERMIT CODE

Fees for all City permits and licenses are currently embedded within City Code. Every time a fee is changed, a change to the code is required. A more efficient and less expensive way to manage City fees is to create a fee schedule which allows the Council to review all fees and approve them at one time by Resolution.

After review, it was determined the Building Inspection fees require more review as there is overlap of sign fee language in other sections of the Code and thus, staff recommends postponing this item until the October 9, 2023 Common Council meeting.

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to postpone agenda items 7.B. and 7.C. to the October 9, 2023 Common Council Meeting. Motion carried without a negative vote with Council Member Bitter excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-14 TO UPDATE CITY CODE SECTION 7-2-5 TO REMOVE LIQUOR LICENSE FEES AND PLACE THEM ON A FEE SCHEDULE TO BE PERIODICALLY REVIEWED AND ADOPTED BY THE COMMON COUNCIL BY RESOLUTION

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NOS. 2023-15, 2023-16 AND 2023-17 TO UPDATE CITY CODES 7-3-1(B), 7-2-23, AND 7-2-21(D) TO REMOVE THE FEES FOR CIGARETTE LICENSES, OPERATOR LICENSE, AND PROVISIONAL OPERATOR LICENSES FROM CITY CODE AND PLACE THEM ON A FEE SCHEDULE TO BE PERIODICALLY REVIEWED AND ADOPTED BY THE COMMON COUNCIL BY RESOLUTION

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-18 TO UPDATE CITY CODE 7-9-1(E) TO REMOVE TO REMOVE THE FEES FOR STREET USE PERMITS AND PLACE THEM ON A FEE SCHEDULE TO BE PERIODICALLY REVIEWED AND ADOPTED BY THE COMMON COUNCIL BY RESOLUTION

A motion was made by Council Member Thome, seconded by Council Member Burkart, to approve Ordinance Nos. 2023-14, 2023-15, 2023-16, 2023-17, and 2023-18 to remove the fees from City Code and place them in a Resolution to be approved from time to time. Motion carried without a negative vote with Council Member Bitter excused.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2023-16 ADOPTING THE NEW FEE SCHEDULE

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve Resolution No. 2023-16 adopting the new Fee Schedule. Motion carried without a negative vote with Council Member Bitter excused.

DISCUSSION AND POSSIBLE ACTION ON MAYORAL APPOINTMENTS OF JOSEPH DORR AND BLAINE HILGENDORF TO THE LIGHT AND WATER COMMISSION

A motion was made by Council Member Thome, seconded by Council Member Curley, to approve the Mayoral appointments of Joseph Dorr and Blaine Hilgendorf to the Cedarburg Light and Water Commission. Motion carried without a negative vote with Council Member Bitter excused.

CONSENT AGENDA:

A motion was made by Council Member Thome, seconded by Council Member Burkart, to approve the following consent agenda items with one correction to the September 11, 2023 minutes. Those minutes should reflect that Attorney Herbrand was in attendance at the September 11, 2023 Council meeting. Motion carried without a negative vote with Council Member Bitter excused.

- September 11, 2023 Common Council meeting minutes
- New 2023-2024 Operator Licenses for period ending June 30, 2024 for Terrance A. King and Nastassia Putz
- Payment of bills dated 09/02/2023 through 09/15/2023, transfers for the period 08/29/2023 through 09/22/2023, and payroll for period 09/03/2023 through 09/16/2023

ADMINISTRATOR'S REPORT

Administrator Hilvo informed the Council of two (2) new City employees. Theresa Hanaman is the new Administrative Assistant for the Engineering, Public Works, and Planning Department and Sarah Bares is the new Administrative Assistant for the Building Inspection office.

An email was received from Attorney Condon's office that contained a letter regarding the structural analysis of the Amcast site. The correspondence is currently under review. Administrator Hilvo is attempting to set up a meeting with Attorney Condon, Attorney Herbrand, and the Building Inspector to

review the structural analysis from the Amcast group. A meeting with the DNR would then be forthcoming.

Administrator Hilvo will be attending the National Administrator's Conference.

The 2024 proposed budget was included in the Council Packet for Council review. A budget presentation will take place at the October 9, 2023 meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Burkart reported that when she attended the previous Council meeting via Zoom, it was difficult to hear everyone with the current audio equipment. She would like to have the Council Chambers audio equipment upgraded.

Council Member Curley commented that BMO Bank will be moving out of their current location on Columbia Road.

Council Member Thome commented on the proposed Mandel development and how it relates to the School District. She received feedback from the Cedarburg School District that due to declining enrollment, there is plenty of room for new students in the Cedarburg Schools as a result of new developments in the City. The Mayor expressed interest in inviting a representative of the School District to speak at a future Council meeting about the topic of future enrollment.

MAYOR'S REPORT

Mayor O'Keefe explained he will be excused from the October 9, 2023 Council meeting.

ADJOURNMENT

A motion was made by Council Member Mueller, seconded by Council Member Burkart, to adjourn the meeting at 7:41 p.m. Motion carried without a negative vote with Council Member Bitter excused.

Tracie Sette
City Clerk