

**CITY OF CEDARBURG
COMMON COUNCIL
May 19, 2020**

**CC20200519-1
UNAPPROVED**

A special meeting of the Common Council of the City of Cedarburg, Wisconsin, was held online on Tuesday, May 19, 2020, utilizing the Zoom app.

Mayor O'Keefe called the meeting to order at 7:03 p.m.

Roll Call: Present - Mayor Michael O'Keefe, Council Members Sherry Bublit, Jack Arnett, Kristin Burkart, Rick Verhaalen, Patricia Thome, Barbara Lythjohan

Excused - Aldermanic District 5 vacant

Also Present - City Administrator Mikko Hilvo, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Director of Engineering and Public Works Tom Wiza, Parks, Recreation & Forestry Director Danny Friess, Recreation Superintendent Maggie Anderson, Public Works Superintendent Joel Bublit, Crewperson Jason Scheer, 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. Citizens present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

CONSIDER AUTHORIZATION OF PAYMENT FOR DNR WETLAND MITIGATION FEE ASSOCIATED WITH THE HIGHWAY 60 BUSINESS PARK; AND ACTION THEREON

Director Wiza explained that the site contains smaller low-quality wetlands and the DNR is allowing the City to fill in a .92-acre area at a cost of \$78,100.

In answer to Mayor O'Keefe's question, Director Wiza explained that the TIF includes funding for wetland mitigation.

In answer to Council Member Verhaalen's question regarding the calculation, Director Wiza stated that the City started with a .92-acre and were given a credit of 10,000 sq. ft. at no cost. The end result is a cost of \$78,100.

Council Member Burkart asked if this cost was anticipated. Director Wiza explained that the City did not know how much funding would be needed. The Corp of Engineers was contacted first, and they signed off on the property and directed the City to work with the DNR. There is \$236,000 allocated in the TIF for wetland mitigation.

In answer to Council Member Thome's question regarding further wetland expenses, Director Wiza stated that this is all that is required for now. This could be a negotiated item for further development.

Motion made by Council Member Thome, seconded by Council Member Lythjohan, to authorize the payment for DNR wetland mitigation fee associated with the Highway 60 Business Park. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER EXTENSION OF ALCOHOL PREMISE DESCRIPTION FOR BRANDYWINE LLC, W61 N480 WASHINGTON AVENUE, CEDARBURG, WI 53012, ANDREW WILSON, AGENT, PREMISES TO BE LICENSED: W61 N480 WASHINGTON AVENUE, KNOWN AS BRANDYWINE, TO INCLUDE W61 N486 WASHINGTON AVENUE AND OUTDOOR SEATING (2 TABLES ALONG SPRING STREET AND 1 TABLE ON PORCH ATTACHED TO W61 N486 WASHINGTON AVENUE); AND ACTION THEREON

City Administrator Hilvo explained that Brandywine has spent an extensive amount of time renovating next door in connection with their current bar and kitchen to serve as additional dining space. Given all that has happened, they plan on offering this while open but would like to have that space as their "takeout" location. They have applied for next year's liquor license application to include the space and one table on the porch but would like to include the space as they currently stand now prior to July 1. Secondly, the first year opened they had three tables alongside Spring Street that was approved under a contract. They didn't have seating last year as they built a patio, however, with social distancing guidelines they need to follow, their capacity will be drastically different and they would like to know if two tables alongside Spring Street would be possible for June through summer. City Attorney Herbrand was able to update the former contract to be renewable and non-assignable.

Motion made by Council Member Arnett, seconded by Council Member Burkart, to approve the extension of alcohol premise description for Brandywine LLC, W61 N480 Washington Avenue, Cedarburg, WI 53012, Andrew Wilson, Agent, premises to be licensed: W61 N480 Washington Avenue, known as Brandywine, to include W61 N486 Washington Avenue and outdoor seating (two tables along Spring Street and one table on porch attached to W61 N486 Washington Avenue.) Motion carried without a negative vote with Aldermanic District 5 vacant.

Andrew and Rhiannon Wilson wanted to clarify that their premise description included three tables on the front of their building on Washington Avenue, located on their property.

Motion made by Council Member Arnett, seconded by Council Member Burkart, to approve extension of alcohol premise description for Brandywine LLC, W61 N480 Washington Avenue, Cedarburg, WI 53012, Andrew Wilson, Agent, premises to be licensed: W61 N480 Washington

Avenue, to include W61 N486 Washington Avenue and outdoor seating consisting of two tables along Spring Street in the public right of way (contract), three tables along Washington Avenue on their property, and one table on the porch attached to W61 N486 Washington Avenue. Motion carried without a negative vote with Aldermanic District 5 vacant.

CONSIDER APPROVAL OF PHASE 1 ENVIRONMENTAL STUDY FOR CITY OWNED BUSINESS PARK SITE; AND ACTION THEREON

City Administrator Hilvo explained that this item is part of the WILO Developer's Agreement and should be completed as soon as possible to maintain the current timeline. Stantec will be able to complete the work within 15 days after the contract is signed.

Council Member Thome asked if the Common Council will be approving all the required contracts along the way during this project.

City Administrator Hilvo said that once the TIF is approved, the Common Council can discuss if staff can move ahead on contracts without their approval.

Council Member Arnett stated that he would be in favor of staff approving the work as long as the contracts are within budget and staff is comfortable with the costs.

Mayor O'Keefe said that the infrastructure work will require many small contracts and he suggested setting a maximum amount for staff to move forward without Council approval.

It was consensus of the Common Council to discuss setting parameters for staff to move ahead with TIF contracts without Council approving each one at the June 8 Common Council meeting.

CONSIDER 2020 CEDARBURG COMMUNITY POOL SEASON; AND ACTION THEREON

Director Friess explained that due to COVID-19, the Cedarburg Community pool is experiencing a serious shortage of staff to adequately and safely run the facility this summer to follow proper Health Department guidelines for aquatic facilities. In addition to a lack of staff, there are also limitations on the amount of people that can enter the facility daily, closure of amenities, proper sanitation, staff training, public safety and more as outlined in the supporting materials. This has the potential to drastically decrease the Department's revenues and negatively impact their operations.

The pool capacity is 966 people

25% capacity would be 241 people

50% capacity would be 483 people

The Ozaukee Washington County guidelines is 25% capacity of the pool (15,341 sq. ft.)

Additional staff requirements

Five additional customer service employees and 5-10 additional lifeguards are required to properly staff for COVID.

The Department is 13 short of customer service personnel by this number and at least 19 lifeguards short of this number. (30 employees short if you include those that were in the High School Life Guard training class that are unable to finish).

If the pool is closed for the season the estimated costs would be $\$77,504 - \$69,216 = \$8,288$

If the pool is opened with restrictions, based on Ozaukee Health and CDC guidelines, it is estimated to be $\$210,365 - \$69,216 = \$141,149$. No swim lessons, pool passes, or concessions would be offered.

In answer to Council Member Burkart's question, Recreation Superintendent Anderson said the daily average attendance is 500 people.

Council Member Lythjohan asked if any long-term maintenance has been put off that could be done if the pool is closed for the season. Recreation Superintendent Anderson said that the pool floor is severely damaged and needs to be patched.

In answer to Mayor O'Keefe's question, Recreation Superintendent Anderson stated that the pool liner is in the budget for 2021 and would most likely take an entire summer to redo. Crewperson Scheer said that a liner would need to be special ordered and the City may not be able to get one this summer. Liners cost approximately \$300,000-\$500,000. There is \$16,000 in this year's pool budget for repairs/maintenance.

Council Member Bublitz asked if the surrounding pools are opening. City Administrator Hilvo explained that Grafton is closing their pool for the season, Port Washington will decide on June 2, and the Mequon pool is undecided at this point because the School District is involved and a decision has not been made to-date.

Council Member Burkart asked that pool maintenance be discussed at the next Common Council meeting.

Motion made by Council Member Bublitz, seconded by Council Member Lythjohan, to close the Cedarburg Community Pool for the 2020 season due to public health concerns. Motion carried on a roll call vote with Council Members Bublitz, Arnett, Burkart, Verhaalen and Thome voting aye and Aldermanic District 5 vacant.

ADMINISTRATOR'S REPORT

City Administrator Hilvo explained that City Hall opened on May 18. Precautions are set in place with plexiglass shields at the main desks with barricades to direct them to these main areas. No masks are being required at this point and will be evaluated going forward. Light traffic will still allow remote work by employees as long as the Departments are covered. The parks will be opened, and the Senior Center will gradually open in June.

COMMENTS AND SUGGESTIONS FROM CITIZENS- None

COMMENTS & ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Arnett brought attention to the press release in the *News Graphic* announcing WILO as the first tenant in the Hwy. 60 Business Park, adding this is a great opportunity for Cedarburg.

Council Member Arnett asked if a timeframe has been developed for in-person meetings. It was the consensus of the Common Council to hold a Zoom meeting for the June 8 Council meeting. Council Member candidates must video zoom.

MAYOR'S REPORT- None

ADJOURNMENT

Motion made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 7:58 p.m. Motion carried without a negative vote with 5th Aldermanic District vacant.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk