

**CITY OF CEDARBURG
MEETING OF COMMON COUNCIL
January 11, 2021 – 7:00 P.M.**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, will be held on **Monday, January 11, 2021 at 7:00 p.m.** The meeting will be held online utilizing the zoom app. Information on how to access the meeting is attached to the meeting packet or can be requested by emailing: mhilvo@ci.cedarburg.wi.us.

AGENDA

1. CALL TO ORDER - Mayor Mike O'Keefe
2. MOMENT OF SILENCE
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL: Present – Common Council – Mayor Mike O'Keefe, Council Members Sherry Bublitz, Jack Arnett, Kristin Burkart, Rick Verhaalen, Robert Simpson, Patricia Thome, Barbara Lythjohan
5. STATEMENT OF PUBLIC NOTICE
6. COMMENTS AND SUGGESTIONS FROM CITIZENS** Comments from citizens on a listed agenda item will be taken when the item is addressed by the Council. At this time individuals can speak on any topic not on the agenda for up to 5 minutes, time extensions at the discretion of the Mayor. No action can be taken on items not listed except as a possible referral to committees, individuals, or a future Council agenda item.
7. APPROVAL OF MINUTES – December 14 and December 21, 2020 Common Council minutes*
8. NEW BUSINESS
 - A. Consider Resolution 2021-03 for Engineering & Public Works Director Tom Wiza's retirement; and action thereon*
 - B. Consider Ordinance 2021-04 adding a Violation and Penalty Section to the current Tree and Shrub ordinance; and action thereon*
 - C. Consider award of contract for the Hwy 60 Business Park Utility Contract; and action thereon*
 - D. Consider request to hire a replacement police officer; and action thereon*

- E. Consider Ordinance 2021-01 providing for the allowance of commercial quadricycles in the city of Cedarburg; and action thereon*
- F. Consider Ordinance 2021-03 providing for Fair and Open Housing in the city of Cedarburg; and action thereon*
- G. Consider Resolution 2021-01 Wisconsin Residential Antidisplacement and Relocation Assistance Plan; and action thereon*
- H. Consider appointments to Landmark Commission and Light & Water Commission; and action thereon*
- I. Consider License/Permit Applications; and action thereon
 - 1. Consider approval of new Operator License application for the period ending June 30, 2021 for Heather L. Rappa, Travis J. LaCombe, and Christopher N. Lang; and action thereon***
- J. Consider payment of bills dated 12/09/2020 through 12/30/2020, transfers for the period 12/09/2020 through 01/06/2021 and payroll periods 11/29/2020 through 12/12/2020 and 12/13/20 through 12/26/20; and action thereon*

9. REPORTS OF CITY OFFICERS AND DEPARTMENT HEADS

- A. Administrator's Report*

10. COMMUNICATIONS

- A. Comments and suggestions from citizens
- B. Comments and announcements by Council Members
- C. Mayor Report
 - 1. Proclamation for Dr. Martin Luther King Jr. Day*

11. ADJOURN TO CLOSED SESSION

It is anticipated the Common Council will adjourn to closed session pursuant to State Statute 19.85(1)(g) conferring with legal council 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, Items 11.A. and 11.B; and action thereon

- A. Claim review for Shelley Buck
- B. Approval of September 28, 2020 closed session minutes

12. RECONVENE TO OPEN SESSION

A. Consider approval of claim review; and action thereon

13. ADJOURNMENT

Individual members of various boards, committees, or commissions may attend the above meeting. It is possible that such attendance may constitute a meeting of a City board, committee or commission pursuant to State ex. rel. Badke v. Greendale Village Board, 173 Wis. 2d 553, 494 NW 2d 408 (1993). This notice does not authorize attendance at either the above meeting or the Badke Meeting but is given solely to comply with the notice requirements of the open meeting law.

* *Information attached for Council; available through City Clerk's Office.*

** *Citizen comments should be primarily one-way, from citizen to the Council. Each citizen who wishes to speak shall be accorded one opportunity at the beginning of the meeting and one opportunity at the end of the meeting. Comments should be kept brief. If the comment expressed concerns a matter of public policy, response from the Council will be limited to seeking information or acknowledging that the citizen has been understood. It is out of order for anyone to debate with a citizen addressing the Council or for the Council to take action on a matter of public policy. The Council may direct that the concern be placed on a future agenda. Citizens will be asked to state their name and address for the record and to speak from the lectern for the purposes of recording their comments.*

*** *Information available through the Clerk's Office.*

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All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, disability, age, sexual orientation, gender identity, national origin, veteran status, or genetic information.
City of Cedarburg is committed to providing access, equal opportunity and reasonable accommodation for individuals with disabilities in employment, its services, programs, and activities.

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To request reasonable accommodation, contact the Clerk's Office,
(262) 375-7606, email: cityhall@ci.cedarburg.wi.us.

**CITY OF CEDARBURG
COMMON COUNCIL
December 14, 2020**

**CC20201214-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held online on Monday, December 14, 2020, 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, Patricia Thome, Robert Simpson, Barbara Lythjohan

Also Present - City Administrator Mikko Hilvo, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Director of Engineering and Public Works Tom Wiza, Assistant Engineer Mike Wieser, Police Chief Thomas Frank, 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. Citizens present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS

Mal Hepburn, W62 N736 Riveredge Dr., respectfully asked the Common Council to revisit the Waste Management contract regarding service to duplexes. He owns a duplex on Cleveland Street and the trash and recycling have always been picked up from both units. It is arbitrary and unfair to not continue this practice, as the City has always paid for this service in their contract with Waste Management.

APPROVAL OF MINUTES

Motion made by Council Member Thome, seconded by Council Member Burkart, to approve the November 30 and December 3, 2020 Common Council minutes. Motion carried without a negative vote.

NEW BUSINESS

DISCUSSION ON ORDINANCE PROHIBITING SWIMMING IN CEDAR CREEK; AND ACTION THEREON

City Administrator Hilvo explained that the City currently has an ordinance that prohibits swimming in Cedar Creek and quarries from City owned land. The ordinance was created based on potential risk factors related to swimming in the creek which were unrelated to any contamination in the creek.

Swimming in the quarries was and continues to be prohibited based on current levels of contamination. A report done prior to the Mercury Marine cleanup of the creek shows that the exposure levels to adult/children swimming, kayaking, and canoeing was at acceptable levels. The concern was and continues to be for anglers exposed through fish consumption. Since the initial report was done Mercury Marine has cleaned up the contamination in the creek. The City's Insurance Company (CVMIC) has reviewed the issue and does not feel allowing people to go in the creek would increase liability for the City. Staff is recommending allowing people to enter Cedar Creek from established areas of city property for swimming, kayaking, and canoeing but keep the prohibition for quarries.

Police Chief Frank and Fire Chief Vahsholtz have no concerns with allowing people in the creek. Individuals can access the creek from private property and adults need to educate children. This change will allow many people to enjoy the creek.

Council Member Lythjohan expressed concern about the creek running hard and fast in the springtime and the potential for injury.

City Administrator Hilvo explained that the City does use caution tape and signage in the spring to make people aware of the fast-running water. If the Council agrees, he will bring an ordinance for approval in January.

Council Member Bublitz stated that great efforts have been made to make the creek safe and it should be utilized.

Council Member Burkart stated that the City has done a good job in the past of warning people when the creek is dangerous in the springtime. The creek is a great asset, and it should be enjoyed.

Mayor O'Keefe added that he hopes the quarries will be cleaned soon.

Council Member Arnett supports swimming in the creek; however, the Woolen Mill dam is very close to Boy Scout Park and City access should be limited to Adlai Horn Park and Cedar Creek Park.

CONSIDER AWARD OF CONTRACT TO R.A. SMITH FOR TIF #6 CONSTRUCTION RELATED SERVICES FOR PHASE 2 AND 3 CONSTRUCTION; AND ACTION THEREON

Director Wiza explained that R.A. Smith is currently under contract with the City to complete the Business Park engineering design. With the site grading work now complete, the utility and road construction will begin early in 2021. The engineering services associated with this construction include construction staking, construction administration, record drawing preparation, and construction inspection. The DNR requires full-time inspection of utilities. R.A. Smith has provided a proposal which includes their hourly rates and an estimate of the hours required for an estimated total of \$245,000. Award of this contract should be made contingent on the City awarding the phase 2 and 3 construction contracts.

Council Member Arnett was hopeful that the work continues to be done under budget and perhaps the City will not need to do the additional borrowing next year.

Director Wiza explained that Phase 3 will be out for bid in January and perhaps the borrowing amount will be less than anticipated.

Motion made by Council Member Burkart, seconded by Council Member Bublitz, to award the contract to R.A. Smith for TIF #6 construction related services for Phase 2 and 3 construction. Council Member Burkart amended the motion, and it was seconded by Council Member Bublitz, to add contingent upon the contracts being awarded on Phases 2 and 3. Motion carried without a negative vote.

CONSIDER APPROVAL OF FAIRWAY VILLAGE PRELIMINARY PLAT; AND ACTION THEREON

Planner Censky explained that this preliminary plat was received on October 30, 2020, which starts a 90-day period to approve, approve with condition, or reject the plat (Wis § 236.11). Accordingly, such action must be taken on or before January 30, 2021. He noted that the plat mirrors the concept plan submitted as the basis for the rezoning last month and is detailed with the information necessary to meet State requirements for a preliminary plat.

Planner Censky reminded the Council Members that this subdivision will consist of 15 townhouse buildings (30 units) within the Rd-1 District, 36 single-family lots ranging in size from 10,400 sq. ft. to 26,500 sq. ft. within the Rs-4 District and 47 single-family lots ranging in size from 8,080 sq. ft. to 18,900 sq. ft. in the proposed Rs-5 District. He also recalled that by using PUD zoning, they approved certain modifications to the regulations of the underlying zoning district, including the side yard setback requirement for those lots zoned Rs-4 to be 7.5 feet, or 15 feet between buildings, lots zoned Rs-5 will have a setback requirement of 5 feet, or 10 feet between buildings, and the distance between the two-family building will be 15 feet. The front and rear yard setbacks for all structures in this subdivision will be 25 feet and for corner lots the side street yard setback will be 15 feet. As previously reported, this project will include all standard public road improvements with sidewalks, street trees, sewer and water utilities and a future road at the northeast corner of the project connecting the City's Business Park roadway to Hilltop Drive in the Town of Cedarburg. Through the recording of this plat, the 5.5-acre Baehmann Park will be dedicated to the City and the stand of woods at the southeast corner of the subdivision will be preserved.

Planner Censky explained that following preliminary plat approval, the next step in the approval process will be development agreement approval, landscape plan, subdivision identification signage plan and architectural design approval. He said that staff's review indicates this plat complies with State requirements for a preliminary plat and is consistent with the concept plan and the PUD zoning approved by this Council's action on October 26, 2020. Staff is recommending the following stipulations as part of tonight's approval:

- Storm water management permit required.
- All lots will require a storm sewer lateral for sump pump connection.
- The sanitary sewer at the east property line to this site is at elevation 837.56 and therefore the sewer system plans must be reviewed accordingly.
- The sewer and water utilities must be connected to the Business Park utilities.
- City Engineer review and approval of all utility plans.
- Engineering Department review and approval of the site grading, erosion control and storm water management plans.

- Typical per lot impact fees shall be applied.
- The applicant providing a concrete public sidewalk between lots 29 and 30 extending from the cul-de-sac north to the future road right-of-way and then east to the Business Park.
- Installation of sewer and water utilities shall not commence in this project until after those utilities have been installed and certified complete in the Business Park.
- Sewer and water laterals shall be extended to serve property at W74 N1204 Washington Avenue.
- The sewer system must be extended to the west R.O.W. line of Washington Avenue at Quail Court.
- An additional fire hydrant is needed on Oakmont Drive near lots 67 and 68.
- Evaluate burying the electric lines along the Washington Avenue frontage to this project.

Bryan Lindgren reviewed the types of homes that are planned for the development. He said that they will accept the stipulations and look forward to working with the City.

Council Member Lythjohan asked that the electric lines be buried along the Washington Avenue frontage because the poles detract from the attractiveness of the development.

In answer to Council Member Bublitz's question, Planner Censky confirmed that the planned future road will be dedicated to the City as part of the final plat.

In answer to Council Member Verhaalen's question, Planner Censky said it was always intended that the City be responsible for putting in the road to provide a second access to the Business Park. The road is not part of this development.

Council Member Verhaalen said it would be helpful to include the building of the road into the TIF. Director Wiza said that there may be some available funding in the TIF for the road.

In answer to Council Member Bublitz's question, Director Wiza stated that the road will be connected to the subdivision for emergency access only and that the developer has no interest in it being a vehicular connection between the subdivision and the Business Park.

Council Member Burkart said that Kip Kinzel was not happy with the townhomes in relation to the lot sizes and asked if this was a final approval.

Planner Censky confirmed that this action will lock the plan in place and that ultimately Kip Kinzel did support the motion for approval.

Council Member Burkart stated that she was not in favor of the allowances made to fit the townhomes in the plan and it is not a good design for the City.

Bryan Lindgren stated that Kip Kinzel was more concerned with the architecture and design work will include three different styles of homes.

Council Member Thome confirmed that Kip Kinzel was more concerned about the design of the townhomes.

Council Member Arnett stated that he supports the development and acknowledged that it is a balancing act to have bigger lots with more expensive homes along with accessibility and affordability. The townhomes will be built on a busy street. When the schools were planning for their referendum, they did include support for further development.

Council Member Burkart likes the variety of homes but questioned the affordability at \$400,000.

Mayor O'Keefe explained that plat maps look busy; however, this is one of the last developable areas of the City and everyone worked hard at different options. This achieves that purpose and will work well for Cedarburg.

Council Member Burkart stated that the design looks tight, and a .18-acre lot is small for a \$400,000 home.

Motion made by Council Member Arnett, seconded by Council Member Thome, to approve the Fairway Village preliminary plat with all the above listed stipulations and adding subject to road dedication at the northeast corner of the project connecting the City's Business Park roadway to Hilltop Drive in the Town of Cedarburg. Motion carried with Council Members Bublitz, Arnett, Verhaalen, Simpson, Thome, and Lythjohan voting aye and Council Member Burkart voting nay.

CONSIDER PIONEER ROAD/INTERURBAN TRAIL CROSSING IMPROVEMENTS AND POSSIBLE AWARD OF CONTRACT FOR THE ENGINEERING DESIGN; AND ACTION THEREON

Director Wiza explained that the Pioneer Road/Interurban Trail crossing has been discussed on multiple occasions due to the volume of traffic on Pioneer Road, the fact that it is four lanes, and traffic speeds. Improved warning signage was erected several years ago, but the City continues to receive requests to do more.

One complicating factor is the fact that multiple jurisdictions are involved. Pioneer Road is a County Highway, and the Interurban Trail resides on the WE Energies right-of-way. The City involvement is that we maintain the asphalt trail within the City limits.

Director Wiza stated that just recently the City was contacted by a potential donor with a tentative offer to fund crossing safety improvements to include cantilevered high visibility warning signs and flashing lights. The donor wanted to see this move ahead promptly, and so staff requested a design proposal from M-Squared Engineering. Before authorizing the engineering expenditure, however, the donor would like some assurance that the project is approved and will proceed to completion.

He further explained that this creates a bit of a catch-22 for staff, in that both We-Energies and Ozaukee County have expressed support for the project, but each is requiring that the City submit engineering drawings for approval. The only way the City can see this moving forward is if we agree to award the engineering contract and submit permit applications to the approving authorities. Once the permits are received from the County and We-Energies, the City could bid out the construction, and present the construction bids and engineering cost to the donor for approval. Then the work could proceed. The total project cost has been estimated at \$55,000. If there are any roadblocks to completing the project, the City would not get reimbursed for the \$4,875 engineering cost.

City Administrator Hilvo asked for discussion from the Council to determine if they were on board with the signage and if they are willing to award the engineering contract.

In answer to Council Member Arnett's question, City Administrator Hilvo said that an agreement would be drafted between the City and the donor.

Council Member Arnett stated that it is a generous offer and a risk worth taking.

Council Member Burkart explained that this has been discussed for over a year at the Public Works and Sewerage Commission meetings and is grateful to the donor for coming forward.

Director Wiza stated that he has also been approached by a separate group who is proposing a rapid flashing beacon once a button is pushed.

The different designs and hazards were discussed.

In answer to Council Member Simpson's question, Director Wiza stated that the City would be responsible for maintaining the system and it should not be expensive.

Council Member Bublitz said this is a small price to pay for this donation and the City should award the engineering design contract. Council Member Simpson agreed.

Mayor O'Keefe reviewed the history at this crossing and, as an avid bicyclist, said that a median would be most helpful, but this road cannot be widened enough for this purpose. In this case, he advocated for a bike bridge over Pioneer Road, similar to the bridge over I-43 where the interurban trail crosses the highway. There is a donor wall nearby this bridge, and he wondered if this could also be done in Cedarburg. He asked if the engineering study could investigate the feasibility and cost of this type of bridge.

Council Member Thome asked if the configuration of Pioneer Road is fixed for the next 20 years and if it could support this type of design into the future. Director Wiza stated that it is a County Road in good shape, and he did not see much work needing to be done in the next 10 years.

Director Wiza said that the donor wants something to happen quickly and is most likely not willing to increase the project to this size. It would be a great solution but would be very expensive.

Council Member Bublitz opined that a bridge of this type would not fit the area.

Council Member Burkart appreciates the ideas, and a bridge is an expensive solution that has been done before.

Council Member Thome stated that her experience in working with non-profit organizations have taught her that it is harder to get an influx of donor money for municipal projects at this level.

Council Member Arnett stated that a bridge would be a different ballgame than what is being proposed and people want to see a solution soon.

Council Member Simpson agreed that people want a solution soon and that a bridge would be overwhelming for Cedarburg.

Council Member Burkart stated that people want to avoid another tragedy.

Motion made by Council Member Arnett, seconded by Council Member Simpson, to approve Pioneer Road/Interurban Trail crossing improvements and award the contract for the engineering design to M-Squared Engineering in amount not to exceed \$4,875. Motion carried without a negative vote.

CONSIDER ORDINANCE NO. 2020-21 AMENDING SEC. 3-6-3 TO 3-6-7 OF THE MUNICIPAL CODE ADJUSTING IMPACT FEES FOR LIBRARY FACILITIES, POLICE DEPARTMENT FACILITIES, WATER SUPPLY FACILITIES, PARK FACILITIES, AND WASTEWATER TREATMENT PLANT; ORDINANCE NO. 2020-22 SEC. 14-1-100(g) ADJUSTING THE PUBLIC SITE FEES; AND ORDINANCE NO. 2020-23 AMENDING SEC. 9-2-6(c) ADJUSTING THE SANITARY SEWER CONNECTION FEE BASED ON THE CONSTRUCTION COST INDEX PUBLISHED IN THE ENGINEERING NEWS RECORD AND CALCULATED BASED ON THE ANNUAL INCREASE IN THE CCI INDICES; AND ACTION THEREON

Director Wiza explained that these ordinances adjust for inflation and is done each year based on the CCI Indices used by nationally based Engineering News Record. It uses a 20-city average of materials, labor, and overall costs to determine this year's increase of 2.1%.

Motion made by Council Member Bublitz, seconded by Council Member Lythjohan, to approve Ordinance No. 2020-21 amending Sec. 3-6-3 to 3-6-7 of the Municipal Code adjusting impact fees for library facilities, police department facilities, water supply facilities, park facilities, and wastewater treatment plant; Ordinance No. 2020-22 Sec. 14-1-100(g) adjusting the public site fees; and Ordinance No. 2020-23 amending Sec. 9-2-6(c) adjusting the sanitary sewer connection fee based on the Construction Cost Index published in the Engineering News Record and calculated based on the annual increase in the CCI indices. Motion carried without a negative vote.

Mayor O'Keefe recognized that this will be the last Common Council item brought forward by Director Wiza, as he is retiring on January 8, 2021. He stated that Tom Wiza was a true professional and thanked him for his service.

Director Wiza said that he has enjoyed working for the City and thanked all the elected officials that have supported him over the years, to help him meet his accomplishments.

CONSIDER LICENSE/PERMIT APPLICATIONS; AND ACTION THEREON

Motion made by Council Member Bublitz, seconded by Council Member Verhaalen, to approve a new Operator License application for the period ending June 30, 2021 for Aubrey A. Thiede. Motion carried without a negative vote.

CONSIDER PAYMENT OF BILLS DATED 11/20/2020 THROUGH 12/08/2020, TRANSFERS FOR THE PERIOD 11/25/2020 THROUGH 12/08/2020 AND PAYROLL PERIOD 11/15/2020 THROUGH 11/28/2020; AND ACTION THEREON

Motion made by Council Member Bublitz, seconded by Council Member Lythjohan, to approve payment of bills dated 11/20/2020 through 12/08/2020, transfers for the period 11/25/2020 through 12/08/2020 and payroll for the period 11/15/2020 through 11/28/2020. Motion carried without a negative vote.

ADMINISTRATOR'S REPORT

City Administrator Hilvo said that it is has been an honor to learn from Director Wiza and wished him a happy and well-deserved retirement.

The City has offered the Director of Engineering and Public Works position to Assistant Engineer Mike Wieser to begin on January 11, after posting and interviewing for the position.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Thome spoke on the confusion over the transition in refuse containers. She said that the post card that was mailed to residents could have easily been thrown away without realizing what it was for. She suggested that the Common Council meet briefly before the end of the year to discuss concerns and solutions to help the citizens.

Council Member Burkart stated that the change was handled poorly, and Waste Management did not handle the transition appropriately. The duplex situation is confusing, and options need to be discussed.

Council Member Bublitz heard from a neighbor that she was thrilled with her new container.

Council Member Lythjohan likes the new containers; however, she received her post card the day before the new cart was delivered.

Council Member Simpson said the post card could have easily been mistaken for advertising mail. Council Member Simpson spoke with people who resolved their problems directly with Waste Management to swap their carts at no charge.

Council Member Bublitz stated that the City has communicated well with the citizens regarding their options for paying their taxes to keep the traffic low at City Hall.

MAYOR REPORT

Mayor O'Keefe thanked Director Wiza for his outstanding service as City Engineer.

ADJOURNMENT

Motion made by Council Member Arnett, seconded by Council Member Bublitz, to adjourn the meeting at 8:40 p.m. Motion carried without a negative vote.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk

RESOLUTION NO. 2021-03

A Resolution Honoring Director of Engineering and Public Works Tom Wiza

WHEREAS, Tom Wiza has completed twenty-two and one-half years of employment with the City of Cedarburg as Director of Engineering and Public Works; and

WHEREAS, during these twenty-two and one-half years, Tom Wiza has conscientiously and capably served the City of Cedarburg and its citizens and has been dedicated to the highest principles of community service; and

WHEREAS, Tom Wiza has served under five Mayors and numerous Common Councils during his tenure and in the absence of the City Administrator he put forth an extraordinary work effort as Acting City Administrator to assure the continued efficiency of that office; and

WHEREAS, Tom Wiza completed numerous annual projects including the Street and Utility project, sidewalk replacement contract, DNR stormwater report, asphalt repair contract, NR216 stormwater permit compliance, and the bi-annual bridge inspection reports; and

WHEREAS, Tom Wiza provided technical assistance and oversight on five TIF developments, extensions of sanitary sewer and water mains for 19 subdivisions, and the construction of a new Police Station, Library, and Public Works buildings; and

WHEREAS, in addition, Tom Wiza demonstrated outstanding leadership, a cost-saving approach to budget management, and an exceptional talent for providing technical expertise, reports, and studies to the Common Council, Plan Commission and the Public Works and Sewerage Commission; and

WHEREAS, Tom Wiza was instrumental in the completion of significant projects including the Creek Walk, Washington Avenue Streetscape, dam repairs, facilitating the sale of the former Library building, reconstruction of Keup Road, joint construction project with the Town of Cedarburg to pave 2,000 feet of Bridge Road west of Wauwatosa Road, Washington Avenue improvements associated with the Commerce Bank project, reconstruction of Washington Avenue from Bridge Road to north City limits including special assessments and easements, roundabout construction on Wauwatosa Road, Ozaukee County GIS coordination, PASER rating, Special Assessment Policy update, GIS inventory of all City signage to assure compliance with Federally mandated retro-reflectivity standards, dredging and bank stabilization of the Centennial Park ponds, Pioneer Park Stormwater pond, Parkview Meadows retrofit, refuse and recycling contracts with Waste Management, improvements to the Ozaukee County Fairgrounds, monopole construction, six lift station builds/upgrades, a Garfield lift station bypass line construction to the Water Recycling Plant, remote receiving station on Pioneer Road, assisting with Water Recycling Plant improvements and installation of a UV system, and most recently, planning and execution of the Hwy. 60 Business Park; and

WHEREAS, the City of Cedarburg, as well as Tom's co-workers and peers have greatly benefited from his professional skills, patience, and courteous and positive attitude during his years of service to the community.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Cedarburg hereby joins the citizens of the City and his colleagues in expressing their sincere appreciation to Tom Wiza for his many accomplishments, and extend their best wishes to him for a well-deserved and enjoyable retirement.

Passed and adopted this 11th day of January, 2021.

Michael O'Keefe, Mayor

Attest:

Tracie Sette, City Clerk

CITY OF CEDARBURG

MEETING DATE: January 11, 2021

ITEM NO: 8.B.

TITLE: Consider adding a Violation and Penalty Section 6-4-16 to the current Tree and Shrub ordinance; and action thereon

ISSUE SUMMARY: At the request of the Parks, Recreation and Forestry Board, City Forester Westphal developed a proposed addition of a violation and penalty section to the current Tree and Shrub Ordinance, Section 6-4-16 for those not adhering to the ordinance.

STAFF RECOMMENDATION: Add the proposed violation and penalty section to the current ordinance.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION: At the December 2, 2020 there was a motion made by Council Member Verhaalen, seconded by Brian Clement, to approve the addition of Violation and Penalty Section 6-4-16 to the current Tree and Shrub Ordinance with the change of “up to \$500” instead of “not less than \$500” within the first sentence. Motion carried without a negative vote.

BUDGETARY IMPACT: None

ATTACHMENTS:

- Minutes from December 2, 2020 Parks, Recreation and Forestry Meeting discussing this topic
- The current Tree and Shrub Ordinance
- The proposed Violations and Penalty Section, 6-4-16

INITIATED/REQUESTED BY: Kevin Westphal, City Forester

FOR MORE INFORMATION CONTACT: Kevin Westphal, City Forester

PARK20201202-1
UNAPPROVED

The meeting was called to order by Chairperson Glenn Herold at 6:30 p.m.

Also Present - Director of Parks, Recreation & Forestry Danny Friess
City Forester Kevin Westphal
Recreation Superintendent Maggie Anderson
Recreation Coordinator Chandler Steffen

Chairperson Herold acknowledged that the Parks, Recreation & Forestry Board agenda was posted and distributed in compliance with the Wisconsin Open Meetings Law.

Motion made by Council Member Verhaalen, seconded by Brian Clement, to approve the minutes of the October 7, 2020 meeting. Motion carried without a negative vote.

NEW BUSINESS

City Forester Westphal explained the current Tree and Shrub Ordinance and asked the Parks, Recreation & Forestry Board for any suggestions about the addition of the Violation and Penalty Section 6-4-16.

Motion made by Council Member Verhaalen, seconded by Brian Clement, to approve the addition of Violation and Penalty Section 6-4-16 to the current Tree and Shrub Ordinance with the change of “up to \$500” instead of “not less than \$500” within the first sentence. Motion carried without a negative vote.

CHAPTER 4

Trees and Shrubs

6-4-1	Statement of Policy and Applicability of Chapter
6-4-2	Definitions
6-4-3	Authority of City Forester to Enter Private Premises
6-4-4	Interference with City Forester Prohibited
6-4-5	Abatement of Tree Disease Nuisances
6-4-6	Assessment of Costs of Abatement
6-4-7	Permit for Planting, Maintenance and Removal of Trees and Shrubs
6-4-8	Planting of Trees and Shrubs
6-4-9	Trimming
6-4-10	Trees and Shrubbery Obstructing View at Intersections or View of Traffic Signs
6-4-11	Removal of Trees and Stumps
6-4-12	Prohibited Acts
6-4-13	Appeal from Determinations and Orders
6-4-14	Tree Preservation
6-4-15	Adoption of State Statutes

SEC. 6-4-1 STATEMENT OF POLICY AND APPLICABILITY OF CHAPTER.

- (a) **Intent and Purpose.** It is the policy of the City to regulate and establish policy for the control of planting, removal, maintenance and protection of trees and shrubs in or upon all public areas and terrace areas of the City to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks or other public areas; to promote and enhance the beauty and general welfare of the City; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs both public and private within the City against the spread of disease, insects or pests.
- (b) **Application.** The provisions of this Chapter shall apply to trees and shrubs growing or hereafter planted in or upon public areas and parkway areas and also to all trees and shrubs growing or to be planted in or upon any private premises which shall threaten the life, health, safety or welfare of the public or of any public areas.

SEC. 6-4-2 DEFINITIONS.

Whenever the following words or terms are used in this Chapter, they shall be construed to have the following meanings:

- (a) **Person.** "Person" shall mean person, firm, association or corporation.
- (b) **Public Areas.** "Public Areas" includes all public parks and other lands owned, controlled or leased by the City except the parkway areas.
- (c) **Public Trees and Shrubs.** "Public Trees and Shrubs" means all trees and shrubs located or

- to be planted in or upon public areas.
- (d) **Public Nuisance.** "Public Nuisance" means any tree or shrub or part thereof which, by reason of its condition, interferes with the use of any public area; infected with a plant disease; infested with injurious insects or pests; injurious to public improvements or endangers the life, health, safety or welfare of persons or property.
 - (e) **Parkway or Terrace Areas.** "Parkway or Terrace Areas" means the land between the normal location of the street curbing and sidewalk. Where there is no sidewalk, the area four feet from the curb line shall be deemed to be a parkway for the purpose of this Chapter. "Parkway" shall have the same meaning as "terrace" or "boulevard." Where there are only sidewalks, the area four (4) feet from the curb shall be deemed boulevard areas under this Chapter.
 - (f) **Major Alteration.** Trimming a tree beyond necessary trimming to comply with this Chapter.
 - (g) **Shrubs.** "Shrubs" shall mean any woody vegetation or a woody plant having multiple stems and bearing foliage from the ground up.
 - (h) **Tree.** "Tree" shall mean any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level to heights of sixteen feet or more.
 - (i) **Evergreen Tree.** "Evergreen Tree" shall mean any woody plant normally having one stem or trunk and bearing foliage in the form of needles and crowns which extend from ground level throughout its entire height.
 - (j) **City Forester.** Person designated by the Common Council as authorized to carry out provisions of this Chapter.

SEC. 6-4-3 AUTHORITY OF CITY FORESTER TO ENTER PRIVATE PREMISES.

- (a) The Common Council may designate a municipal employee or citizen to perform the duties of City Forester under Chapter 27, Wis. Stats., and may authorize such City Forester to perform the duties and exercise the powers imposed on the Common Council by this Chapter. The City Forester shall annually be appointed by the Mayor, subject to Council confirmation, at the Council's organizational meetings. The City Forester shall receive administrative guidance from and be responsible to the Director of Engineering and Public Works.
- (b) The City Forester or his authorized representative may enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and carrying out any of the provisions of this Chapter.

SEC. 6-4-4 INTERFERENCE WITH THE CITY FORESTER PROHIBITED.

No person shall interfere with the City Forester or his authorized representative while they are engaged in carrying out any work or activities authorized by this Chapter.

SEC. 6-4-5 ABATEMENT OF TREE DISEASE NUISANCES.

- (a) **Dutch Elm and Other Tree Diseases a Public Nuisances.** Whereas the Common Council has determined that there are many trees growing on public and private premises within the City, the loss of which would substantially depreciate the value of public and private property, impair the use and enjoyment of public and private premises and erode the tax base of the City, and that the health and life of such trees is threatened by fatal diseases such as Dutch Elm disease, which is spread by the elm bark beetles Scolytus multistriatus (Eichb.) or Hylurgopinus rufipes (Marsh.), the Common Council hereby declares its intention to control and prevent the spread of such disease and the insect pests and vectors which carry such diseases and specifically declares Dutch Elm disease and the elm bark beetles which carry such disease to be public nuisances.
- (b) **Definitions.** As used in this Section, unless otherwise clearly indicated by the context:
- (1) "Public Nuisance" means:
 - a. Dutch Elm disease.
 - b. Elm bark beetles Scolytus multistriatus (Eichb.) or Hylurgopinus rufipes (Marsh.).
 - c. Any living or standing elm tree or part thereof infected with the Dutch Elm disease fungus or in a weakened condition which harbors any of the elm bark beetles, Scolytus multistriatus (Eichb.) or Hylurgopinus rufipes (Marsh.).
 - d. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle destroying concentrate.
 - e. Any other deleterious or fatal tree disease.
 - f. Any tree or part thereof which by reason of its condition and location is hazardous or dangerous to persons and property using or upon any public street, sidewalk, alley, park or other public place, including the parkway.
 - g. Any tree or part thereof which is infested by the eastern tent caterpillar or other defoliating larvae.
 - (2) "Public property" means owned or controlled by the City, including without limitation because of enumeration, public sites, parks, playgrounds, streets, alleys, sidewalks, boulevards, and the parkway or improved portion of any public way.
 - (3) "Person" means person, firm or corporation.
- (c) **Inspection.**
- (1) The City Forester shall inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. He shall also inspect or cause the inspection of any elm tree reported or suspected to be infested with the Dutch Elm disease or any elm bark bearing materials reported or suspected to be infested with elm bark beetles.
 - (2) Whenever necessary to determine the existence of Dutch Elm disease or elm bark beetles in any tree, the person inspecting such tree shall remove or cut specimens from the tree in such manner as to avoid fatal injury thereto and deliver such specimens to the City Forester who shall forward them to the Wisconsin Department of Agriculture at Madison for analysis to determine the presence of such nuisances.
 - (3) The City Forester and his agents or employees shall have authority to enter upon

private premises at reasonable times for the purpose of carrying out any of the provisions of this Section.

(d) **Abatement of Nuisances; Duty of City Forester.**

- (1) The City Forester shall order, direct, supervise and control the abatement of Public nuisances as defined in this Section by spraying, removal, burning or by other means which he determines to be necessary to prevent as fully as possible the spread of Dutch Elm disease fungus, other deleterious tree diseases or the insect pests or vectors known to carry such diseases.
- (2) Whenever the City Forester after inspection or examination shall determine that a public nuisance as herein defined exists on public property in the City, he shall immediately abate or cause the abatement of such nuisance in such manner as to destroy or prevent as fully as possible the spread of Dutch Elm disease, other deleterious tree diseases, or the insect pests or vectors known to carry such disease fungus.
- (3)
 - a. When the City Forester shall determine with reasonable certainty that a public nuisance exists upon private premises, he shall immediately serve or cause to be served personally or by registered mail upon the owner of such property, if he can be found, or upon the occupant thereof, a written notice of the existence of such nuisance and of a time and place for a hearing, not less than fourteen (14) days after service of such notice, on the abatement action to be taken. Such notice shall describe the nuisance and recommend procedures for its abatement, and shall further state that unless the owner shall abate the nuisance in the manner specified in the notice, or shall appear at the hearing to show that such nuisance does not exist or does not endanger the health of trees in the City, the City Forester shall cause the abatement thereof at the expense of the property served. If the owner cannot be found, such notice shall be given by publication in a newspaper of general circulation in the City.
 - b. If, after hearing held pursuant to this Subsection, it shall be determined by the Common Council that a public nuisance exists, it shall forthwith order the immediate abatement thereof. Unless the property owner abates the nuisance as directed within thirty (30) days after such hearing, the City Forester shall proceed to abate the nuisance and cause the cost thereof to be assessed against the property in accordance with the procedures provided in this Section. The City Forester may extend the time allowed the property owner for abatement work but not to exceed thirty (30) additional days. (Ord. 94-13)
 - c. Notwithstanding the foregoing Subsections (d)(3)a and b, if the City Forester determines that any public nuisance as herein defined exists in or upon private premises and that the danger to other trees or foliage within the City is imminent, he shall immediately serve upon the owner of such property, if he can be found, or upon the occupant thereof, notice to abate such nuisance within thirty (30) days of the service of said notice. If, in the opinion of the City Forester, this removal period creates undue financial hardship or limits

the practicality of obtaining timely removal services, the City Forester may extend the removal period to sixty (60) days. If such owner or occupant does not abate said nuisance within the time permitted, the City Forester shall cause the same to be abated. No damage shall be awarded to the owner for the destruction of any tree, wood foliage, or any part thereof pursuant to this Section. (Ord. 94-13)

(e) **Spraying or Inoculation.**

- (1) Whenever the City Forester shall determine that any tree or part thereof is infected with a deleterious or fatal tree disease or is in a weakened condition or harbors elm bark beetles, he may cause all trees within a one thousand (1,000) foot radius thereto to be sprayed or inoculated with an effective disease destroying concentrate or other insecticide.
- (2) In order to facilitate the work and minimize the inconvenience to the public of any spraying operations conducted under this Section, the City Forester shall cause to be given advance public notice of such operations by newspaper, radio, television, public service announcements or other effective means and shall also cause the posting of appropriate warning notices in the areas and along the streets where trees are to be sprayed at least twenty-four (24) hours in advance of spraying. When any residue or concentrate from municipal spraying operations can be expected to be deposited on any public street, the City Forester shall also notify the Chief of Police, who shall take all necessary steps to make and enforce temporary parking and traffic regulations on such streets as conditions require. Temporary "no parking" notices shall be posted in each block of any affected street at least twenty-four (24) hours in advance of spraying operations.
- (3) When appropriate warning notices and temporary "no parking" notices have been given and posted in accordance with Subsection (b) of this Section, the City shall not allow any claim for damages to any vehicle caused by such spraying operations
- (4) When trees on private property are to be inoculated or sprayed, the City Forester shall notify the owner of such property and proceed in accordance with the requirements of Subsection (d)(3).

SEC. 6-4-6 ASSESSMENT OF COSTS OF ABATEMENT.

- (a) The cost of abating any public nuisance or spraying or inoculating trees located in the parkway as defined herein shall be borne by the City.
- (b) The cost of abating a public nuisance or spraying elm trees or elm wood located on private premises when done at the direction and under the supervision of the City Forester shall be assessed to the property on which such nuisance, tree or wood is located as follows:
 - (1) The City Forester shall keep a strict account of the cost of such work or spraying and the amount chargeable to each lot or parcel and shall report such work, charges, description of lands to which charged and names and addresses of the owners of such lands to the Common Council on or before October 15 of each year.

- (2) Upon receiving the City Forester's report, the Council shall hold a public hearing on such proposed charges, giving at least fourteen (14) days' advance notice of the time, place and purpose of such hearing to interested persons by publication in a newspaper of general circulation in the municipality and by mail to the owner of each property proposed to be charged. Each property owner shall be notified of the amount proposed to be assessed against his premises and the work for which such charge is being made.
- (3) After such hearing, the Common Council shall affirm, modify and affirm or disapprove such assessments by resolution and shall cause a copy thereof to be published. Upon adoption and publication of such resolution, assessments made thereby shall be deemed final.
- (4) The City Clerk shall mail notice of the amount of such final assessment to each owner of property assessed at his last-known address, stating that, unless paid within thirty (30) days of the date of the notice, such assessment will be entered on the tax roll as a tax against the property, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such assessment.
- (5) The City hereby declares that, in making assessments under this Section, it is acting under its police power, and no damages shall be awarded to any owner for the destruction of any diseased or infested tree or wood or part thereof

SEC 6-4-7 PERMIT FOR PLANTING, MAINTENANCE AND REMOVAL OF TREES AND SHRUBS.

- (a) **Permit Required.** No person, except upon order of the City Forester, shall plant or remove, or perform major alterations as determined by the Forester on a tree or shrub in the public right-of-way parkway area or cause such act to be done by others without first obtaining a written permit for such work from the City Forester as herein provided. The applicant shall comply with the planting standards of Section 6-4-8
- (b) **Permit Exemptions.** No permit shall be required to cultivate, fertilize or water trees or shrubs or for work by City personnel on park properties. No permit is necessary to plant trees inside the property line.
- (c) **Permit Requirements and Conditions.** If the City Forester determines that the proposed work or planting described in an application for a permit is necessary and in accord with the purposes of this Chapter, taking into account the safety, health and welfare of the public, location of utilities, public sidewalk, driveways and street lights, general character of the area in which the tree or shrub is located or proposed to be located, type of soil, characteristics and physiological need of the genus, species and variety of tree or shrub, he shall issue a permit to the applicant.
- (d) **Permit Form; Expiration; Inspection.** Every permit shall be issued by the City Forester on a standard form and shall include a description of the work to be done and shall specify the genus, species and variety, size, nursery grade and location of trees or shrubs to be planted, if any. Any work under such permit must be performed in strict accordance with the terms

thereof and the provisions of this Chapter. Permits issued under this Section shall expire six (6) months after date of issuance. There will be no charge for this permit.

(e) **Permits to Public Utilities.**

- (1) Whenever a permit is issued under this Section to a public utility to remove, trim, prune, cut, disturb, alter or perform surgery on any public tree or shrub, the City Forester shall limit the work to be done to the actual necessities of the utility and may assign an inspector to supervise the work done under the provisions of the permit. The expense of such inspection or supervision shall be charged to the utility at the usual City rate.
- (2) A public utility may secure an annual working agreement with the City Forester's office which gives the City Forester the authorization to supervise and direct work associated with trees and shrubs.

SEC. 6-4-8 PLANTING OF TREES AND SHRUBS.

- (a) **Purpose.** The Common Council hereby states its determination that the planting, care and protection of the trees within the City is desirable for the purposes of beauty, shade, comfort, noise abatement and economic betterment, and hereby encourages all persons to assist in a program of tree planting, care and protection.
- (b) **Tree Planting Program.** The City Forester shall recommend to the Common Council a program for tree planting, care and protection for public parks. The Council shall also encourage the planting, care and protection of trees and shrubs on private premises within the City.
- (c) **Planting.**
 - (1) The size and genus, species and variety of trees and shrubs to be planted in parkways and the manner of planting shall be submitted to the City Forester for approval before commencement of such work. The permit application process is required in Section 6-4-7.
 - (2) There shall be a minimum distance of sixteen (16) feet and a recommended distance of twenty-five (25) to fifty (50) feet between terrace area trees depending upon the size of tree and other factors. Parkway trees shall be planted equal distance between the sidewalk or proposed sidewalk and back of the curb or proposed back of curb. In parkway areas less than three (3) feet wide, planting will not be permitted. Parkway-area trees shall be a minimum of twenty-five (25) feet from an intersection.
 - (3) Evergreen trees shall not be planted in a parkway area.
 - (4) It shall be unlawful to plant or maintain shrubbery, ground cover or other plants not considered to be a deciduous leaf tree within parkway areas whose growth is in excess of eight (8) inches in height above the top of the nearest curb.
 - (5) Tree grates shall be provided for parkway trees surrounded by concrete by the adjacent property owner and shall be level with adjacent concrete.
- (d) **Unlawfully Planted Trees.** Trees, plants or shrubs planted within any parkway or planting easement without the authorization and approval of the City Forester may be removed. The City Forester shall notify the abutting owner in writing, listing the unlawfully planted trees,

plants or shrubs, ordering their removal, and establishing a reasonable time within which such removal shall be accomplished. In the event that removal is not to be accomplished within the time specified, the City may remove such trees, plants or shrubs and assess the costs thereof to the owner.

- (e) **Frames.** Any person, adjacent to whose land any shade or ornamental tree or shrub is growing in any street, may, for the propose of protecting such tree or shrub, surround the same with a suitable box or frame for protection, but all such work shall be performed under the supervision and direction of the City Forester.

SEC. 6-4-9 PRUNING (Ord. 2004-17)

- (a) The necessity of pruning trees and shrubs standing in or upon any public area or upon any private premises adjacent to any public area shall be determined by the City Forester or the Director of Parks and Recreation.
- (b) Streets and Alleys: Trees and shrubs shall be kept pruned by the owner of the property so that branches shall not be permitted to overhang streets and alleys at such a height that in the opinion of the City Forester interfere with vehicle traffic.
- (c) Sidewalks and Pathways: Trees and shrubs shall be kept pruned by the owner of the property so that branches shall not be permitted to overhang sidewalks or pathways at such a height that in the opinion of the City Forester interfere with pedestrian traffic.
- (d) Street Lights and Signs: No tree or shrub shall be permitted to grow in such a manner as to obstruct light from a street light or obscure public signage of any kind.
- (e) The City shall have the right, but not the obligation, to prune any tree or shrub on private property that is in violation of this ordinance when the owner fails to do so after notice, or when public safety and welfare requires that the pruning occur immediately.

SEC. 6-4-10 TREES AND SHRUBBERY OBSTRUCTING VIEW AT INTERSECTION OR VIEW OF TRAFFIC SIGNS.

- (a) Notwithstanding any other provision of this Chapter, no person shall maintain, plant or permit to remain on any private or public premises situated at the intersection of two (2) or more streets or alleys in the City any hedge, tree, shrub or other growth which may obstruct the view of the operator of any motor vehicle or pedestrian approaching such intersection.
- (b) It is unlawful for any person to plant, cause to grow, allow to grow or maintain any trees, bushes, shrubbery or vegetation of any kind which is an obstruction to the clear and complete vision of any traffic sign or driveway approach to a street in the City. It shall be the duty of every owner of such tree, bush, shrubbery or vegetation to remove such obstruction.
- (c) Any shrub, tree or other plant which obstructs the view at an intersection or the view of a traffic sign shall be deemed to be dangerous to public travel and the City Forester may order, by written notice, the owner or occupant of any private place or premises on which there stands a tree or shrub which unreasonably interferes with or encroaches upon the street or sidewalk, to take such steps as are necessary to remove such interference. If such owner or occupant fails, within ten (10) days of receipt of notice, to take such necessary steps, the

Director of Engineering and Public Works employees shall order the City employees to remove the interference. The cost of removing the interference shall be levied and collected as a special tax upon the property upon which or in front of which such tree or shrub stands.

- (d) Any person who is an owner or occupant or firm or corporation failing to obey the written notice of the City Forester as specified in Subsection (c) above shall, upon conviction thereof, be subject to a forfeiture as established in Section 1-1-7 of this Code of Ordinances.

SEC. 6-4-11 REMOVAL OF TREES AND STUMPS.

- (a) **Dangerous, Obstructive and Infected Trees.** Any tree or part thereof, whether alive or dead, which the City Forester shall find to be infected, hazardous or a nuisance so as to endanger the public or other trees, plants or shrubs growing within the City, or to be injurious to public sewers, sidewalks or other public improvements whether growing upon public or private premises, shall be removed, trimmed or treated by the owner of the property upon or adjacent to which such tree or part thereof is located. The City Forester shall give written notice to said owner to remedy the situation which shall be served personally or posted upon the affected tree. Such notice shall specifically state the period of time within which the action must be taken, which shall be within not less than twenty-four (24) hours nor more than fourteen (14) days as determined by the City Forester on the basis of the seriousness of the condition of the tree or danger to the public. If the owner shall fail to remove, treat or trim said tree within the time limited, the City Forester shall cause the tree to be removed, treated or trimmed and shall report the full cost thereof to the City Clerk who shall thereupon enter such cost as a special charge against the property.
- (b) **Removal Standards.** In cutting down trees located in public and parkway areas, the tree must be removed with the root stump grubbed out, or ground out to a depth of at least nine (9) inches below grade measured in a straight line with the normal grade of sidewalk to top of nine (9) inches below grade measured as a straight line, normal grade of sidewalk to top of curb. All wood and debris must be removed from the street prior to the end of each working day and all holes shall be filled to normal grade level with topsoil as soon as practicable.
- (c) **Private Removal.** No person, firm, organization or corporation shall plant, injure, trim, remove or destroy any tree or shrub located in or upon any public place, until a permit shall have been issued by the City Forester. Such permit shall be issued only when the removal, trimming or cutting of the tree or shrub is necessary, as determined by the City Forester, because of disease, damage, hazardous condition, and/or location, or its location is such that substantial detriment is done to the property upon which the tree or shrub stands, or property abutting the same. Such permit shall expressly state the premises upon which the tree stands and the location of the tree thereon.

SEC. 6-4-12 PROHIBITED ACTS.

- (a) **Damage to Public Trees.** No person shall, without the consent of the owner in the case of a private tree or shrub, or without written permits from the City Forester in the case of a parkway-area tree, public tree or shrub, perform or cause to be performed by others any of

the following acts:

- (1) Secure, fasten or run any rope, wire sign, unprotected electrical installation or other device or material to, around or through a tree or shrub.
 - (2) Break injure, mutilate, deface, kill or destroy any tree or shrub or permit any fire to burn where it will injure any tree or shrub.
 - (3) Permit any toxic chemical, gas, smoke, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub or place cement or other solid substance around the base of the same.
 - (4) Remove any guard, stake or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
 - (5) Attach any sign, poster, notice or other object on any tree, or fasten any guy wire, cable, rope, nails screws or other device to any tree; except that the City may tie temporary "no parking" signs to trees when necessary in conjunction with street improvement work, tree maintenance work or parades.
 - (6) Cause or encourage any fire or burning near or around any tree.
 - (7) Damage a parkway-area tree with any vehicle.
- (b) **Excavations.** All trees on any parkway or other publicly owned property near any excavation or construction of any building structure or street work shall be sufficiently guarded and protected by those responsible for such work as to prevent any injury to said trees. No person shall excavate any ditches, tunnels or trenches, or install pavement within a radius of ten (10) feet from any public tree without a permit from the City Forester.
- (c) **Interference With City Forester.** No person shall:
- (1) Interfere with or prevent any acts of the City Forester or his agents or employees while they are engaged in the performance of duties imposed by this Section.
 - (2) Refuse to permit the City Forester or his duly authorized representative to enter upon his premises at reasonable times to exercise the duties imposed by this Section.
- (d) **Refusal to Abate Nuisance.** No person shall permit any public nuisance to remain on any premises owned or controlled by him when ordered by the City Forester to abate such nuisance. Persons found to be in violation of this Section shall be subject to the general penalty provisions of Section 1-1-7.

SEC. 6-4-13 APPEAL FROM DETERMINATIONS OR ORDERS. (Ord. 2007-20)

Any person who receives a determination or order under this Chapter from the City Forester and objects to all or any part thereof shall have the right to appeal such determination or order, subject to the provisions of Chapter 68, Wis. Stats., to the Park and Forestry Board within seven (7) days of receipt of the order and the Park and Forestry Board shall hear such appeal within thirty (30) days of receipt of written notice of the appeal. After such hearing, the Park and Forestry Board may reverse, affirm or modify the order or determination appealed from and the grounds for its decision shall be stated in writing. The Park and Forestry Board shall, by letter, notify the party appealing the order or determination of its decision within ten (10) days after the hearing has been concluded. The Park and Forestry Board shall file its written decision with the City Clerk.

SEC. 6-4-14 TREE PRESERVATION (Ord. 2001-52)

(a) **Purpose and Intent.**

- (1) Cedarburg recognizes that trees and woodlands help to reduce storm water runoff and erosion, replenish ground water supplies, preserve wildlife habitats, enhance and preserve air quality, the climate, the environment, protect property values and provide educational and recreational opportunities.
- (2) Cedarburg also recognizes that preservation and/or replacement of trees during the land development/building construction process is a public benefit and in the interest of preserving the health and welfare of the people.
- (3) This ordinance applies to all land disturbance activity on undeveloped property, which has been recently annexed to the City or is in the process of being annexed for development. It shall be applied to such lands in their pre-development condition through the process of reviewing and approving land divisions, site plan approvals and subdivision development. Said development activity shall comply with the Tree Preservation ordinance and implementing regulations.
- (4) This ordinance shall not apply to lands after their initial development has occurred.

(b) **Definitions**

- (1) **Superintendent of Parks and Forestry** is designated as the "City Forester" per the meaning in Sec. 6-4-3.
- (2) **Diameter at Breast Height (DBH):** A standard measure of tree size. A tree trunk diameter measured at a height of four and one-half (4 ½) feet above the ground. If a tree splits into multiple trunks below the 4-½ foot mark, then the trunk is measured at its most narrow point beneath the split.
- (3) **Land Disturbance Activity:** Any manmade change of the land surface including removal of a tree(s) or vegetative cover, excavation, filling, and grading, but not including agricultural land uses such as planting, growing, cultivating and harvesting of crops.
- (4) **Development Site:** Any area in the process of annexation; any undeveloped property already annexed, any area subject to land division, condominium or subdivision development.
- (5) **Natural Areas:** Any area found on a parcel of land that includes but may not necessarily be limited to one of the following: wooded areas (trees, shrubs, etc), undisturbed areas, prairies, wetlands and natural ecosystems.
- (6) **Undeveloped Property:** Lands, which are devoid of structures above and below the ground. (Note: Structures shall be as defined in Section 12-1-240(141) of the Zoning Code.)
- (7) **Specimen Tree (s):** Any tree or grouping of trees which has been determined to be of high value by the Superintendent of Parks and Forestry because of its size (24" or greater DBH), age, historic significance or other professional criteria.
- (8) **Tree:** Any self supporting woody plant having a well-defined stem, a well-defined crown and has attained a height of at least eight feet with a trunk of not less than

three (3) inches diameter at breast height (DBH). Or, a cluster of main stems having an aggregate diameter of not less than three (3) inches DBH. (Note: Containerized trees and nursery stock in licensed commercial nurseries are exempt from the provisions of this ordinance.)

- (9) **Tree Preservation Guidelines and Administrative Standards:** The implementing regulations established by the Park and Forestry Board and published by the Park and Recreation Department to be used by the Superintendent of Parks and Forestry, developers and residents of Cedarburg in identifying, preserving and protecting specimen and other trees.

(c) **Applicability**

- (1) The terms of this ordinance shall apply to all proposed land disturbance activity occurring on undeveloped/unplatted annexed property and property in the process of being annexed, or platted property associated with a land division, other condominium and subdivision development including but not limited to residential, commercial, industrial, and institutional uses except as otherwise noted herein.
- (2) With the submission of a preliminary plat or certified survey map, the developer/owner must identify and delineate all natural areas and indicate the approximate average DBH and the range of DBH sizes found in each natural area.
- (3) Provisions of this ordinance shall not apply to the following:
- a. Lots developed and platted prior to the adoption of this ordinance
 - b. Lots for which a building permit has been issued for principal structures or principal use
 - c. Projects initiated by the City, as determined by the Common Council on a case-by-case basis, where the public good and/or health and welfare are a concern (including but not limited to installation of sanitary sewer, public roads, drainage improvements)

(d) **Permit Procedure**

- (1) The developer/owner shall submit a landscape plan in conjunction with the proposed development or land disturbance as specified in the Tree Preservation Guidelines. The landscape plan shall be submitted to the Superintendent of Parks and Forestry, Park and Recreation Department and Plan Commission or Park and Forestry Board, as applicable, for review. The Superintendent of Parks and Forestry may be requested to inspect the designated site for specimen and/or other trees for the purpose of preservation.
- (2) Based upon the Superintendent of Parks and Forestry inspection and review of the land disturbance, preliminary plat or certified survey map (and landscape plan submitted for subdivision development, as required in the Tree Preservation Guidelines), the Superintendent of Parks and Forestry and/or Plan Commission, as applicable, may suggest a modification and/or alternate location for site development, if in their opinion it may preserve trees in accordance with this ordinance and the Tree Preservation Guidelines. This recommendation shall be in writing.
- (3) The Superintendent of Parks and Forestry shall review all preliminary plats and

certified survey maps and, when necessary, recommend modifications prior to Plan Commission approval.

(e) **Removal of Specimen Trees**

- (1) No specimen trees shall be removed from a development site as of November 12, 2001 except as provided in (e) of this ordinance. Documentation requesting removal shall be submitted to the Superintendent of Parks and Forestry, as applicable, as part of a landscape plan, in accordance with the Tree Preservation Guidelines prior to final plat or land division or site plan approval.
- (2) It shall be unlawful to remove, injure, destroy, or undertake any procedure that may cause the death or substantial destruction of any specimen tree located on the development site without the express written permission of the Superintendent of Parks and Forestry or his representative.
- (3) If a specimen tree is proposed to be removed, the Superintendent of Parks and Forestry shall review the site for any alternative location for driveway, building and/or other construction in order to preserve the specimen trees.
 - a. If it is found that construction cannot occur on a development site without removal of specimen tree(s), the Park and Forestry Board may require reconfiguration of the proposed locations of buildings, roads, parking areas, or lot lines in an effort to preserve trees.
 - b. In the case outlined above, the Park and Forestry Board can direct the Superintendent of Parks and Forestry to authorize the removal of specimen trees pursuant to Sec. 4 d. below.
- (4) Authorization for removal of any specimen tree located on the development site may be granted for the following reasons:
 - a. The tree is dead or dying; or
 - b. The tree is diseased; or
 - c. The tree is damaged or injured to the extent that it is likely to die or become diseased; or
 - d. Where removal will avoid or alleviate unreasonable difficulty or hardship.
- (5) The owner/developer shall pay specimen tree replacement fees in each of the following instances, as directed by the City:
 - a. In the event the removal of the tree is authorized to avoid or alleviate unreasonable difficulty or hardship.
 - b. In the event the tree is damaged or injured by other than natural causes to the extent that is likely to die or become diseased, or it constitutes a hazard to persons or property.
 - c. In the event the tree is unlawfully removed in violation with this ordinance.
- (6) Tree replacement fees, pursuant to Subsections (e) (5) a. or (e) (5) b. will be in accordance with the Tree Preservation Guidelines. Where tree replacement fees are due as a result of unlawful removal of a tree, in violation of the ordinance, the Superintendent of Parks and Forestry will require fees based upon the replacement value as determined by a certified arborist in accordance with the latest revision of a Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs, and

Evergreens, as published by the International Society of Arboriculture.

- (f) **Enforcement.** It shall be the duty of the Superintendent of Parks and Forestry, Parks and Recreation Department, or its authorized representative to enforce this ordinance. The Superintendent of Parks and Forestry, Parks and Recreation Department or authorized representative shall have the authority to revoke, suspend or void any land disturbance permit and shall have the authority to suspend all work on a site or portion thereof for violation of this ordinance.
- (g) **Violations and Penalty.** Any person, firm or corporation violating any of the provisions of the ordinance may be subject to a forfeiture of not less than \$500.00 per violation together with the costs of such action. Each day during which any violation of the provisions of this ordinance shall occur or continue shall be a separate offense. If, as a result of the violation of any provision of this ordinance, the injury, mutilation or death of a specimen tree is caused, the cost to repair or replacement shall be borne by the party in violation. The replacement value of trees and shrubs shall be determined by a certified arborist in accordance with the latest revision of a Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs, and Evergreens, as published by the International Society of Arboriculture. The developer/owner shall pay all fees associated with the certified arborist's appraisal.
- (h) **Appeal.** Any person aggrieved or affected by any decision of the Superintendent of Parks and Forestry, Park and Forestry Board, Plan Commission or City Staff relating to the application of this ordinance may appeal to the City of Cedarburg Board of Appeals.

SEC. 6-4-15 ADOPTION OF STATE STATUTES.

Sections 27.09 and 86.03, Wis. Stats., are hereby adopted and incorporated herein by reference.

State Law Reference: Sections 27.09 and 86.03, Wis. Stats.

ORDINANCE NO. 2021-04

An Ordinance Creating Section 6-4-16 Violations and Penalty

SEC. 6-4-16 VIOLATIONS AND PENALTY

WHEREAS, the City of Cedarburg recognizes its trees and shrubs as contributing to the quality of life and visual aesthetic of the City of Cedarburg and wishes to protect public trees and shrubs by creating a monetary penalty for damage;

Therefore, The Common Council of the City of Cedarburg, Wisconsin, hereby ordain as follows:

SECTION 1. Any person, firm or corporation violating any of the provisions of this ordinance may be subject to a forfeiture of up to \$500.00 per violation together with the costs of such action. In addition to the forfeiture the City may require restitution for the appraised value of the tree(s) and /or shrub(s) which were damaged or destroyed as result of violation of this ordinance. If, as a result of the violation of any provision of this ordinance, the injury, mutilation or death of a City-owned tree or shrub is caused, the cost of repair, replacement, and the appraised value shall be borne by the party in violation. The appraised value of trees and shrubs shall be determined by the City Forester or a Certified Arborist in accordance with the latest revision of the Council of Tree & Landscape Appraisers Guide for Plant Appraisal, as published by the International Society of Arboriculture; or the Consumer Price Index (CPI) Method as it applies to the cost per diameter inch of recently planted trees; whichever is in the best interest of the City. The party in violation shall pay all fees associated with the Certified Arborist's appraisal. Each day during which any violation of the provisions of this ordinance shall occur or continue, shall be a separate offense.

SECTION 2. Severability. If any provision of this ordinance is invalid or unconstitutional, such invalidity of constitutionality shall not affect the other provisions of this ordinance.

SECTION 3. This ordinance shall take effect upon publication as provided by law.

Passed and adopted this 11th day of January 2021.

Michael O'Keefe, Mayor

Attest:

Tracie Sette, City Clerk

Approved as to form:

Michael P. Herbrand, City Attorney

CITY OF CEDARBURG

MEETING DATE: January 11, 2020

ITEM NO: 8.C.

TITLE: Consider award of contract for the Hwy 60 Business Park Utility Contract; and action thereon.

ISSUE SUMMARY: Staff advertised and received bids for the Hwy 60 Business Park Utility work. A total of 14 bids were received, with the low bid submitted by Wondra Construction.

Wondra Construction is a construction company who has previously completed utility work in Cedarburg, most recently for the Cedarburg Trails Subdivision.

Wondra Construction's low bid of \$2,886,351.41 is well below the engineer's estimate. The TIF budgeted \$2,168,070 for these items, but with contingencies figured this bid is still in line with the overall TIF budget.

Light and Water has not received PSC approval for the booster station and watermain included in this contract but to meet WILO's construction schedule we are forced to move ahead; with the expectation that the approval will be received before watermain construction proceeds.

STAFF RECOMMENDATION: Staff recommends award of the Hwy 60 Business Park Utility Contract to Wondra Construction based on their low bid of \$2,886,351.41.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION: N/A

BUDGETARY IMPACT: \$2,886,351.41 from TIF #6 borrowing

ATTACHMENTS: Bid tabulation

INITIATED/REQUESTED BY: Mike Wieser

FOR MORE INFORMATION CONTACT: Mike Wieser
262-375-7610

Cedarburg Business Park - Phase 2 Utility Plans

raSmith Project Number: 1200167

Owner: City of Cedarburg

Solicitor: raSmith

12/21/2020 02:00 PM CST

				Wondra Construction		Kruczek Construction, Inc.		Advance Construction, Inc.		PTS Contractors, Inc.		Globe Contractors, Inc.		Vinton Construction Company	
Item #	Item Description	UofM	Qty	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Base Bid															
1	15" Dia. PVC Sanitary Sewer (Granular Backfill)	LF	1053	\$113.25	\$119,252.25	\$125.25	\$131,888.25	\$155.00	\$163,215.00	\$185.00	\$194,805.00	148	\$155,844.00	\$159.35	\$167,795.55
2	15" Dia. PVC Sanitary Sewer (Spoil Backfill)	LF	1284	\$52.53	\$67,448.52	\$71.50	\$91,806.00	\$85.00	\$109,140.00	\$82.00	\$105,288.00	\$88.00	\$112,992.00	\$86.00	\$110,424.00
3	12" Dia. PVC Sanitary Sewer (Granular Backfill)	LF	2095	\$121.69	\$254,940.55	\$152.50	\$319,487.50	\$165.50	\$346,722.50	\$150.00	\$314,250.00	\$130.00	\$272,350.00	\$151.60	\$317,602.00
4	12" Dia HDPE Sanitary Sewer (Directional Drill)	LF	138	\$196.58	\$27,128.04	\$196.00	\$27,048.00	\$200.00	\$27,600.00	\$235.00	\$32,430.00	\$415.00	\$57,270.00	\$215.00	\$29,670.00
5	8" Dia. PVC Sanitary Lateral (Granular Backfill)	LF	38	\$107.46	\$4,083.48	\$127.50	\$4,845.00	\$128.00	\$4,864.00	\$113.00	\$4,294.00	\$123.00	\$4,674.00	\$121.60	\$4,620.80
6	8" Dia. PVC Sanitary Lateral (Spoil Backfill)	LF	14	\$48.48	\$678.72	\$80.00	\$1,120.00	\$78.00	\$1,092.00	\$129.00	\$1,806.00	\$80.00	\$1,120.00	\$76.60	\$1,072.40
7	6" Dia. PVC Sanitary Lateral (Granular Backfill)	LF	321	\$109.59	\$35,178.39	\$72.00	\$23,112.00	\$124.00	\$39,804.00	\$99.00	\$31,779.00	\$120.00	\$38,520.00	\$105.60	\$33,897.60
8	48" I.D. Sanitary Manhole	EA	14	\$4,961.98	\$69,467.72	\$4,000.00	\$56,000.00	\$4,028.00	\$56,392.00	\$4,720.00	\$66,080.00	\$3,800.00	\$53,200.00	\$4,766.00	\$66,724.00
9	48" I.D. Sanitary Manhole (STH 60)	EA	1	\$4,961.98	\$4,961.98	\$4,400.00	\$4,400.00	\$4,028.00	\$4,028.00	\$10,950.00	\$10,950.00	\$7,000.00	\$7,000.00	\$4,766.00	\$4,766.00
10	48" I.D. Sanitary Manhole (Outside Drop)	EA	4	\$6,957.81	\$27,831.24	\$5,700.00	\$22,800.00	\$6,826.00	\$27,304.00	\$6,170.00	\$24,680.00	\$5,700.00	\$22,800.00	\$6,370.00	\$25,480.00
11	Sanitary Riser (6)	VF	21	\$225.12	\$4,727.52	\$157.00	\$3,297.00	\$96.00	\$2,016.00	\$100.00	\$2,100.00	\$120.00	\$2,520.00	\$260.00	\$5,460.00
12	16" Dia. PVC Water Main (Granular Backfill)	LF	2660	\$116.38	\$309,570.80	\$112.50	\$299,250.00	\$131.00	\$348,460.00	\$118.00	\$313,880.00	\$136.00	\$361,760.00	\$122.50	\$325,850.00
13	16" Dia. PVC Water Main (Slurry Backfill)	LF	419	\$138.75	\$58,136.25	\$161.00	\$67,459.00	\$180.00	\$75,420.00	\$225.00	\$94,275.00	\$248.00	\$103,912.00	\$202.60	\$84,889.40
14	16" Dia. PVC Water Main (Spoil Backfill)	LF	1265	\$68.52	\$86,677.80	\$103.00	\$130,295.00	\$91.00	\$115,115.00	\$81.00	\$102,465.00	\$114.00	\$144,210.00	\$96.80	\$122,452.00
15	16" Dia. HDPE Water Main (Directional Drill)	LF	106	\$272.80	\$28,916.80	\$277.00	\$29,362.00	\$300.00	\$31,800.00	\$327.00	\$34,662.00	\$405.00	\$42,930.00	\$368.00	\$39,008.00
16	16" Dia. DI Water Main (Granular Backfill)	LF	38	\$186.82	\$7,099.16	\$287.75	\$10,934.50	\$245.50	\$9,329.00	\$305.00	\$11,590.00	\$294.00	\$11,172.00	\$270.00	\$10,260.00
17	12" Dia. PVC Water Main (Granular Backfill)	LF	117	\$100.57	\$11,766.69	\$116.25	\$13,601.25	\$172.50	\$20,182.50	\$118.00	\$13,806.00	\$114.00	\$13,338.00	\$113.70	\$13,302.90
18	10" Dia. PVC Water Service (Granular Backfill)	LF	46	\$136.20	\$6,265.20	\$160.50	\$7,383.00	\$172.50	\$7,935.00	\$140.00	\$6,440.00	\$177.00	\$8,142.00	\$162.50	\$7,475.00
19	8" Dia. PVC Water Service (Granular Backfill)	LF	266	\$85.37	\$22,708.42	\$89.00	\$23,674.00	\$89.00	\$23,674.00	\$98.00	\$26,068.00	\$114.00	\$30,324.00	\$107.00	\$28,462.00
20	Hydrant Assembly	EA	9	\$6,666.71	\$60,000.39	\$5,800.00	\$52,200.00	\$5,436.00	\$48,924.00	\$5,100.00	\$45,900.00	\$6,000.00	\$54,000.00	\$6,680.00	\$60,120.00
21	Hydrant Assembly (STH 60)	EA	1	\$6,458.10	\$6,458.10	\$5,650.00	\$5,650.00	\$5,436.00	\$5,436.00	\$7,195.00	\$7,195.00	\$7,500.00	\$7,500.00	\$6,140.00	\$6,140.00
22	16" Butterfly Valve & Box	EA	15	\$3,946.28	\$59,194.20	\$3,650.00	\$54,750.00	\$3,084.20	\$46,263.00	\$4,170.00	\$62,550.00	\$4,800.00	\$72,000.00	\$3,534.00	\$53,010.00
23	16" Butterfly Valve & Box (STH 60)	EA	1	\$3,958.04	\$3,958.04	\$3,650.00	\$3,650.00	\$3,097.00	\$3,097.00	\$6,740.00	\$6,740.00	\$5,100.00	\$5,100.00	\$3,534.00	\$3,534.00
24	12" Butterfly Valve & Box	EA	1	\$2,597.07	\$2,597.07	\$2,050.00	\$2,050.00	\$1,863.00	\$1,863.00	\$2,500.00	\$2,500.00	\$2,700.00	\$2,700.00	\$2,088.00	\$2,088.00
25	10" Gate Valve & Box	EA	1	\$2,807.83	\$2,807.83	\$2,550.00	\$2,550.00	\$2,285.00	\$2,285.00	\$2,550.00	\$2,550.00	\$2,900.00	\$2,900.00	\$2,485.00	\$2,485.00
26	8" Gate Valve & Box	EA	8	\$1,952.64	\$15,621.12	\$1,650.00	\$13,200.00	\$1,488.00	\$11,904.00	\$1,500.00	\$12,000.00	\$1,900.00	\$15,200.00	\$1,698.00	\$13,584.00
27	HG-4 Auto Flush System (84") with Discharge Pipe	EA	2	\$9,771.29	\$19,542.58	\$7,750.00	\$15,500.00	\$7,844.00	\$15,688.00	\$10,000.00	\$20,000.00	\$12,000.00	\$24,000.00	\$8,955.00	\$17,910.00
28	42" Dia. RCP CL III Storm Sewer (Granular Backfill)	LF	41	\$111.58	\$4,574.78	\$155.00	\$6,355.00	\$125.50	\$5,145.50	\$160.00	\$6,560.00	\$160.00	\$6,560.00	\$146.00	\$5,986.00
29	42" Dia. RCP CL III Storm Sewer (Spoil Backfill)	LF	273	\$112.22	\$30,636.06	\$95.50	\$26,071.50	\$85.50	\$23,341.50	\$113.00	\$30,849.00	\$135.00	\$36,855.00	\$108.90	\$29,729.70
30	36" Dia. RCP CL III Storm Sewer (Granular Backfill)	LF	152	\$95.40	\$14,500.80	\$106.00	\$16,112.00	\$106.00	\$16,112.00	\$97.00	\$14,744.00	\$145.00	\$22,040.00	\$120.80	\$18,361.60
31	30" Dia. RCP CL III Storm Sewer (Granular Backfill)	LF	674	\$78.99	\$53,239.26	\$81.75	\$55,099.50	\$85.50	\$57,627.00	\$83.00	\$55,942.00	\$112.00	\$75,488.00	\$106.65	\$71,882.10
32	24" Dia. RCP CL III Storm Sewer (Granular Backfill)	LF	235	\$67.02	\$15,749.70	\$75.00	\$17,625.00	\$84.00	\$19,740.00	\$115.00	\$27,025.00	\$110.00	\$25,850.00	\$111.00	\$26,085.00
33	24" Dia. RCP CL III Storm Sewer (Slurry Backfill)	LF	16	\$74.80	\$1,196.80	\$217.50	\$3,480.00	\$160.00	\$2,560.00	\$340.00	\$5,440.00	\$164.00	\$2,624.00	\$152.00	\$2,432.00
34	18" Dia. RCP CL III Storm Sewer (Granular Backfill)	LF	189	\$59.29	\$11,205.81	\$73.00	\$13,797.00	\$64.00	\$12,096.00	\$63.00	\$11,907.00	\$86.00	\$16,254.00	\$86.15	\$16,282.35
35	15" Dia. RCP CL IV Storm Sewer (Granular Backfill)	LF	140	\$54.51	\$7,631.40	\$59.50	\$8,330.00	\$71.00	\$9,940.00	\$70.00	\$9,800.00	\$86.00	\$12,040.00	\$82.65	\$11,571.00
36	15" Dia. RCP CL IV Storm Sewer (Slurry Backfill)	LF	71	\$61.62	\$4,375.02	\$95.75	\$6,798.25	\$111.00	\$7,881.00	\$210.00	\$14,910.00	\$158.00	\$11,218.00	\$153.00	\$10,863.00
37	15" Dia. PVC or HDPE Storm Sewer (Spoil Backfill)	LF	1278	\$44.81	\$57,267.18	\$32.50	\$41,535.00	\$40.50	\$51,759.00	\$40.00	\$51,120.00	\$69.00	\$88,182.00	\$53.40	\$68,245.20
38	14" x 23" Elliptical RCP CL IV Storm Sewer (Granular Backfill)	LF	80	\$82.86	\$6,628.80	\$99.50	\$7,960.00	\$64.00	\$5,120.00	\$105.00	\$8,400.00	\$110.00	\$8,800.00	\$81.00	\$6,480.00
39	4" Perforated Underdrain	LF	915	\$23.18	\$21,209.70	\$14.00	\$12,810.00	\$32.50	\$29,737.50	\$20.00	\$18,300.00	\$12.00	\$10,980.00	\$14.20	\$12,993.00
40	84" I.D. Storm Manhole	EA	1	\$6,725.95	\$6,725.95	\$6,000.00	\$6,000.00	\$7,600.00	\$7,600.00	\$6,590.00	\$6,590.00	\$5,000.00	\$5,000.00	\$6,628.00	\$6,628.00
41	72" I.D. Storm Manhole	EA	4	\$4,829.17	\$19,316.68	\$4,300.00	\$17,200.00	\$4,700.00	\$18,800.00	\$3,290.00	\$13,160.00	\$4,000.00	\$16,000.00	\$4,276.00	\$17,104.00
42	60" I.D. Storm Manhole	EA	7	\$3,608.57	\$25,259.99	\$3,550.00	\$24,850.00	\$3,800.00	\$26,600.00	\$2,970.00	\$20,790.00	\$3,000.00	\$21,000.00	\$3,692.00	\$25,844.00
43	48" I.D. Storm Manhole	EA	4	\$2,883.82	\$11,535.28	\$2,900.00	\$11,600.00	\$2,653.00	\$10,612.00	\$2,165.00	\$8,660.00	\$2,500.00	\$10,000.00	\$3,040.00	\$12,160.00
44	2' x 3' Storm Catch Basin	EA	6	\$2,017.23	\$12,103.38	\$2,550.00	\$15,300.00	\$2,031.00	\$12,186.00	\$1,825.00	\$10,950.00	\$2,000.00	\$12,000.00	\$2,061.00	

Cedarburg Business Park - Phase 2 Utility Plans

raSmith Project Number: 1200167

Owner: City of Cedarburg

Solicitor: raSmith

12/21/2020 02:00 PM CST

		UPI Construction LLC		David Tenor Corporation		Dorner, Inc.		Jos. Schmitt & Sons Construction		Mid City Corporation		Super Excavators, Inc.	
Item #	Item Description	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Base Bid													
1	15" Dia. PVC Sanitary Sewer (Granular Backfill)	\$178.00	\$187,434.00	\$160.00	\$168,480.00	\$175.00	\$184,275.00	\$156.60	\$164,899.80	\$190.00	\$200,070.00	\$210.00	\$221,130.00
2	15" Dia. PVC Sanitary Sewer (Spoil Backfill)	\$108.00	\$138,672.00	\$78.00	\$100,152.00	\$85.00	\$109,140.00	\$82.15	\$105,480.60	\$120.00	\$154,080.00	\$65.00	\$83,460.00
3	12" Dia. PVC Sanitary Sewer (Granular Backfill)	\$147.00	\$307,965.00	\$158.00	\$331,010.00	\$170.00	\$356,150.00	\$164.57	\$344,774.15	\$170.00	\$356,150.00	\$200.00	\$419,000.00
4	12" Dia HDPE Sanitary Sewer (Directional Drill)	\$450.00	\$62,100.00	\$155.00	\$21,390.00	\$200.00	\$27,600.00	\$285.73	\$39,430.74	\$320.00	\$44,160.00	\$310.00	\$42,780.00
5	8" Dia. PVC Sanitary Lateral (Granular Backfill)	\$245.00	\$9,310.00	\$100.00	\$3,800.00	\$175.00	\$6,650.00	\$87.37	\$3,320.06	\$120.00	\$4,560.00	\$170.00	\$6,460.00
6	8" Dia. PVC Sanitary Lateral (Spoil Backfill)	\$71.00	\$994.00	\$90.00	\$1,260.00	\$75.00	\$1,050.00	\$77.20	\$1,080.80	\$100.00	\$1,400.00	\$350.00	\$4,900.00
7	6" Dia. PVC Sanitary Lateral (Granular Backfill)	\$98.00	\$31,458.00	\$105.00	\$33,705.00	\$125.00	\$40,125.00	\$138.47	\$44,448.87	\$90.00	\$28,890.00	\$175.00	\$56,175.00
8	48" I.D. Sanitary Manhole	\$5,000.00	\$70,000.00	\$5,360.00	\$75,040.00	\$4,988.00	\$69,832.00	\$4,945.29	\$69,234.06	\$3,750.00	\$52,500.00	\$5,500.00	\$77,000.00
9	48" I.D. Sanitary Manhole (STH 60)	\$7,700.00	\$7,700.00	\$5,800.00	\$5,800.00	\$5,895.00	\$5,895.00	\$5,220.03	\$5,220.03	\$5,000.00	\$5,000.00	\$9,200.00	\$9,200.00
10	48" I.D. Sanitary Manhole (Outside Drop)	\$7,700.00	\$30,800.00	\$7,250.00	\$29,000.00	\$7,227.00	\$28,908.00	\$7,967.41	\$31,869.64	\$6,500.00	\$26,000.00	\$11,000.00	\$44,000.00
11	Sanitary Riser (6)	\$165.00	\$3,465.00	\$85.00	\$1,785.00	\$201.00	\$4,221.00	\$329.69	\$6,923.49	\$150.00	\$3,150.00	\$500.00	\$10,500.00
12	16" Dia. PVC Water Main (Granular Backfill)	\$131.00	\$348,460.00	\$150.00	\$399,000.00	\$150.00	\$399,000.00	\$124.18	\$330,318.80	\$140.00	\$372,400.00	\$155.00	\$412,300.00
13	16" Dia. PVC Water Main (Slurry Backfill)	\$215.00	\$90,085.00	\$294.00	\$123,186.00	\$250.00	\$104,750.00	\$219.52	\$91,978.88	\$240.00	\$100,560.00	\$210.00	\$87,990.00
14	16" Dia. PVC Water Main (Spoil Backfill)	\$111.00	\$140,415.00	\$112.00	\$141,680.00	\$90.00	\$113,850.00	\$101.10	\$127,891.50	\$115.00	\$145,475.00	\$75.00	\$94,875.00
15	16" Dia. HDPE Water Main (Directional Drill)	\$450.00	\$47,700.00	\$228.00	\$24,168.00	\$277.00	\$29,362.00	\$318.70	\$33,782.20	\$415.00	\$43,990.00	\$405.00	\$42,930.00
16	16" Dia. DI Water Main (Granular Backfill)	\$261.00	\$9,918.00	\$193.00	\$7,334.00	\$217.00	\$8,246.00	\$209.35	\$7,955.30	\$290.00	\$11,020.00	\$350.00	\$13,300.00
17	12" Dia. PVC Water Main (Granular Backfill)	\$112.00	\$13,104.00	\$101.00	\$11,817.00	\$130.00	\$15,210.00	\$76.65	\$8,968.05	\$130.00	\$15,210.00	\$120.00	\$14,040.00
18	10" Dia. PVC Water Service (Granular Backfill)	\$130.00	\$5,980.00	\$120.00	\$5,520.00	\$150.00	\$6,900.00	\$123.91	\$5,699.86	\$125.00	\$5,750.00	\$300.00	\$13,800.00
19	8" Dia. PVC Water Service (Granular Backfill)	\$83.00	\$22,078.00	\$85.00	\$22,610.00	\$110.00	\$29,260.00	\$125.83	\$33,470.78	\$115.00	\$30,590.00	\$190.00	\$50,540.00
20	Hydrant Assembly	\$6,200.00	\$55,800.00	\$5,900.00	\$53,100.00	\$5,713.00	\$51,417.00	\$6,154.14	\$55,387.26	\$7,000.00	\$63,000.00	\$5,400.00	\$48,600.00
21	Hydrant Assembly (STH 60)	\$6,800.00	\$6,800.00	\$5,600.00	\$5,600.00	\$5,802.00	\$5,802.00	\$6,154.14	\$6,154.14	\$7,250.00	\$7,250.00	\$7,500.00	\$7,500.00
22	16" Butterfly Valve & Box	\$3,400.00	\$51,000.00	\$3,100.00	\$46,500.00	\$3,519.00	\$52,785.00	\$3,654.02	\$54,810.30	\$3,500.00	\$52,500.00	\$5,000.00	\$75,000.00
23	16" Butterfly Valve & Box (STH 60)	\$3,400.00	\$3,400.00	\$3,100.00	\$3,100.00	\$3,533.00	\$3,533.00	\$3,654.02	\$3,654.02	\$3,500.00	\$3,500.00	\$6,000.00	\$6,000.00
24	12" Butterfly Valve & Box	\$2,200.00	\$2,200.00	\$1,875.00	\$1,875.00	\$2,139.00	\$2,139.00	\$2,197.91	\$2,197.91	\$2,000.00	\$2,000.00	\$8,000.00	\$8,000.00
25	10" Gate Valve & Box	\$2,500.00	\$2,500.00	\$2,330.00	\$2,330.00	\$2,579.00	\$2,579.00	\$2,747.38	\$2,747.38	\$2,250.00	\$2,250.00	\$4,000.00	\$4,000.00
26	8" Gate Valve & Box	\$1,700.00	\$13,600.00	\$1,535.00	\$12,280.00	\$1,696.00	\$13,568.00	\$1,758.33	\$14,066.64	\$1,750.00	\$14,000.00	\$1,800.00	\$14,400.00
27	HG-4 Auto Flush System (84") with Discharge Pipe	\$8,900.00	\$17,800.00	\$5,485.00	\$10,970.00	\$7,958.00	\$15,916.00	\$6,868.46	\$13,736.92	\$10,000.00	\$20,000.00	\$16,800.00	\$33,600.00
28	42" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$137.00	\$5,617.00	\$112.00	\$4,592.00	\$140.00	\$5,740.00	\$123.91	\$5,080.31	\$175.00	\$7,175.00	\$160.00	\$6,560.00
29	42" Dia. RCP CL III Storm Sewer (Spoil Backfill)	\$114.00	\$31,122.00	\$90.00	\$24,570.00	\$120.00	\$32,760.00	\$116.21	\$31,725.33	\$150.00	\$40,950.00	\$130.00	\$35,490.00
30	36" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$118.00	\$17,936.00	\$85.00	\$12,920.00	\$125.00	\$19,000.00	\$110.17	\$16,745.84	\$135.00	\$20,520.00	\$145.00	\$22,040.00
31	30" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$102.00	\$68,748.00	\$75.00	\$50,550.00	\$100.00	\$67,400.00	\$90.11	\$60,734.14	\$110.00	\$74,140.00	\$100.00	\$67,400.00
32	24" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$74.00	\$17,390.00	\$75.00	\$17,625.00	\$90.00	\$21,150.00	\$85.99	\$20,207.65	\$105.00	\$24,675.00	\$94.00	\$22,090.00
33	24" Dia. RCP CL III Storm Sewer (Slurry Backfill)	\$105.00	\$1,680.00	\$180.00	\$2,880.00	\$150.00	\$2,400.00	\$202.21	\$3,235.36	\$275.00	\$4,400.00	\$250.00	\$4,000.00
34	18" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$65.00	\$12,285.00	\$71.00	\$13,419.00	\$75.00	\$14,175.00	\$72.26	\$13,657.14	\$75.00	\$14,175.00	\$105.00	\$19,845.00
35	15" Dia. RCP CL IV Storm Sewer (Granular Backfill)	\$56.00	\$7,840.00	\$70.00	\$9,800.00	\$75.00	\$10,500.00	\$69.23	\$9,692.20	\$70.00	\$9,800.00	\$80.00	\$11,200.00
36	15" Dia. RCP CL IV Storm Sewer (Slurry Backfill)	\$70.00	\$4,970.00	\$175.00	\$12,425.00	\$150.00	\$10,650.00	\$175.83	\$12,483.93	\$115.00	\$8,165.00	\$140.00	\$9,940.00
37	15" Dia. PVC or HDPE Storm Sewer (Spoil Backfill)	\$43.00	\$54,954.00	\$58.00	\$74,124.00	\$50.00	\$63,900.00	\$42.86	\$54,775.08	\$75.00	\$95,850.00	\$65.00	\$83,070.00
38	14" x 23" Elliptical RCP CL IV Storm Sewer (Granular Backfill)	\$84.00	\$6,720.00	\$80.00	\$6,400.00	\$100.00	\$8,000.00	\$93.41	\$7,472.80	\$100.00	\$8,000.00	\$115.00	\$9,200.00
39	4" Perforated Underdrain	\$17.00	\$15,555.00	\$17.00	\$15,555.00	\$32.00	\$29,280.00	\$19.23	\$17,595.45	\$20.00	\$18,300.00	\$12.00	\$10,980.00
40	84" I.D. Storm Manhole	\$5,380.00	\$5,380.00	\$6,100.00	\$6,100.00	\$6,253.00	\$6,253.00	\$5,961.82	\$5,961.82	\$5,000.00	\$5,000.00	\$6,000.00	\$6,000.00
41	72" I.D. Storm Manhole	\$4,088.00	\$16,352.00	\$5,075.00	\$20,300.00	\$5,154.00	\$20,616.00	\$40,551.39	\$162,205.56	\$3,750.00	\$15,000.00	\$5,000.00	\$20,000.00
42	60" I.D. Storm Manhole	\$3,260.00	\$22,820.00	\$3,540.00	\$24,780.00	\$3,729.00	\$26,103.00	\$3,104.54	\$21,731.78	\$3,000.00	\$21,000.00	\$2,500.00	\$17,500.00
43	48" I.D. Storm Manhole	\$2,720.00	\$10,880.00	\$3,000.00	\$12,000.00	\$2,824.00	\$11,296.00	\$2,582.54	\$10,330.16	\$2,500.00	\$10,000.00	\$2,000.00	\$8,000.00
44	2' x 3' Storm Catch Basin	\$2,385.00	\$14,310.00	\$1,950.00	\$11,700.00	\$2,175.00	\$13,050.00	\$1,923.17	\$11,539.02	\$2,000.00	\$12,000.00	\$1,850.00	\$11,100.00
45	36" Dia. RCP End Section	\$2,200.00	\$4,400.00	\$2,000.00	\$4,000.00	\$2,090.00	\$4,180.00	\$2,417.70	\$4,835.40	\$2,500.00	\$5,000.00	\$3,000.00	\$6,000.00
46	14" x 23" Dia. RCP End Section	\$545.00	\$1,090.00	\$700.00	\$1,400.00	\$696.00	\$1,392.00	\$769.27	\$1,538.54	\$1,250.00	\$2,500.00	\$2,200.00	\$4,400.00
47	Booster Station	\$1,035,200.00	\$1,035,200.00	\$1,187,500.00	\$1,187,500.00	\$1,121,111.00	\$1,121,111.00	\$963,151.25	\$963,151.25	\$1,040,000.00	\$1,040,000.00	\$983,000.00	\$983,000.00
48	Silt Fence	\$2.00	\$7,300.00	\$2.25	\$8,212.50	\$1.79	\$6,533.50	\$1.86	\$6,789.00	\$1.50	\$5,475.00	\$2.00	\$7,300.00
49	Inlet Protection	\$61.00	\$1,281.00	\$100.00	\$2,100.00	\$63.00	\$1,323.00	\$60.44	\$1,269.24	\$125.00	\$2,625.00	\$90.00	\$1,890.00
50	Medium Rip Rap	\$206.00	\$2,472.00	\$85.00	\$1,020.00	\$74.00	\$888.00	\$76.93	\$923.16	\$75.00	\$900.00	\$150.00	\$1,800.00
51	Heavy Rip Rap	\$150.00	\$5,700.00	\$95.00	\$3,610.00	\$74.00	\$2,812.00	\$76.93	\$2,923.34	\$80.00	\$3,040.00	\$150.00	\$5,700.00
52	1 1/4" Crushed Stone (Access Driveway)	\$26.75	\$38,787.50	\$17.35	\$25,157.50	\$14.18	\$20,561.00	\$19.78	\$28,681.00	\$26.50	\$38,425.00	\$30.00	\$43,500.00
53	3" Crushed Stone (Access Driveway)	\$18.00	\$15,300.00	\$20.25	\$17,212.50	\$16.88	\$14,348.00	\$23.63	\$20,085.50	\$18.00	\$15,300.00	\$20.00	\$17,000.00
54	Rock Excavation (Est.)	\$98.00	\$29,400.00	\$1.00	\$300.00	\$0.01	\$3.00	\$274.74	\$82,422.00	\$85.00	\$25,500.00	\$125.00	\$37,500.00
55	Traffic Control	\$7,040.00	\$7,040.00	\$10,000.00	\$10,000.00	\$5,289.00	\$5,289.00	\$50,000.00	\$50,000.00	\$8,000.00	\$8,000.00	\$10,000.00	\$10,000.00
56	Storm Structure Adjustment	\$520.00	\$2,600.00	\$650.00	\$3,250.00	\$350.00	\$1,750.00	\$329.69	\$1,648.45	\$750.00	\$3,750.00	\$300.00	\$1,500.00
57	Asphalt Trench Patch LT 58-28 S	\$132.00	\$29,040.00	\$97.50	\$21,450.00	\$101.00	\$22,220.00	\$104.84	\$23,064.80	\$130.00	\$28,600.00	\$155.00	\$34,100.00
			\$3,174,907.50		\$3,247,444.50		\$3,252,846.50		\$3,262,007.43		\$3,333,720.00		\$3,419,585.00
Alt Bid: If you do not choose to enter a unit price for either of these alternates, you must enter a zero (0) in the Unit Price column													
4A	12" Dia. PVC Sanitary Sewer	\$31.00	\$4,278.00	\$40.00	\$5,520.00	\$100.00	\$13,800.00	\$63.74	\$8,796.12	\$85.00	\$11,730.00	\$125.00	\$17,250.00
4B	20" Steel Casing	\$756.00	\$86,940.00	\$495.00	\$56,925.00	\$524.00	\$60,260.00	\$1,081.37	\$124,357.55	\$725.00	\$83,375.00	\$361.00	\$41,515.00
15A	16" Dia. PVC Water Main	\$74.00	\$8,732.00	\$75.00	\$8,850.00	\$90.00	\$10,620.00	\$89.84	\$10,601.12	\$100.00	\$11,800.00	\$200.00	\$23,600.00
15B	30" Steel Casing	\$706.00	\$74,836.00	\$485.00	\$51,410.00	\$567.00	\$60,102.00	\$806.63	\$85,502.78	\$675.00	\$71,550.00	\$420.00	\$44,520.00
			\$174,786.00		\$122,705.00		\$144,782.00		\$229,257.57		\$178,455.00		\$126,885.00

Cedarburg Business Park - Phase 2 Utility Plans

raSmith Project Number: 1200167

Owner: City of Cedarburg

Solicitor: raSmith

12/21/2020 02:00 PM CST

		Bohmann & Vick Plumbing		JH Hassinger, Inc.	
Item #	Item Description	Unit Price	Extension	Unit Price	Extension
Base Bid					
1	15" Dia. PVC Sanitary Sewer (Granular Backfill)	\$181.00	\$190,593.00	\$194.80	\$205,124.40
2	15" Dia. PVC Sanitary Sewer (Spoil Backfill)	\$176.00	\$225,984.00	\$189.42	\$243,215.28
3	12" Dia. PVC Sanitary Sewer (Granular Backfill)	\$174.00	\$364,530.00	\$187.27	\$392,330.65
4	12" Dia HDPE Sanitary Sewer (Directional Drill)	\$397.00	\$54,786.00	\$427.28	\$58,964.64
5	8" Dia. PVC Sanitary Lateral (Granular Backfill)	\$171.00	\$6,498.00	\$183.76	\$6,982.88
6	8" Dia. PVC Sanitary Lateral (Spoil Backfill)	\$160.00	\$2,240.00	\$172.21	\$2,410.94
7	6" Dia. PVC Sanitary Lateral (Granular Backfill)	\$169.00	\$54,249.00	\$181.89	\$58,386.69
8	48" I.D. Sanitary Manhole	\$3,564.00	\$49,896.00	\$3,835.76	\$53,700.64
9	48" I.D. Sanitary Manhole (STH 60)	\$3,900.00	\$3,900.00	\$4,197.38	\$4,197.38
10	48" I.D. Sanitary Manhole (Outside Drop)	\$5,015.00	\$20,060.00	\$5,397.40	\$21,589.60
11	Sanitary Riser (6)	\$167.00	\$3,507.00	\$179.74	\$3,774.54
12	16" Dia. PVC Water Main (Granular Backfill)	\$139.00	\$369,740.00	\$149.60	\$397,936.00
13	16" Dia. PVC Water Main (Slurry Backfill)	\$150.00	\$62,850.00	\$161.44	\$67,643.36
14	16" Dia. PVC Water Main (Spoil Backfill)	\$134.00	\$169,510.00	\$144.22	\$182,438.30
15	16" Dia. HDPE Water Main (Directional Drill)	\$412.00	\$43,672.00	\$443.42	\$47,002.52
16	16" Dia. DI Water Main (Granular Backfill)	\$156.00	\$5,928.00	\$167.90	\$6,380.20
17	12" Dia. PVC Water Main (Granular Backfill)	\$134.00	\$15,678.00	\$144.22	\$16,873.74
18	10" Dia. PVC Water Service (Granular Backfill)	\$123.00	\$5,658.00	\$132.38	\$6,089.48
19	8" Dia. PVC Water Service (Granular Backfill)	\$123.00	\$32,718.00	\$132.38	\$35,213.08
20	Hydrant Assembly	\$7,800.00	\$70,200.00	\$8,394.75	\$75,552.75
21	Hydrant Assembly (STH 60)	\$8,020.00	\$8,020.00	\$8,631.54	\$8,631.54
22	16" Butterfly Valve & Box	\$5,350.00	\$80,250.00	\$5,757.94	\$86,369.10
23	16" Butterfly Valve & Box (STH 60)	\$5,572.00	\$5,572.00	\$5,996.88	\$5,996.88
24	12" Butterfly Valve & Box	\$4,012.00	\$4,012.00	\$4,317.92	\$4,317.92
25	10" Gate Valve & Box	\$3,566.00	\$3,566.00	\$3,837.92	\$3,837.92
26	8" Gate Valve & Box	\$3,121.00	\$24,968.00	\$3,358.98	\$26,871.84
27	HG-4 Auto Flush System (84") with Discharge Pipe	\$8,023.00	\$16,046.00	\$8,634.76	\$17,269.52
28	42" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$156.00	\$6,396.00	\$167.90	\$6,883.90
29	42" Dia. RCP CL III Storm Sewer (Spoil Backfill)	\$144.00	\$39,312.00	\$154.80	\$42,260.40
30	36" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$129.00	\$19,608.00	\$138.84	\$21,103.68
31	30" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$113.00	\$76,162.00	\$121.62	\$81,971.88
32	24" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$101.00	\$23,735.00	\$108.71	\$25,546.85
33	24" Dia. RCP CL III Storm Sewer (Slurry Backfill)	\$117.00	\$1,872.00	\$128.29	\$2,052.64
34	18" Dia. RCP CL III Storm Sewer (Granular Backfill)	\$91.00	\$17,199.00	\$97.94	\$18,510.66
35	15" Dia. RCP CL IV Storm Sewer (Granular Backfill)	\$87.00	\$12,180.00	\$93.64	\$13,109.60
36	15" Dia. RCP CL IV Storm Sewer (Slurry Backfill)	\$104.00	\$7,384.00	\$111.94	\$7,947.74
37	15" Dia. PVC or HDPE Storm Sewer (Spoil Backfill)	\$80.00	\$102,240.00	\$86.10	\$110,035.80
38	14" x 23" Elliptical RCP CL IV Storm Sewer (Granular Backfill)	\$129.00	\$10,320.00	\$138.84	\$11,107.20
39	4" Perforated Underdrain	\$16.00	\$14,640.00	\$17.23	\$15,765.45
40	84" I.D. Storm Manhole	\$5,435.00	\$5,435.00	\$5,849.43	\$5,849.43
41	72" I.D. Storm Manhole	\$4,149.00	\$16,596.00	\$4,465.37	\$17,861.48
42	60" I.D. Storm Manhole	\$3,359.00	\$23,513.00	\$3,615.13	\$25,305.91
43	48" I.D. Storm Manhole	\$3,120.00	\$12,480.00	\$3,357.91	\$13,431.64
44	2' x 3' Storm Catch Basin	\$2,892.00	\$17,352.00	\$242.52	\$1,455.12
45	36" Dia. RCP End Section	\$1,560.00	\$3,120.00	\$1,678.96	\$3,357.92
46	14" x 23" Dia. RCP End Section	\$778.00	\$1,556.00	\$837.33	\$1,674.66
47	Booster Station	\$968,755.00	\$968,755.00	\$974,333.00	\$974,333.00
48	Silt Fence	\$2.20	\$8,030.00	\$2.42	\$8,833.00
49	Inlet Protection	\$166.00	\$3,486.00	\$178.66	\$3,751.86
50	Medium Rip Rap	\$43.00	\$516.00	\$46.28	\$555.36
51	Heavy Rip Rap	\$54.00	\$2,052.00	\$58.12	\$2,208.56
52	1 1/4" Crushed Stone (Access Driveway)	\$18.77	\$27,216.50	\$20.21	\$29,304.50
53	3" Crushed Stone (Access Driveway)	\$21.33	\$18,130.50	\$22.96	\$19,516.00
54	Rock Excavation (Est.)	\$166.00	\$49,800.00	\$178.66	\$53,598.00
55	Traffic Control	\$8,350.00	\$8,350.00	\$8,986.69	\$8,986.69
56	Storm Structure Adjustment	\$275.00	\$1,375.00	\$95.97	\$479.85
57	Asphalt Trench Patch LT 58-28 S	\$160.00	\$35,200.00	\$140.41	\$30,890.20
			\$3,428,642.00		\$3,596,790.77
Alt Bid:	If you do not choose to enter a unit price for either of these alternates, you must enter a zero (0) in the Unit Price column				
4A	12" Dia. PVC Sanitary Sewer	\$35.25	\$4,864.50	\$38.66	\$5,335.08
4B	20" Steel Casing	\$450.75	\$51,836.25	\$494.23	\$56,836.45
15A	16" Dia. PVC Water Main	\$60.60	\$7,150.80	\$66.44	\$7,839.92
15B	30" Steel Casing	\$606.80	\$64,320.80	\$665.32	\$70,523.92
			\$128,172.35		\$140,535.37

CITY OF CEDARBURG

MEETING DATE: January 11, 2021

ITEM NO: 8.D.

TITLE: Consider request to hire a replacement police officer; and action thereon

ISSUE SUMMARY: A patrol officer has recently resigned his employment with the Cedarburg Police Department. I am requesting to hire one officer to replace his position on our roster.

STAFF RECOMMENDATION: Authorize the hiring of one officer to fill the vacancy.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION: None

BUDGETARY IMPACT: Positive impact as the new officer will take four years to reach the top pay level.

ATTACHMENTS: None

INITIATED/REQUESTED BY: Police Chief Thomas J. Frank

FOR MORE INFORMATION CONTACT: Chief Thomas J. Frank (375-7620)

CITY OF CEDARBURG

MEETING DATE: January 11, 2021

ITEM NO: 8.F.

TITLE: Consider request from North 48 for a pedal tavern operation

ISSUE SUMMARY: Jordan Cole from North 48 is requesting permission to operate a pedal tavern in Cedarburg starting in 2021. The operation consists of a quadrivehicle rented from Pedal Taven MKE. North 48 would rent the quadrivehicle to their customers. The customers may bring alcohol on the vehicle and would only be able to consume while sitting in it. No beverages will be sold on the vehicle. A State law was changed several years ago to accommodate this type of business (information attached). The Common Council approved the request in concept at the September 28th Common Council meeting, thus the ordinance is on the agenda for discussion and approval.

STAFF RECOMMENDATION: None

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION: None

BUDGETARY IMPACT: None

ATTACHMENTS: Ordinance 2021-01, Route Map, Wi State Law, 9/28/2020 cc minutes

INITIATED/REQUESTED BY: Jordan Cole, North 48, north48bar@gmail.com

FOR MORE INFORMATION CONTACT: Mikko Hilvo, City Administrator



WI State Law - Pedal Taverns

In 2013, Wisconsin created a law authorizing pedal pubs in municipalities. The Department of Revenue does not license the vehicle or its driver. Below are some bullet points addressing what they can/cannot do.

- the quadricycle (pedal pub) does not need a separate license.
- State law was amended to allow consumption of fermented malt beverages on a quadricycle without a license, see [sec. 125.09\(1\)](#), Wis. Stats., rather than making the pedal pub part of a licensed premises.
- Sales of alcohol beverages do not occur on the pedal pub, rather the sale occurs on a licensed premises, as required by [secs. 125.272](#), and [125.04\(1\)](#), Wis. Stats., meaning the pedal pub rider may either purchase beer from the licensed premises that owns/operates the pedal pub, or a rider may carry beer (legally purchased from some other premises licensed to sell fermented malt beverages) onto the pedal pub. Riders may carry their own beer onto the pedal pub, as the vehicle is not a licensed premises.
- The law changes were created by [2013 Wis. Act 106](#).

ORDINANCE NO. 2021-01

An Ordinance to Create Section 10-2-10 of the City of Cedarburg Municipal Code Regarding Commercial Quadricycles

The Common Council of the City of Cedarburg, Ozaukee County, Wisconsin, do ordain as follows:

Section 1. Section 10-2-10 of the City of Cedarburg Code of Ordinances is hereby created as follows:

- 1) **DEFINITIONS.** As used in this section, the following terms shall have the meanings indicated:
Alcohol Beverages: In accordance with Wis Stats. §125.02(1).
Commercial Quadricycle: A vehicle with fully operational pedals for propulsion entirely by human power, that has four wheels and is operated in a manner similar to a bicycle, that is equipped with at least 6 seats for passengers, that is designed to be occupied by a driver and passengers providing pedal power to the drive train of the vehicle, and that is operated by the vehicle owner or an employee of the owner.
Commercial Quadricycle Business: Any enterprise that owns a commercial quadricycle or manages the operation of a commercial quadricycle.
- 2) **RESPONSIBILITY.** The owner and operator of a commercial quadricycle are jointly and severally responsible for ensuring compliance with the requirements of this section. An owner and operator may both be cited and convicted for any violation of this section. The violation of any of the provisions of this section by an operator is prima facie evidence that the operator permitted said violation.
- 3) **RULES OF THE ROAD.** In addition to any regulations in this section, and except as provided in this section, commercial quadricycles operating within the city shall comply with the provisions of Title 10, Chapter 1 of the Municipal Code, and all rules of the road according to Wis. Stats. Ch. 346.
- 4) **LICENSES.**
 - a. No person, firm or corporation shall engage in the business of operating vehicles for transportation of persons for hire within the city without having an owner/operators permit from the city for each vehicle operated.
 - i. Application for a commercial quadricycle owner/operators permit shall be made in writing to the city clerk upon a form furnished by the clerk or city website, which the owner of the business shall sign. For a partnership, the name of the business and the names and addresses of the partners must also be provided, and one of the partners shall sign the application. For an LLC or a corporation, the applicant shall also provide the names and addresses of the principal officers, and the president shall sign the application.
 - ii. The license application shall identify each commercial quadricycle owned or leased by the permit holder to be used in the city. Should the holder of a commercial quadricycle owner/operators permit wish to obtain a commercial quadricycle not listed at the time of application, the license holder shall provide an amendment to the application before putting the commercial quadricycle into service.
 - iii. The license application shall identify the proposed route or routes over which the commercial quadricycle shall operate. No license shall be issued under this section until the Common Council has approved the proposed route as recommended by the police chief or his/her designee. Should the holder of a commercial quadricycle owner/operators permit wish to modify a route or add a

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- new route, the license holder shall make a new license application and pay the required fee, if any.
- iv. At the time of application, the applicant shall provide evidence of vehicle inspection compliance from a reputable auto mechanic.
 - v. Any permit/license issued pursuant to this subsection shall be issued upon granting and shall expire on December 31st of each year.
- b. No person shall operate or permit the operation of a commercial quadricycle in the city unless the operator has a valid taxicab driver's license, and unless valid owner/operators permit, and taxicab driver's license are visible in the proper registration area. The fact that an unlicensed person is driving a vehicle for which a taxicab vehicle license has been issued or applied for is prima facie evidence that the owner of the vehicle is in violation of this subsection.
- i. Application for a commercial quadricycle taxicab driver's license shall be made by the driver of the quadricycle, in writing to the city clerk upon a form furnished by the clerk or city website. Such application shall be signed by the driver and granted by the Common Council.
 - ii. Upon payment of the necessary fees, if any, the city may issue or cause to be issued a proper license certificate. Transfer of the license to another person is prohibited.
 - iii. Any license issued pursuant to this subsection shall be issued upon granting and shall expire on December 31st of each year.
- c. The driver of a commercial quadricycle in the city must possess a valid state driver's license which is not suspended, revoked, canceled or expired.
- 5) AGE. No person shall operate or permit the operation of a commercial quadricycle in the city unless such person is at least 21 years of age.
- 6) PARKING. No person shall park or permit the parking of a commercial quadricycle upon any sidewalk or in any place not specifically designated for parking. The commercial quadricycle may occupy up to two designated parking stalls but shall pay the appropriate parking fee for both stalls, if applicable.
- 7) EQUIPMENT REQUIREMENT. No person shall operate or permit operation of a commercial quadricycle in the city unless said commercial quadricycle is equipped with the following:
- a. Lighting on the vehicle which shall be the following:
 - i. A light on the front which shall emit a white light visible from a distance of 300 feet to the front. When the quadricycle is operating, if the front light does not remain on at all times, it must be manually lit thirty (30) minutes before dusk.
 - ii. A taillight mounted on the rear, which when lighted shall emit a red light plainly visible from a distance of 500 feet to the rear. When the quadricycle is operating, if the taillight does not remain on at all times, it must be manually lit thirty (30) minutes before dusk.
 - iii. A brake light on the rear which shall emit a red light, and which shall be actuated upon application of the service (foot) brake and which may, but need not, be incorporated with a taillight. Every brake light shall be plainly visible and understandable from a distance of 300 feet to the rear regardless of the time of day.
 - iv. Rear signage which shall conform with those standards and specifications adopted by Trans 304 of the Wisconsin Administrative Code, for slow-moving vehicles by the American Society of Agricultural Engineers standard ASAE S276.3, or shall be an emblem of the same shape and size painted on such vehicle in a bright and conspicuous retro reflective red orange paint. Such emblem shall be mounted on the rear of such vehicles, in the approximate horizontal geometric

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- center of the vehicle, at a height of three to five feet above the roadway and shall always be maintained in a clean and reflective condition.
- v. A mirror capable of showing the driver a view of the roadway for a distance of 200 feet to the rear of the vehicle.
 - vi. A braking system, operable by the driver, that can override all methods of propulsion and bring the vehicle to a complete and abrupt stop.
 - vii. Reflectors placed on each side of the quadricycle.
- 8) ROUTES. No person shall operate or permit the operation of a commercial quadricycle on routes or in locations other than those approved by the Common Council as recommended by the police chief or his or her designee.
- 9) TIME OF OPERATION. No person shall operate or permit the operation of a commercial quadricycle with passengers in the city except between the hours of **10:00 a.m. and 10:00 p.m.**
- 10) DISPLAY. No person shall operate or permit the operation of a commercial quadricycle in the city unless said quadricycle is conspicuously displaying on the exterior driver and passenger side of the vehicle the name or trade name and telephone number of the commercial quadricycle business. Additionally, no person shall permit or permit the operation of a commercial quadricycle in the city unless the operator is conspicuously displaying within the front passenger compartment a display holder containing the owner/operators permit and taxicab driver's license.
- 11) ALCOHOLIC BEVERAGES
- a. No passenger on a commercial quadricycle may possess on or carry onto the commercial quadricycle more than 36 ounces of fermented malt beverages as defined in Wis. Stats. §125.02(6). No passenger may possess, carry upon, or consume any other alcohol beverages, as defined in Wis. Stats. Ch. 125, upon a commercial quadricycle.
 - b. No person may operate a commercial quadricycle on which any alcohol beverages are carried or consumed other than fermented malt beverages in the amounts permitted in subsection (a).
 - c. No person may operate a commercial quadricycle on which alcohol beverages are sold, nor may any person transport alcohol beverages on a commercial quadricycle for the purposes of sale or delivery upon sale.
 - d. No operator of a commercial quadricycle may consume alcohol while the commercial quadricycle is occupied by passengers, nor shall any person operate a commercial quadricycle with an alcohol concentration of more than 0.02.
 - e. The operator of a commercial quadricycle shall advise all passengers that no alcohol beverages shall be possessed on, carried upon, or consumed on a commercial quadricycle in violation of city ordinance or state statute, and shall conspicuously and legibly post a notice of these restrictions upon the commercial quadricycle.
 - f. No person under the age of 21 shall be permitted to ride on a commercial quadricycle on which alcohol beverages are being consumed.
- 12) GLASS CONTAINERS. No person shall carry, possess, or permit the carrying or possession of any glass container on a commercial quadricycle.
- 13) TRASH/RECYCLABLES. All trash shall be placed within a trash receptacle located on the commercial quadricycle and disposed of properly by the driver.
- 14) MUSIC. Music can be played through the sound system provided on the commercial quadricycle in accordance with section 7-2-17(e).
- 15) FEES.
- a. The fee for a commercial quadricycle owner/operators permit as required by this section shall be as set forth by separate Resolution of the Common Council as amended from time to time.
 - b. The fee for a commercial quadricycle taxicab driver's license required by this section shall be as set forth by separate Resolution of the Common Council as amended from time to time.

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16) INSURANCE.

- a. No owner of a commercial quadricycle or any other person shall operate or authorize any other person to operate a quadricycle for commercial purposes within the city unless the owner has in effect a policy of comprehensive general liability insurance issued by an insurance company duly authorized to do business in the State of Wisconsin, indemnifying the applicant in an amount not less than \$500,000.00 for damage to property, \$500,000.00 for injury to one person, and \$1,000,000.00 for injury to more than one person caused by the operation of said vehicles in the City, due to the liability of the owner or operator of a quadricycle arising out of the ownership, operation, use, or maintenance of a quadricycle. The policy shall provide that the insurer shall give the city notice of any cancellation or nonrenewal of the policy which is due the named insured.
- b. Each commercial quadricycle insurance policy shall contain a provision that the same may not be canceled before the expiration of its term except upon 30 days' written notice to the city clerk. The cancellation or other termination of any insurance policy issued in compliance with this section shall automatically revoke and terminate all licenses issued for the commercial quadricycle covered by such insurance policy, unless another policy shall be provided and in effect at the time of such cancellation or termination. Failure to comply with this provision shall result in the immediate

17) REVOCATION.

- a. A license may be suspended or revoked at any time by the Chief of Police or his/her designee for any of the following reasons:
 - i. Failure to comply with any of the provisions of this section;
 - ii. Violating any state statutes or City Code violations;
- b. Any applicant whose license has been denied, suspended or revoked under the provisions of this section may appeal said denial, suspension or revocation to the Common Council.

18) PENALTIES. A violation of any of the provisions of this section for which a penalty has not otherwise been specified shall subject the violator to a forfeiture of not less than \$50.00 and not more than \$500.00, together with the costs of prosecution.

SECTION 2. SEVERABILITY. The sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Passed and adopted this 11th day of January 2021.

Michael O'Keefe, Mayor

ORDINANCE NO. 2021-01

Attest:

Tracie Sette, City Clerk

Approved as to form:

Michael P. Herbrand, City Attorney

CONSIDER REQUEST FROM NORTH 48 FOR A PEDAL TAVERN OPERATION; AND ACTION THEREON

Jordan Cole from North 48 is requesting permission to operate a pedal tavern in Cedarburg beginning in 2021. The operation consists of a quadrivehicle to be rented from Pedal Tavern MKE by North 48. The customers may bring alcohol on the vehicle and will only be able to consume it while remaining on the vehicle. No beverages will be sold on the vehicle. A State law was changed several years ago to accommodate this type of business; however, if the Council approves it the City of Cedarburg will need to create an ordinance regulating the use. A discussion ensued regarding travel through residential neighborhoods, operating times, route, and potential number of permits allowed.

Motion made by Council Member Bublitz to approve the request (in concept) of a Pedal Tavern and was seconded by Council Member Thome. Motion carried without a negative vote.

CONSIDER RESOLUTION NO. 2020-20 URBAN FORESTRY GRANT; AND ACTION THEREON

Motion made by Council Member Bublitz, seconded by Council Member Thome, to approve Resolution No. 2020-20 Urban Forestry Grant. Motion carried without a negative vote.

CONSIDER APPROVAL OF AMENDED CERTIFIED SURVEY MAP FOR HWY 60 BUSINESS PARK AND NAMING OF BUSINESS PARK ROAD TO FORWARD WAY; AND ACTION THEREON

A Certified Survey Map for the HWY 60 Business Park was approved by the Common Council at the August 31, 2020 meeting. Since that time, several issues have arisen that require an amendment. Wilo requested specific language be added to further explain the use and restrictions imposed by the dedicated utility easements. Also, the Wisconsin Department of Transportation demanded the dedication of an additional 10-feet of road right-of-way for HWY 60. One final change on the CSM is the addition of “Forward Way” as the street name.

Motion made by Council Member Arnett to approve the CSM with the addition of easement language and the naming of Forward Way and was seconded by Council Member Thome. Motion carried without a negative vote.

CONSIDER MAYORAL APPOINTMENTS FOR LANDMARK COMMISSION, FINANCE COMMITTEE, AND LIGHT AND WATER COMMISSION; AND ACTION THEREON

Motion made by Council Member Verhaalen, seconded by Council Member Bublitz, to approve Mayor O’Keefe’s appointments to the Light & Water Commission and Finance Committee as follows with the addition of Mike Bradburn on the Finance Committee and Council Member Jack Arnett:

Light & Water Commission – 3-year term

Joseph Dorr	(09/2023)
Blaine Hilgendorf	(09/2023)

CITY OF CEDARBURG

MEETING DATE: January 11, 2021

ITEM NO: 8.G.

TITLE: Consider Ordinance 2021-03 providing for Fair and Open Housing in the city of Cedarburg; and action thereon

ISSUE SUMMARY: The city of Cedarburg is preparing to apply for a Community Development Block Grant from the Department of Administration (DOA). The grant is typically used for housing projects. Should the city successfully be awarded the funds, they would be utilized for ADA upgrades to city buildings. The DOA requires the city to adopt a Fair Housing Ordinance to be eligible to apply.

STAFF RECOMMENDATION: Approve Ordinance 2021-03

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION: n/a

BUDGETARY IMPACT: Potential savings for future budgets

ATTACHMENTS: n/a

INITIATED/REQUESTED BY: Administrator, Mikko Hilvo

FOR MORE INFORMATION CONTACT: Administrator, Mikko Hilvo

ORDINANCE NO. 2021-03

An Ordinance adopting Section 106.50 of the Wisconsin Statutes, as amended, providing for Fair and Open Housing in the City of Cedarburg

SEC 7-1-19 FAIR AND OPEN HOUSING

Whereas, the City of Cedarburg recognizes its responsibilities under Section 106.50, Wisconsin Statutes, as amended, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein;

Therefore, the Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1. Statute Adopted by Reference. The City of Cedarburg hereby adopts Wisconsin Statutes, Section 106.50, as amended, relating to the equal rights of all persons to fair housing, and providing means for the implementation and enforcement thereof. The officials and employees of the City of Cedarburg shall assist in the orderly prevention and removal of all discrimination in housing within the City of Cedarburg by implementing the authority and enforcement procedures set forth in Section 106.50, Wisconsin Statutes, as amended. The Municipal Clerk shall maintain forms for complaints to be filed under Section 106.50, Wisconsin Statutes, as amended, and shall assist any person alleging a violation thereof in the City of Cedarburg to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Section 106.5, Wisconsin Statutes, as amended.

SECTION 2. Severability. If any provision of this ordinance is invalid or unconstitutional, such invalidity of unconstitutionality shall not affect the other provisions of this ordinance.

SECTION 3. This ordinance shall take effect upon publication as provided by law.

Passed and adopted this 11th day of January, 2021.

Michael O'Keefe, Mayor

Attest:

Tracie Sette, City Clerk

Approved as to form:

Michael P. Herbrand, City Attorney

106.50 Open housing. (1) **INTENT.** It is the intent of this section to render unlawful discrimination in housing. It is the declared policy of this state that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry and it is the duty of the political subdivisions to assist in the orderly prevention or removal of all discrimination in housing through the powers granted under ss. 66.0125 and 66.1011. The legislature hereby extends the state law governing equal housing opportunities to cover single-family residences that are owner-occupied. The legislature finds that the sale and rental of single-family residences constitute a significant portion of the housing business in this state and should be regulated. This section shall be considered an exercise of the police powers of the state for the protection of the welfare, health, peace, dignity, and human rights of the people of this state.

(1m) **DEFINITIONS.** In this section:

(ad) “Advertise” means to publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement or sign in connection with the sale, financing or rental of housing.

(am) “Age”, in reference to a member of a protected class, means at least 18 years of age.

(b) “Aggrieved person” means a person who claims to have been injured by discrimination in housing or believes that he or she will be injured by discrimination in housing that is about to occur.

(c) “Complainant” means a person who files a complaint alleging discrimination in housing.

(d) “Conciliation” means the attempted resolution of issues raised by a complaint or by the investigation of the complaint, through informal negotiations involving the aggrieved person, the complainant, the respondent and the department.

(e) “Condominium” has the meaning given in s. 703.02 (4).

(f) “Condominium association” means an association, as defined in s. 703.02 (1m).

(g) “Disability” means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. “Disability” does not include the current illegal use of a controlled substance, as defined in s. 961.01 (4), or a controlled substance analog, as defined in s. 961.01 (4m), unless the individual is participating in a supervised drug rehabilitation program.

(h) “Discriminate” means to segregate, separate, exclude, or treat a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r) because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry.

(i) “Dwelling unit” means a structure or that part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons who are maintaining a common household, to the exclusion of all others.

(im) “Emotional support animal” means an animal that provides emotional support, well-being, comfort, or companionship for an individual but that is not trained to perform tasks for the benefit of an individual with a disability.

(j) “Family” includes one natural person.

(k) “Family status” means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person’s household regardless of the person’s marital status:

1. A person is pregnant.

2. A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.

3. A person’s household includes one or more minor or adult relatives.

4. A person’s household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.

5. A person’s household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

(km) “Hardship condition” means a situation under which a tenant in housing for older persons has legal custody or physical placement of a minor child or a minor child is placed in the tenant’s care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the minor child.

(L) “Housing” means any improved property, or any portion thereof, including a mobile home as defined in s. 101.91 (10), manufactured home, as defined in s. 101.91 (2), or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. “Housing” includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.

(m) “Housing for older persons” means any of the following:

1. Housing provided under any state or federal program that the secretary determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program.

2. Housing solely intended for, and solely occupied by, persons 62 years of age or older.

3. Housing primarily intended and primarily operated for occupancy by at least one person 55 years of age or older per dwelling unit.

(mm) “Interested person” means an adult relative or friend of a member of a protected class, or an official or representative of a private agency, corporation or association concerned with the welfare of a member of a protected class.

(mx) “Licensed health professional” means a physician, psychologist, social worker, or other health professional who satisfies all of the following:

1. He or she is licensed or certified in this state.
2. He or she is acting within the scope of his or her license or certification.

(nm) “Member of a protected class” means a group of natural persons, or a natural person, who may be categorized because of sex, race, color, disability, sexual orientation, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.

(om) “Political subdivision” means a city, village, town or county.

(q) “Relative” means a parent, grandparent, greatgrandparent, stepparent, step grandparent, brother, sister, child, stepchild, grandchild, step grandchild, greatgrandchild, first cousin, 2nd cousin, nephew, niece, uncle, aunt, stepbrother, stepsister, half brother or half sister or any other person related by blood, marriage or adoption.

(r) “Rent” means to lease, to sublease, to let or to otherwise grant for a consideration the right of a tenant to occupy housing not owned by the tenant.

(s) “Respondent” means the person accused in a complaint or amended complaint of discrimination in housing and any other

person identified in the course of an investigation as allegedly having discriminated in housing.

(t) “Sexual orientation” has the meaning given in s. 111.32 (13m).

(u) “Status as a victim of domestic abuse, sexual assault, or stalking” means the status of a person who is seeking to rent or purchase housing or of a member or prospective member of the person’s household having been, or being believed by the lessor or seller of housing to be, a victim of domestic abuse, as defined in s. 813.12 (1) (am), sexual assault under s. 940.225, 948.02, or 948.025, or stalking under s. 940.32.

(1s) DEPARTMENT TO ADMINISTER. This section shall be administered by the department through its division of equal rights. The department may promulgate such rules as are necessary to carry out this section. No rule may prohibit the processing of any class action complaint or the ordering of any class-based remedy, or may provide that complaints may be consolidated for administrative convenience only.

(2) DISCRIMINATION PROHIBITED. It is unlawful for any person to discriminate:

(a) By refusing to sell, rent, finance or contract to construct housing or by refusing to negotiate or discuss the terms thereof.

(b) By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.

(c) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.

(d) By advertising in a manner that indicates discrimination by a preference or limitation.

(e) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.

(f) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.

(g) In providing the privileges, services or facilities that are available in connection with housing.

(h) By falsely representing that housing is unavailable for inspection, rental or sale.

(i) By denying access to, or membership or participation in, a multiple listing service or other real estate service.

(j) By coercing, intimidating, threatening or interfering with a person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, a right granted or protected under this section, or with a person who has aided or encouraged another person in the exercise or enjoyment of a right granted or protected under this section.

(k) In making available any of the following transactions, or in the terms or conditions of such transactions for a person whose business includes engaging in residential real estate–related transactions:

1. The making or purchasing of loans or the provision of other financial assistance for purchasing, constructing, improving, repairing or maintaining housing or the making or purchasing of loans or the provision of other financial assistance secured by residential real estate.

2. Selling, brokering or appraising residential real property.

(L) By otherwise making unavailable or denying housing.

(2m) REPRESENTATIONS DESIGNED TO INDUCE PANIC SALES. No person may induce or attempt to induce a person to sell or rent housing by representations regarding the present or prospective entry into the neighborhood of a person of a particular economic status or a member of a protected class, or by representations to the effect that such present or prospective entry will or may result in any of the following:

(a) The lowering of real estate values in the area concerned.

(b) A deterioration in the character of the area concerned.

(c) An increase in criminal or antisocial behavior in the area concerned.

(d) A decline in the quality of the schools or other public facilities serving the area.

(2r) DISCRIMINATION AGAINST PERSONS WITH DISABILITIES PROHIBITED. (b) *Types of discrimination prohibited.* In addition to discrimination prohibited under subs. (2) and (2m), no person may do any of the following:

1. Segregate, separate, exclude or treat unequally in the sale or rental of, or otherwise make unavailable or deny, housing to a buyer or renter because of a disability of that buyer or renter, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that buyer or renter.

2. Segregate, separate, exclude or treat unequally a person in the terms, conditions or privileges of sale or rental of housing, or in the provision of services or facilities in connection with such housing, because of a disability of that person, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that person.

3. Refuse to permit, at the expense of a person with a disability, reasonable modifications of existing housing that is occupied, or is to be occupied, by such a person if the modifications may be necessary to afford the person full enjoyment of the housing, except that in the case of rental housing the landlord may, where it is reasonable to do so, condition permission for a modification on the tenant’s agreement to restore the interior of the housing to the condition that existed before the modification, other than reasonable wear and tear. The landlord may not increase any customarily required security deposit. Where it is necessary to ensure that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of a restoration agreement a requirement that the tenant pay into an interest-bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant. If escrowed funds are not used by the landlord for restorations, they shall be returned to the tenant.

4. Refuse to make reasonable accommodations in rules, policies, practices or services that are associated with the housing, when such accommodations may be necessary to afford the person equal opportunity to use and enjoy housing, unless the accommodation would impose an undue hardship on the owner of the housing.

(bg) Animals that do work or perform tasks for individuals with disabilities. 1. If an individual has a disability and a disability-related need for an animal that is individually trained to do work or perform tasks for the individual, it is discrimination for a person to refuse to rent or sell housing to the individual, cause the eviction of the individual from housing, require extra compensation from the individual as a condition of continued residence in housing, or engage in the harassment of the individual because he or she keeps such an animal.

2. If an individual keeps or is seeking to keep an animal that is individually trained to do work or perform tasks in housing, an owner, lessor, lessor’s agent, owner’s agent, or representative of a condominium association may request that the individual submit to the owner, lessor, agent, or representative reliable documentation that the individual has a disability and reliable documentation of the disability-related need for the animal, unless the disability is readily apparent or known. If the disability is readily apparent or known but the disability-related need for the animal is not, the individual may be requested to submit reliable documentation of the disability-related need for the animal.

3. An individual with a disability who keeps an animal that is individually trained to do work or perform tasks in housing shall accept liability for sanitation with respect to, and damage to the premises caused by, the animal.

4. Nothing in this subsection prohibits an owner, lessor, lessor's agent, owner's agent, or representative of a condominium association from denying an individual the ability to keep an animal in housing if any of the following applies:

a. The individual is not disabled, does not have a disability-related need for the animal, or fails to provide the documentation requested under subd. 2.

b. Allowing the animal would impose an undue financial and administrative burden or would fundamentally alter the nature of services provided by the lessor, owner, or representative.

c. The specific animal in question poses a direct threat to a person's health or safety that cannot be reduced or eliminated by another reasonable accommodation.

d. The specific animal in question would cause substantial physical damage to a person's property that cannot be reduced or eliminated by another reasonable accommodation.

(br) *Emotional support animals.* 1. If an individual has a disability and a disability-related need for an emotional support animal, it is discrimination for a person to refuse to rent or sell housing to the individual, cause the eviction of the individual from housing, require extra compensation from the individual as a condition of continued residence in housing, or engage in the harassment of the individual because he or she keeps such an animal.

2. If an individual keeps or is seeking to keep an emotional support animal in housing, an owner, lessor, lessor's agent, owner's agent, or representative of a condominium association may request that the individual submit to the owner, lessor, agent, or representative reliable documentation that the individual has a disability and reliable documentation of the disability-related need for the emotional support animal from a licensed health professional.

3. An individual with a disability who keeps an emotional support animal in housing shall accept liability for sanitation with respect to, and damage to the premises caused by, the animal.

4. Nothing in this subsection prohibits an owner, lessor, lessor's agent, owner's agent, or representative of a condominium association from denying an individual the ability to keep an animal in housing if any of the following applies:

a. The individual is not disabled, does not have a disability-related need for the animal, or fails to provide the documentation requested under subd. 2.

b. Allowing the animal would impose an undue financial and administrative burden or would fundamentally alter the nature of services provided by the lessor, owner, or representative.

c. The specific animal in question poses a direct threat to a person's health or safety that cannot be reduced or eliminated by another reasonable accommodation.

d. The specific animal in question would cause substantial physical damage to a person's property that cannot be reduced or eliminated by another reasonable accommodation.

5. An individual shall forfeit not less than \$500 if he or she, for the purpose of obtaining housing, intentionally misrepresents that he or she has a disability or misrepresents the need for an emotional support animal to assist with his or her disability.

6. A licensed health professional shall forfeit not less than \$500 if he or she, for the purpose of allowing the patient to obtain housing, misrepresents that his or her patient has a disability or misrepresents his or her patient's need for an emotional support animal to assist with his or her patient's disability.

(c) *Design and construction of covered multifamily housing.* In addition to discrimination prohibited under pars. (b), (bg), and (br) and subs. (2) and (2m), no person may design or construct covered multifamily housing, as defined in s. 101.132 (1) (d), unless it meets the standards specified in s. 101.132 (2) (a) 1. to 4. In addition, no person may remodel, as defined in s. 101.132 (1) (h), housing with 3 or more dwelling units unless the remodeled housing meets the standards specified in s. 101.132 (2) (a) 1.

to 4. as required under s. 101.132 (2) (b) 1., 2. or 3., whichever is applicable.

(5m) EXEMPTIONS AND EXCLUSIONS. (a) 1. Nothing in this section prohibits discrimination based on age or family status with respect to housing for older persons.

1e. Under this paragraph, housing under sub. (1m) (m) 3. may qualify as housing for older persons only if the owner of the housing maintains records containing written verification that all of the following factors apply to the housing:

b. At least 80 percent of the dwelling units under sub. (1m) (m) 3. are occupied by at least one person 55 years of age or older.

c. Policies are published and procedures are adhered to that demonstrate an intent by the owner or manager to provide housing under sub. (1m) (m) 3. for persons 55 years of age or older. The owner or manager may document compliance with this subd. 1e. c. by maintaining records containing written verification of the ages of the occupants of the housing.

1m. No person may discriminate by refusing to continue renting to a person living in housing for older persons under sub. (1m) (m) 3. who is subject to a hardship condition.

2. Under this paragraph, housing may qualify as housing for older persons with respect to persons first occupying the housing on or after September 1, 1992, regardless of whether a person who had not attained the age of 62 resided in the housing on that date or regardless of whether one or more dwelling units were unoccupied on that date, if the persons who first occupy the housing on or after that date have attained the age of 62.

(b) Nothing in this section shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.

(c) Nothing in this section shall prohibit the development of housing designed specifically for persons with disabilities and preference in favor of persons with disabilities in relation to such housing.

(d) Nothing in this section requires that housing be made available to an individual whose tenancy would constitute a direct threat to the safety of other tenants or persons employed on the property or whose tenancy would result in substantial physical damage to the property of others, if the risk of direct threat or damage cannot be eliminated or sufficiently reduced through reasonable accommodations. A claim that an individual's tenancy poses a direct threat or a substantial risk of harm or damage must be evidenced by behavior by the individual that caused harm or damage, that directly threatened harm or damage, or that caused a reasonable fear of harm or damage to other tenants, persons employed on the property, or the property. No claim that an individual's tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property may be based on the tenant's status as a victim of domestic abuse, sexual assault, or stalking.

(dm) It is not discrimination based on status as a victim of domestic abuse, sexual assault, or stalking for a landlord to bring an action for eviction of a tenant based on a violation of the rental agreement or of a statute that entitles the landlord to possession of the premises, unless subd. 1. or 2. applies. A tenant has a defense to an action for eviction brought by a landlord if the tenant proves by a preponderance of the evidence that the landlord knew or should have known any of the following:

1. That the tenant is a victim of domestic abuse, sexual assault, or stalking and that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was not the invited guest of the tenant.

2. That the tenant is a victim of domestic abuse, sexual assault, or stalking, that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual

assault, or stalking by a person who was the invited guest of the tenant, and that the tenant has done one of the following:

a. Sought an injunction under s. 813.12, 813.122, 813.123, or 813.125 enjoining the person from appearing on the premises.

b. Upon receiving notice under s. 704.17, provided a written statement to the landlord indicating that the person will no longer be an invited guest of the tenant and has not subsequently invited the person to be a guest of the tenant.

(e) It is not discrimination based on family status to comply with any reasonable federal, state or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.

(em) 1. Subject to subd. 2., nothing in this section applies to a decision by an individual as to the person with whom he or she will, or continues to, share a dwelling unit, as defined in s. 101.71 (2) except that dwelling unit does not include any residence occupied by more than 5 persons.

2. Any advertisement or written notice published, posted or mailed in connection with the rental or lease of a dwelling unit under subd. 1. may not violate sub. (2) (d), 42 USC 3604 (c), or any rules or regulations promulgated under this section or 42 USC 3601 to 3619, except that such an advertisement or written notice may be for a person of the same sex as the individual who seeks a person to share the dwelling unit for which the advertisement or written notice is placed.

(f) 1. Nothing in this section prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, ancestry, national origin, religion, creed, status as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd. 2., age.

2. Notwithstanding subd. 1., an owner or agent may require that a person who seeks to buy or rent housing under sub. (1m) (m) 3. supply information concerning his or her age for the purpose of verifying compliance with par. (a) 1e. b.

(g) A person may not be held personally liable for monetary damages for a violation of sub. (2), (2m) or (2r) if the person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons. For purposes of this paragraph, a person may show reasonable reliance, in good faith, on the application of the exemption under this subsection relating to housing for older persons only if the person shows all of the following:

1. That he or she has no actual knowledge that the housing is not or will not be eligible for the exemption.

2. That the owner of the housing has stated formally, in writing, that the housing complies with the requirements for the exemption.

(6) FAIR HOUSING ADMINISTRATIVE ENFORCEMENT. (a) *Complaints.* 1. The department may receive and investigate a complaint charging a violation of sub. (2), (2m) or (2r) if the complaint is filed with the department not later than one year after the alleged discrimination occurred or terminated.

2. The complaint shall include a written statement of the essential facts constituting the discrimination that is charged, and shall be signed by the complainant.

3. The complaint may be filed by an aggrieved person, by an interested person, by the department of workforce development under par. (b) or, if the complaint charges a violation of sub. (2r) (c), by the department of safety and professional services. The department of workforce development shall, upon request, provide appropriate assistance in completing and filing complaints.

4. The department shall serve notice on the aggrieved person acknowledging the filing of the complaint and advising the complainant of the time limits and choice of forums provided under this subsection and the right to bring a private civil action under sub. (6m).

5. Upon the filing of an initial, amended, final or supplemental complaint, the department shall promptly serve a copy of the complaint upon the respondent, except where testing may be conducted. The initial complaint shall be served before the commencement of the investigation by the department, except where testing may be conducted. The notice shall be sent by certified mail, return receipt requested. The notice to the respondent shall include a written statement from the department directing the respondent to respond in writing to the allegations in the complaint within 20 days after the date of the notice and further stating that, if the respondent fails to answer the complaint in writing, the department will make an initial determination as to whether discrimination has occurred based only on the department's investigation and the information supplied by the complainant.

6. The department may dismiss the complaint if the complainant fails to respond to the department within 20 days from the date of mailing of any correspondence from the department concerning the complaint, if the department's correspondence requests a response and if the correspondence is sent by certified mail, return receipt requested, to the last known address of the complainant.

(b) *Powers and duties of department.* The department of workforce development and its duly authorized agents may hold hearings, subpoena witnesses, take testimony and make investigations as provided in this subsection. The department of workforce development may test and investigate for the purpose of establishing violations of sub. (2), (2m) or (2r) and may make, sign and file complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department of safety and professional services may make, sign and file complaints alleging violations of sub. (2r) (c). The department of workforce development shall employ examiners to hear and decide complaints of discrimination under this section, and to assist in the administration of this section. The examiners may make findings and issue orders under this subsection. The department of workforce development shall develop and implement an investigation manual for use in conducting investigations under par. (c).

(c) *Investigation and finding of probable cause.* 1. The department shall investigate all complaints that allege a violation of this section and that are filed within the time specified under par. (a). The department may subpoena persons or documents for the purpose of investigation. If during an investigation it appears that the respondent has engaged in discrimination against the complainant which is not alleged in the complaint, the department may advise the complainant that the complaint should be amended. If the complaint is amended, the department shall also investigate the allegations of the amended complaint.

2. At the conclusion of the investigation of the allegations, the department shall make a determination as to whether probable cause exists to believe that discrimination has occurred or is about to occur. In making a determination of probable cause, the department shall consider whether the facts concerning the alleged discrimination are sufficient to warrant the initiation of a civil action. If the department determines that probable cause exists, the department shall immediately issue a charge on behalf of the aggrieved person and refer the charge to the attorney general. If the attorney general concurs in the department's determination of probable cause, the attorney general shall represent the aggrieved person at the hearing under par. (f) or, if an election is made under subd. 2m., shall commence a civil action in the name of the state on behalf of the aggrieved person under sub. (6m).

2m. Service of copies of the charge shall be made on the complainant, the respondent, and the aggrieved person by certified mail, return receipt requested. When a charge is filed, a complainant, a respondent, or an aggrieved person on whose behalf the complaint was filed may elect to have the claims asserted in that charge decided in a civil action under sub. (6m) in lieu of a hearing under par. (f). The election shall be made no later than 20 days after the receipt by the electing person of service of the charge, along with information about how to make the election. If an election is made, the person making the election shall give notice of

doing so to the department and to all other complainants and respondents to whom the charge relates. The department shall notify the aggrieved persons that an election is made.

3. No charge may be issued regarding alleged discrimination after the beginning of the trial of a civil action commenced by the aggrieved party under sub. (6m) or 42 USC 3613, seeking relief with respect to that discriminatory act.

4. If the department initially determines that there is no probable cause to believe that discrimination occurred as alleged in the complaint, it may dismiss those allegations. The department shall, by a notice to be served with the determination, notify the parties of the complainant's right to appeal the dismissal of the claim to the secretary for a hearing on the issue by a hearing examiner. Service of the determination shall be made by certified mail, return receipt requested. If the hearing examiner determines that no probable cause exists, that determination is the final determination of the department and may be appealed under par. (j).

(d) *Temporary judicial relief.* At any time after a complaint is filed alleging discrimination in violation of sub. (2), (2m), or (2r), the department may request the attorney general to file a petition in the circuit court for the county in which the act of discrimination allegedly occurred or for the county in which a respondent resides or transacts business, seeking a temporary injunction or restraining order against the respondent to prevent the respondent from performing an act that would tend to render ineffectual an order that the department may enter with respect to the complaint, pending final determination of proceedings under this section. On receipt of the department's request, the attorney general shall promptly file the petition.

(e) *Conciliation.* 1. Upon the filing of a complaint alleging discrimination in violation of sub. (2), (2m) or (2r), the department may endeavor to eliminate the discrimination by conference, conciliation and persuasion. The department shall notify the parties that conciliation services are available.

2. Conciliation efforts may be undertaken by the department during the period beginning with the filing of the complaint and ending with the dismissal of the complaint under par. (c) 4. or the issuance of a charge under par. (c) 2.

3. If conciliation resolves the dispute, a written conciliation agreement shall be prepared which shall state all measures to be taken by each party. The agreement may provide for dismissal of the complaint if the dismissal is without prejudice to the complainant's right to pursue the complaint against any respondent who fails to comply with the terms of the agreement. The agreement shall be signed by the respondent, the complainant and the aggrieved person and is subject to approval by the department. A conciliation agreement entered into under this subdivision is a public record and is subject to inspection under s. 19.35, unless the parties to the agreement request that the record be exempt from disclosure and the department finds that disclosure is not required to further the purposes of this section.

4. Whenever the department has reasonable cause to believe that a respondent has breached a conciliation agreement, the department shall refer the matter to the attorney general with a recommendation that a civil action be filed for enforcement of the agreement.

(f) *Hearing procedures.* 1. After the department issues a charge under par. (c) 2., the department shall serve the charge, along with a written notice of hearing, specifying the nature and acts of discrimination which appear to have been committed, and requiring the respondent to answer the charge at a hearing before an examiner. The notice shall specify a time of hearing, not less than 10 days after service of the charge, and a place of hearing within the county in which the violation is alleged to have occurred.

2. If an election is not made under par. (c) 2m., the hearing shall be conducted by a hearing examiner. If the attorney general has concurred in the department's determination of probable cause under par. (c) 2., the aggrieved person on whose behalf the

charge was issued shall be represented by the attorney general. Any other person who is aggrieved, with respect to the issues to be determined at the hearing, may be represented by private counsel.

3. The department, the attorney general, or a party's attorney of record may issue a subpoena to compel the attendance of a witness or the production of evidence. A subpoena issued by an attorney shall be in substantially the same form as provided in s. 805.07 (4) and shall be served in the manner provided in s. 805.07 (5). The attorney shall, at the time of issuance, send a copy of the subpoena to the hearing examiner who is responsible for conducting the hearing.

4. The testimony at the hearing shall be recorded by the department. Discovery shall be conducted as expeditiously and inexpensively as possible, consistent with the need of all parties to obtain relevant evidence. The hearing under this paragraph shall be conducted as expeditiously and inexpensively as possible, consistent with the needs and rights of the parties to obtain a fair hearing and a complete record. The burden of proof is on the party alleging discrimination.

5. If after the hearing the examiner finds by a fair preponderance of the evidence that the respondent has violated sub. (2), (2m) or (2r), the examiner shall make written findings and order the respondent to take actions that will effectuate the purpose of sub. (2), (2m) or (2r), and may order other penalties, damages and costs as provided in pars. (h) and (i). The department shall serve a certified copy of the final findings and order on the aggrieved party, the complainant and the respondent. The order shall have the same force as other orders of the department and be enforced as provided in this subsection except that the enforcement of the order is automatically stayed upon the filing of a petition for review under par. (j).

6. If the examiner finds that the respondent has not engaged in discrimination as alleged in the complaint, the department shall serve a certified copy of the examiner's findings on the aggrieved party, the complainant and the respondent together with an order dismissing the complaint. If the complaint is dismissed, costs in an amount not to exceed \$100 plus actual disbursements for the attendance of witnesses may be assessed against the department in the discretion of the department.

(g) *Time limitations.* 1. The department shall commence proceedings with respect to a complaint before the end of the 30th day after receipt of the complaint.

2. The department shall investigate the allegations of the complaint and complete the investigation not later than 100 days after receipt of the complaint. If the department is unable to complete the investigation within 100 days, it shall notify the complainant and respondent in writing of the reasons for not doing so.

3. The department shall make final administrative disposition of a complaint within one year after the date of receipt of a complaint, unless it is impracticable to do so. If the department is unable to do so, it shall notify the complainant and respondent in writing of the reasons for not doing so.

(h) *Damages and penalties.* 1. If the hearing examiner finds that a respondent has engaged in or is about to engage in a discriminatory act prohibited under sub. (2), (2m) or (2r), the hearing examiner shall promptly issue an order for such relief as may be appropriate, which may include economic and noneconomic damages suffered by the aggrieved person, regardless of whether he or she intervened in the action, and injunctive or other equitable relief. The hearing examiner may not order punitive damages.

2. In addition to any damages ordered under subd. 1., the hearing examiner may assess a forfeiture against a respondent who is not a natural person in an amount not exceeding \$10,000, unless the respondent who is not a natural person has been adjudged to have committed any prior discriminatory act under sub. (2), (2m) or (2r). If a respondent who is not a natural person has been adjudged to have committed one other discriminatory act under sub. (2), (2m) or (2r) during the preceding 5-year period, based

on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is not a natural person has been adjudged to have committed 2 or more prior discriminatory acts under sub. (2), (2m) or (2r) during the preceding 7-year period, based on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$50,000.

3. In addition to any damages ordered under subd. 1., the administrative law judge may assess a forfeiture against a respondent who is a natural person in an amount not exceeding \$10,000, unless the respondent who is a natural person has been adjudged to have committed any prior discriminatory act under sub. (2), (2m) or (2r). If a respondent who is a natural person has been adjudged to have committed one other prior discriminatory act under sub. (2), (2m) or (2r) based on an offense date that is before September 1, 1992, the administrative law judge may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is a natural person has been adjudged to have committed 2 or more prior discriminatory acts under sub. (2), (2m) or (2r) based on an offense date that is before September 1, 1992, the administrative law judge may assess a forfeiture in an amount not exceeding \$50,000.

(i) *Attorney fees and costs.* The hearing examiner may allow a prevailing complainant, including the state, reasonable attorney fees and costs. The state shall be liable for those fees and costs if the state is a respondent and is determined to have committed a discriminatory act under sub. (2), (2m) or (2r).

(j) *Judicial review.* Within 30 days after service upon all parties of an order or determination of the department under this subsection, the respondent, the complainant or the aggrieved party may appeal the order or the determination to the circuit court for the county in which the alleged discrimination took place by the filing of a petition for review. The court shall review the order or determination as provided in ss. 227.52 to 227.58.

(6m) CIVIL ACTIONS. (a) Any person alleging a violation of sub. (2), (2m), or (2r), including the attorney general on behalf of an aggrieved person, may bring a civil action for injunctive relief, for damages, including punitive damages, and, in the case of a prevailing plaintiff, for court costs and reasonable attorney fees.

(b) An action commenced under par. (a) may be brought in the circuit court for the county where the alleged violation occurred or for the county where the person against whom the civil complaint is filed resides or has a principal place of business, and shall be commenced within one year after the alleged violation occurred or terminated. The one-year statute of limitations under this paragraph shall be tolled while an administrative proceeding with respect to the same complaint is pending.

(c) The court may issue a permanent or temporary injunction or restraining order to assure the rights granted by this section. The court may order other relief that the court considers appropriate, including monetary damages, actual and punitive, a forfeiture as provided in sub. (6) (h) and costs and fees as provided in sub. (6) (i).

(d) If the attorney general has reasonable cause to believe that any person is engaged in a pattern or practice of discrimination in violation of sub. (2), (2m) or (2r) or that any person has been denied any of the rights granted under sub. (2), (2m) or (2r), and such denial raises an issue of general public importance, the department of justice may commence a civil action.

(8) DISCRIMINATION BY LICENSED OR CHARTERED PERSONS. (a) If the department finds reasonable cause to believe that an act of discrimination has been or is being committed in violation of this section by a person taking an action prohibited under sub. (2), (2m) or (2r) and that the person is licensed or chartered under state law, the department shall notify the licensing or chartering agency of its findings and may file a complaint with such agency together with a request that the agency initiate proceedings to suspend or

revoke the license or charter of such person or take other less restrictive disciplinary action.

(b) Upon filing a complaint under par. (a), the department shall make available to the appropriate licensing or chartering agency all pertinent documents and files in its custody, and shall cooperate fully with such agency in the agency's proceedings.

History: 1971 c. 185 s. 1; 1971 c. 228 s. 42; 1971 c. 230; 1971 c. 307 s. 51; Stats. 1971 s. 101.22; 1975 c. 94, 275, 421, 422; 1977 c. 29; 1977 c. 418 s. 929 (55); 1979 c. 110; 1979 c. 177 s. 85; 1979 c. 188, 221, 355; 1981 c. 112, 180; 1981 c. 391 s. 210; 1983 a. 27, 189; 1985 a. 238, 319; 1987 a. 262; 1989 a. 47 ss. 2 to 5, 8 to 11; 1989 a. 94, 106, 139, 359; 1991 a. 295, 315; 1993 a. 27; 1995 a. 27 s. 3687; Stats. 1995 s. 106.04; 1995 a. 225; 1995 a. 448 ss. 66, 68; 1997 a. 112, 237, 312; 1999 a. 82 ss. 38 to 74; Stats. 1999 s. 106.50; 1999 a. 150 s. 672; 1999 a. 162; 2001 a. 30 s. 108; 2001 a. 109; 2005 a. 25; 2007 a. 11; 2009 a. 95; 2011 a. 32, 258; 2017 a. 317.

NOTE: 1991 Wis. Act 295, which affected this section, contains extensive legislative council notes.

Cross-reference: See also ch. DWD 220, Wis. adm. code.

"Harassment" under sub. (2) (f) includes sexual harassment as defined in s. 111.32 (13). Sexual harassment injures the tenant's dignity and civil rights, and those injuries are compensable. *Chomici v. Wittekind*, 128 Wis. 2d 188, 381 N.W.2d 561 (Ct. App. 1985).

A violation of sub. (2) (d) requires that an ordinary reader find that an advertisement suggests a particular class is preferred or "dispreferred." *Milwaukee Fair Housing Council v. LIRC*, 173 Wis. 2d 199, 496 N.W.2d 159 (Ct. App. 1992).

The state, in administering the fair housing act, may not order a zoning board to issue a variance based on characteristics unique to the landowner rather than the land. *County of Sawyer Zoning Board v. Department of Workforce Development*, 231 Wis. 2d 534, 605 N.W.2d 627 (Ct. App. 1999), 99-0707.

To establish a disability under this section, the complainant must show: 1) that he or she has an actual impairment, a record of impairment, or is regarded as having an impairment; and 2) that the impairment, whether real or perceived, is one that substantially limits one or more major life activities, or is regarded by the respondent as substantially limiting one or more major life activities. *Kitten v. DWD*, 2002 WI 54, 252 Wis. 2d 561, 644 N.W.2d 649, 00-3562.

This section should be interpreted parallel to its federal analog. State law, like the relevant federal law, allows landlords to impose reasonable occupancy requirements based on factors such as the number and size of sleeping areas or bedrooms and the overall size of the dwelling unit. *Jones v. Baecker*, 2017 WI App 3, 373 Wis. 2d 235, 891 N.W.2d 823, 15-0325.

Courts have recognized that prohibited discrimination can occur principally in two ways. The first is by disparate treatment. Disparate treatment occurs when some people are treated less favorably than others because of a protected criterion. Proof of discriminatory motive is critical to a disparate treatment claim. Alternatively, a plaintiff may allege that a particular practice, even if not evidencing intentional discrimination, may have a disproportionately adverse effect on minorities and other protected classes. *Jones v. Baecker*, 2017 WI App 3, 373 Wis. 2d 235, 891 N.W.2d 823, 15-0325.

A plaintiff alleging disparate treatment racial discrimination may elect to prove his or her case using either the direct method, involving the presentation of direct or circumstantial evidence of disparate treatment, or the burden-shifting framework first established in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973). Under the direct method, summary judgment for the defendant is warranted on a disparate treatment claim if the plaintiff cannot produce either direct evidence of discriminatory intent or indirect evidence creating an inference of discriminatory intent. The plaintiff's evidence, whatever its nature, must sufficiently demonstrate that discriminatory intent was a substantial factor motivating the defendant's conduct. *Jones v. Baecker*, 2017 WI App 3, 373 Wis. 2d 235, 891 N.W.2d 823, 15-0325.

The Wisconsin open housing law permits, but does not require, the department to receive and process class action complaints of housing discrimination. 70 Atty. Gen. 250.

The insurer of an apartment had a duty to defend an owner and manager for liability under this section. *Gardner v. Romano*, 688 F. Supp. 489 (E. D. Wis. 1988).

Federal rent vouchers are not clearly within the meaning of "lawful source of income." *Knapp v. Eagle Property Management Corp.* 54 F.3d 1272 (1995).

Closing the Door on Cohabitants Under Wisconsin's Open Housing Law. *Neuman*. 1995 WLR 965.

106.52 Public places of accommodation or amusement. (1) DEFINITIONS. In this section:

(a) "Complainant" means a person who files a complaint alleging a violation of sub. (3).

(b) "Conciliation" has the meaning given in s. 106.50 (1m) (d).

(c) "Disability" has the meaning given in s. 106.50 (1m) (g).

(cm) "Fitness center" means an establishment, whether operated for profit or not for profit, that provides as its primary purpose services or facilities that are purported to assist patrons in physical exercise, in weight control, or in figure development. "Fitness center" does not include an organization solely offering training or facilities in an individual sport or a weight reduction center, as defined in s. 100.177 (1) (e).

(d) "Lodging establishment" means any of the following:

1. A bed and breakfast establishment, as defined in s. 97.01 (1g).

CITY OF CEDARBURG

MEETING DATE: January 11, 2021

ITEM NO: 8.H.

TITLE: Consider Resolution 2021-01 Wisconsin Residential Antidisplacement and Relocation Assistance Plan; and action thereon

ISSUE SUMMARY: The city of Cedarburg is preparing to apply for a Community Development Block Grant from the Department of Administration (DOA). The grant is typically used for housing projects. Should the city successfully be awarded the funds, they would be utilized for ADA upgrades to city buildings. The DOA requires the city to adopt a Residential Antidisplacement and Relocation Assistance Plan to be eligible to apply.

STAFF RECOMMENDATION: Approve Resolution 2021-01

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION: n/a

BUDGETARY IMPACT: n/a

ATTACHMENTS: n/a

INITIATED/REQUESTED BY: Administrator, Mikko Hilvo

FOR MORE INFORMATION CONTACT: Administrator, Mikko Hilvo

RESOLUTION NO. 2021-01

A Resolution Authorizing Residential Anti-Displacement and Relocation Assistance Plan

WISCONSIN RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR CDBG PROGRAMS

This Residential Anti-Displacement and Relocation Assistance Plan (RARAP) is prepared by the city of Cedarburg in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG¹ projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the city of Cedarburg will coordinate code enforcement with rehabilitation and housing assistance programs to minimize the direct and indirect displacement of persons from their homes

Relocation Assistance to Displaced Persons

The city of Cedarburg will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

One-for-One Replacement of Lower-Income Dwelling Units

The city of Cedarburg will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program in accordance with 24 CFR 42.375.

Before entering into a contract committing the city of Cedarburg to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the city of Cedarburg will make public by publication in the city newspaper and submit to HUD [the State, under the State CDBG Program] the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;

¹ CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

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3. A time schedule for the commencement and completion of the demolition or conversion.
 4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. **NOTE: See also 24 CFR 42.375(d).**
 5. The source of funding and a time schedule for the provision of the replacement dwelling units;
 6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
 7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom unit), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the city of Cedarburg will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the city of Cedarburg may submit a request to HUD (or to the State, if funded by the State) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Contacts

The Clerk's office (262) 375-7606 is responsible for tracking the replacement of lower-income dwelling units and ensuring that they are provided within the required period.

The Clerk's office (262) 375-7606 is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

PASSED and ADOPTED on this 11th day of January, 2021.

Michael J. O'Keefe, Mayor

Attest:

Tracie Sette, City Clerk

Approved as to form:

Michael P. Herbrand, City Attorney

CITY OF CEDARBURG
TRANSFER LIST
12/9/2020-1/6/2021

Date	Amount	Transfer to
PWSB CHECKING ACCOUNT		
12/11/2020	\$38,274.56	State of Wisconsin-November sales tax
12/14/2020	\$600,000.00	PWSB Money Market
12/16/2020	\$204,000.00	PWSB Payroll
12/17/2020	\$1,523.61	PR#26 ICMA
12/17/2020	\$4,097.29	PR#26 North Shore Bank
12/17/2020	\$5,774.01	PR#26 Health Savings Accounts
12/17/2020	\$440.00	PR#26 Police Union
12/17/2020	\$346.15	PR#26 State of Wisconsin-child support
12/17/2020	\$500.00	PR#26 Wis Deferred Comp
12/17/2020	\$1,000,000.00	PWSB Money Market
12/21/2020	\$1,000,000.00	PWSB Money Market
12/22/2020	\$1,000,000.00	PWSB Money Market
12/22/2020	\$2,785.31	ADP-November invoices
12/22/2020	\$1,000,000.00	PWSB Money Market
12/28/2020	\$208,000.00	PWSB Payroll
12/28/2020	\$4,025.28	Light & Water-November charges
12/28/2020	\$36,555.06	Light & Water-November charges
12/29/2020	\$700,000.00	PWSB Money Market
12/29/2020	\$1,477.10	PR#27 ICMA
12/29/2020	\$4,069.29	PR#27 North Shore Bank
12/30/2020	\$2,000,000.00	PWSB Money Market
12/29/2020	\$440.00	PR#26 Police Union
12/31/2020	\$82,352.93	WRS-November remittance
1/5/2021	\$272,877.00	CVMIC-2021 premiums
1/6/2021	\$4,000,000.00	PWSB Money Market
1/6/2021	\$94,063.18	WPS-January health insurance premiums
1/6/2021	\$6,992.16	Delta Dental-January dental insurance premiums
1/6/2021	\$571.58	Superior Vision-January vision ins premiums
1/6/2021	\$970.62	AFLAC-December premiums
1/6/2021	\$3,036.77	Minnesota Life-February life insurance premiums
	<u>\$12,273,171.90</u>	

PWSB PAYROLL CHECKING ACCOUNT

12/18/2020	\$141,823.83	Payroll for 11/29/20-12/12/20
12/18/2020	\$61,916.12	Payroll taxes for 11/29/20-12/12/20
12/31/2020	\$146,118.09	Payroll for 12/13/20-12/26/20
12/31/2020	\$61,473.44	Payroll taxes for 12/13/20-12/26/20
	<u>\$411,331.48</u>	

PWSB TAX COLLECTION ACCOUNT

12/21/2020	\$600,000.00	PWSB Money Market
12/29/2020	\$500,000.00	PWSB Money Market
12/30/2020	\$120,000.00	PWSB Money Market
1/6/2021	<u>\$460,000.00</u>	PWSB Money Market
	\$1,680,000.00	

COMMERCE CHECKING

12/29/2020	\$120,000.00	Commerce Money Market
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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
111300 PWSB Checking					
36561	12/11/20	A LYNEIS ELECTRIC LLC			
E 100-555220-347		SUPPLIES AND EXPENS	\$441.00	5943	CELEBRATIONS-CHRISTMAST LIGHTS
		Total	\$441.00		
36562	12/11/20	AECOM TECHNICAL SERVICES INC			
E 400-533440-472		NR216 COMPLIANCE	\$1,875.41	2000435595	NR 216 COMPLIANCE
		Total	\$1,875.41		
36563	12/11/20	AIRGAS USA LLC			
E 100-533210-353		MAINTENANCE PARTS	\$31.80	9975517108	DPW-MAINTENANCE PARTS
		Total	\$31.80		
36564	12/11/20	ASCENSION WISCONSIN AT WORK			
E 100-522130-210		PROFESSIONAL SERVI	\$690.00	162216	PD-HEARING EXAMS
		Total	\$690.00		
36565	12/11/20	BADGER STATE WASTE, LLC			
E 601-573825-294		SLUDGE HAULING	\$20,958.00	2885	CWRC-SLUDGE HAULING-NOVEMBER 2020
		Total	\$20,958.00		
36566	12/11/20	BAKER & TAYLOR BOOKS			
E 260-555110-319		PUBLICATIONS AND SU	\$474.47	2035617379	LIBR-PUBLICATIONS
E 260-555110-319		PUBLICATIONS AND SU	\$409.08	2035631392	LIBR-PUBLICATIONS
		Total	\$883.55		
36567	12/11/20	BEST HEATING & AIR CONDITION			
E 100-522230-240		REPAIR AND MAINTENA	\$840.59	18679	FD-REPAIR & MAINTENANCE
		Total	\$840.59		
36568	12/11/20	BOEHLKE TRANSPORT CORP.			
E 700-519400-524		INSURANCE CLAIMS - 2	\$275.00	INV0025	TOWING SWEEPER THAT BROKE DOWN
		Total	\$275.00		
36569	12/11/20	CARDMEMBER SERVICE			
E 100-522410-240		REPAIR AND MAINTENA	\$33.17	0513	EM-REPAIR & MAINTENANCE
E 100-522410-330		TRAVEL & TRAINING	\$82.89	0513	EM-TRAVEL & TRAINING
E 100-515600-330		TRAVEL & TRAINING	\$110.00	6174	ENG-TRAVEL & TRAINING
E 100-515600-320		PROF PUBLICATIONS A	\$54.00	6174	ENG-TRAVEL & TRAINING
E 100-533110-320		PROF PUBLICATIONS A	\$54.00	6174	ENG-PUBLICATIONS
E 100-514700-380		EQUIPMENT/CAPITAL O	\$1,638.45	6174	TECH-TOUGHBOOK WEISER
E 100-555510-240		REPAIR AND MAINTENA	\$1,050.22	6182	PARKS-REPAIR & MAINTENANCE
R 220-467332		POMS REVENUE	(\$135.99)	6182	POMS REVENUE
E 220-555390-347		SUPPLIES AND EXPENS	\$289.96	6182	REC-SUPPLIES & EXPENSES
E 220-555390-394		POMS EXPENSES	\$1,884.58	6182	REC-POMS EXPENSES
E 100-555510-240		REPAIR AND MAINTENA	\$338.22	6190	PARKS-REPAIR & MAINTENANCE
E 100-555510-310		OFFICE SUPPLIES	\$61.67	6190	PARKS-OFFICE SUPPLIES
E 220-555390-347		SUPPLIES AND EXPENS	\$264.99	6190	REC-SUPPLIES & EXPENSES
E 601-573825-225		TELEPHONE/COMMUNI	\$39.99	6208	CWRC-COMMUNICATIONS
E 601-573825-370		LAB SUPPLIES	\$69.48	6208	CWRC-LAB SUPPLIES
E 601-573830-342		JANITORIAL SUPPLIES	\$65.94	6208	CWRC-JANITORIAL SUPPLIES

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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 601-573835-360		COLLECTION SYSTEM	\$671.05	6208	CWRC-COLLECTIONS
E 601-573840-340		MAINTENANCE SUPPLIE	\$656.44	6208	CWRC-MAINTENANCE SUPPLIES
E 601-573850-330		TRAVEL & TRAINING	\$312.31	6208	CWRC-TRAVEL & TRAINING
E 100-533210-350		OPERATING SUPPLIES	\$259.12	6216	DPW-OPERATING
E 100-533210-353		MAINTENANCE PARTS	\$51.60	6216	DPW-MAINTENANCE PARTS
E 100-513100-343		AWARDS, SUPPLIES	\$578.90	6621	MAYOR-AWARDS, SUPPLIES
E 100-514100-310		OFFICE SUPPLIES	\$77.43	6621	CLERK-OFFICE SUPPLIES
E 100-555510-240		REPAIR AND MAINTENA	\$298.78	6621	REC-REPAIR & MAINTENANCE
E 220-555390-290		MAINT/CONTRACTED S	\$200.00	6621	REC-CONTRACTED SERVICES
E 220-555390-372		SAFETY EQUIPMENT	\$117.00	6621	REC-SAFETY EQUIPMENT
E 260-555110-240		REPAIR AND MAINTENA	\$89.99	6639	LIBR-REPAIR & MAINTENANCE
E 260-555110-310		OFFICE SUPPLIES	\$447.45	6639	LIBR-OFFICE SUPPLIES
E 260-555110-319		PUBLICATIONS AND SU	\$20.42	6639	LIBR-PUBLICATIONS
E 260-555110-322		DONATION EXPENDITU	\$688.15	6639	LIBR-DONATION EXPENDITURES
E 260-555110-330		TRAVEL & TRAINING	\$40.00	6639	LIBR-TRAVEL & TRAINING
E 260-555110-350		OPERATING SUPPLIES	\$64.63	6639	LIBR-OPERATING
E 260-555110-382		LIBRARY TECHNOLOGY	\$205.98	6639	LIBR-TECHNOLOGY
E 100-533311-350		OPERATING SUPPLIES	\$189.98	6761	STREET IMPROVEMENTS-OPERATING
E 100-555510-240		REPAIR AND MAINTENA	\$225.60	6761	PARKS-REPAIR & MAINTENANCE
E 100-555510-330		TRAVEL & TRAINING	\$50.00	6761	PARKS-TRAVEL & TRAINING
E 100-522110-225		TELEPHONE/COMMUNI	\$15.99	6779	PD-COMMUNICATIONS
E 100-522110-240		REPAIR AND MAINTENA	\$17.99	6779	PD-REPAIR & MAINTENANCE
E 100-522110-313		PRINTING-NEWSLETTE	\$26.22	6779	PD-PRINTING
E 100-522120-240		REPAIR AND MAINTENA	\$31.30	6779	PD-REPAIR & MAINTENANCE
E 100-522120-347		SUPPLIES AND EXPENS	\$63.98	6779	PD-SUPPLIES & EXPENSES
E 100-522120-380		EQUIPMENT/CAPITAL O	\$210.00	6779	PD-EQUIPMENT
E 100-522120-390		OTHER EXPENSES	\$281.07	6779	PD-OTHER EXPENSES-GUN PARTS
E 100-522130-330		TRAVEL & TRAINING	\$70.09	6779	PD-TRAVEL & TRAINING
Total			\$11,863.04		
36570	12/11/20	CEDARBURG FRIENDS OF PARKS & R			
R 100-467435		SENIOR CENTER FEES	\$520.00	CK REQ	SENIOR CENTER DONATIONS
Total			\$520.00		
36571	12/11/20	CEDARBURG POLICEMEN'S ASSOC.			
E 100-522120-159		LONGEVITY	\$9,560.25	CK REQ	2020 LONGEVITY
Total			\$9,560.25		
36572	12/11/20	CINTAS CORP			
E 100-533210-350		OPERATING SUPPLIES	\$171.41	5044102410	DPW-OPERATING
Total			\$171.41		
36573	12/11/20	CINTAS CORPORATION			
E 260-555110-350		OPERATING SUPPLIES	\$66.57	4069151469	LIBR-OPERATING
Total			\$66.57		
36574	12/11/20	BRIAN CLEMENT			
E 100-555510-290		MAINT/CONTRACTED S	\$1,700.00	CK REQ	PARKS-GAZEBO MAINTENANCE/PAINTING
Total			\$1,700.00		

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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36575	12/11/20	CONCORD GROUP			
E 353-566710-210		PROFESSIONAL SERVI	\$5,460.00	2020E951/08	BUSINESS PARK PROF. SERVICES
		Total	\$5,460.00		
36576	12/11/20	CORE & MAIN LP			
E 601-573840-340		MAINTENANCE SUPPLIE	(\$255.00)	L869748	CWRC-MAINTENANCE SUPPLIES
E 601-573840-340		MAINTENANCE SUPPLIE	\$294.56	N343726	CWRC-MAINTENANCE SUPPLIES
		Total	\$39.56		
36577	12/11/20	E.L.S. LANDSCAPING & LAWN			
E 260-555110-290		MAINT/CONTRACTED S	\$690.00	16337	LIBR-MAINTENANCE
		Total	\$690.00		
36578	12/11/20	EGELHOFF LAWMOWER SERVICE			
E 601-573840-340		MAINTENANCE SUPPLIE	\$50.00	277633	CWRC-MAINTENANCE
		Total	\$50.00		
36579	12/11/20	ERIC VON SCHLEDORN FORD			
E 100-522120-240		REPAIR AND MAINTENA	\$395.74	131235	PD-REPAIR & MAINTENANCE
		Total	\$395.74		
36580	12/11/20	EXTINGUISHERS AT RANDOM LLC			
E 200-544210-240		REPAIR AND MAINTENA	\$6.00	113020	CEMETERY-
E 100-518100-240		REPAIR AND MAINTENA	\$60.00	113020	COMPLEX
E 100-522110-390		OTHER EXPENSES	\$98.00	113020	PD
E 100-522110-390		OTHER EXPENSES	\$24.00	113020	EM
E 601-573840-340		MAINTENANCE SUPPLIE	\$422.00	113020	CWRC
E 100-555510-240		REPAIR AND MAINTENA	\$78.00	113020	BOY SCOUT HOUSE
E 100-555510-240		REPAIR AND MAINTENA	\$6.00	113020	CONCESSION STAND
E 100-555510-240		REPAIR AND MAINTENA	\$9.00	113020	POOL
E 100-555510-240		REPAIR AND MAINTENA	\$6.00	113020	GIRL SCOUT HOUSE
E 100-533210-350		OPERATING SUPPLIES	\$617.00	113020	DPW
E 260-555110-240		REPAIR AND MAINTENA	\$156.00	113020	LIBRARY
E 100-522230-240		REPAIR AND MAINTENA	\$309.50	309.50	FD
		Total	\$1,791.50		
36581	12/11/20	FIVE CORNERS DODGE			
E 100-522120-240		REPAIR AND MAINTENA	\$788.58	72050	PD-MAINTENANCE & REPAIR
		Total	\$788.58		
36582	12/11/20	FRANKLIN EQUIPMENT			
E 100-533440-240		REPAIR AND MAINTENA	\$247.25	7035795	DPW-REPAIR & MAINTENANCE
		Total	\$247.25		
36583	12/11/20	GOLLNICK & SONS TREE SERVICE			
E 100-555510-290		MAINT/CONTRACTED S	\$1,850.00	20879	PARKS-CONTRACTED SERVICES
		Total	\$1,850.00		
36584	12/11/20	JOSEPH JACOBS			
E 100-522310-210		PROFESSIONAL SERVI	\$240.00	20-021	BI-ELECTRICAL 11/9 & 11/20/20

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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
		Total	\$240.00		
36585	12/11/20	KANOPY, INC.			
E 260-555110-319		PUBLICATIONS AND SU	\$386.00	225159-PPU	LIBR-PUBLICATIONS
		Total	\$386.00		
36586	12/11/20	KAREN LAPORTE			
R 100-463101		PUBLIC WORKS FEES	\$25.00	CK REQ	REFUND-APPLIANCE PICKUP
		Total	\$25.00		
36587	12/11/20	LIESENER SOILS INC.			
E 100-555510-240		REPAIR AND MAINTENA	\$174.00	0189786-IN	PARKS-REPAIR & MAINTENANCE
		Total	\$174.00		
36588	12/11/20	MATHESON TRI-GAS			
E 100-533210-353		MAINTENANCE PARTS	\$32.55	51730092	DPW-MAINTENANCE PARTS
		Total	\$32.55		
36589	12/11/20	NEWMAN CHEVROLET			
E 400-533210-880		EQUIP REPLACEMENT	\$34,551.00	CK REQ	2021CHEVY 2500 - #79
		Total	\$34,551.00		
36590	12/11/20	NORTH CENTRAL LABORATORIES			
E 601-573825-370		LAB SUPPLIES	\$994.70	447390	CWRC-LAB SUPPLIES
		Total	\$994.70		
36591	12/11/20	ONTECH SYSTEMS, INC			
E 100-514700-380		EQUIPMENT/CAPITAL O	\$247.50	53013	WEBROOT & DESKTOP CARE
		Total	\$247.50		
36592	12/11/20	OTC BRANDS, INC.			
E 260-555110-322		DONATION EXPENDITU	\$104.34	706210944-0	LIBR-DONATIONS
		Total	\$104.34		
36593	12/11/20	OZAUKEE COUNTY CLERK			
E 100-514200-310		OFFICE SUPPLIES	\$91.16	081120	ELECTION SUPPLIES
E 100-514200-310		OFFICE SUPPLIES	\$122.43	110320	ELECTION SUPPLIES
		Total	\$213.59		
36594	12/11/20	PACE ANALYTICAL SERVICES, LLC			
E 601-573825-370		LAB SUPPLIES	\$21.00	2040094040	CWRC-LAB SUPPLIES
		Total	\$21.00		
36595	12/11/20	PIKE SYSTEMS, INC.			
E 100-522100-340		MAINTENANCE SUPPLIE	\$143.35	103577	PD-MAINTENANCE SUPPLIES
		Total	\$143.35		
36596	12/11/20	PITNEY BOWES GLOBAL FINANCIAL			
E 100-514100-315		POSTAGE	\$379.89	3312462724	CLERK-POSTAGE 4TH QTR 2020
		Total	\$379.89		
36597	12/11/20	DANIEL POPPE			

CITY OF CEDARBURG

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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
G 100-261400		OVERPAYMENT OF TAX	\$65.74	CK REQ	PROPERTY TAX REFUND
		Total	\$65.74		
36598	12/11/20	PROFESSIONAL SERVICE INDUSTRIE			
E 353-566710-210		PROFESSIONAL SERVI	\$8,432.00	00738002	TIF #6 PROFESSIONAL SERVICES
		Total	\$8,432.00		
36599	12/11/20	QUALITY STATE OIL CO.,INC.			
E 100-533210-351		GAS AND OIL EXPENSE	\$69.33	2889353	DPW-GAS AND OIL EXPENSE
		Total	\$69.33		
36600	12/11/20	SHARP ELECTRONICS CORPORATION			
E 100-514700-385		EQUIPMENT OUTLAY	\$662.02	SH417003	TECH-COPIERS
		Total	\$662.02		
36601	12/11/20	STAPLES			
E 100-515600-310		OFFICE SUPPLIES	\$20.49	8060485390	TREAS-OFFICE SUPPLIES
E 100-522310-310		OFFICE SUPPLIES	\$12.29	8060485390	BI-OFFICE SUPPLIES
E 100-514100-310		OFFICE SUPPLIES	\$54.78	8060485390	CLERK-OFFICE SUPPLIES
E 100-514100-310		OFFICE SUPPLIES	(\$58.38)	8060485390	CLERK-OFFICE SUPPLIES
		Total	\$29.18		
36602	12/11/20	STREICHER'S POLICE EQUIPMENT			
E 100-522120-346		UNIFORMS	\$202.00	I1466894	PD-UNIFORMS
E 100-522120-346		UNIFORMS	\$381.91	I1467979	PD-UNIFORMS
E 100-522120-347		SUPPLIES AND EXPENS	\$53.99	I1468433	PD-UNIFORMS
		Total	\$637.90		
36603	12/11/20	THE UNIFORM SHOPPE			
E 100-522120-346		UNIFORMS	\$968.55	301437	PD-UNIFORMS
E 100-522120-346		UNIFORMS	\$139.90	305196	PD-UNIFORMS
E 100-522120-346		UNIFORMS	\$136.95	305355	PD-UNIFORMS
E 100-522110-346		UNIFORMS	\$43.99	305378	PD-UNIFORMS
		Total	\$1,289.39		
36604	12/11/20	TIME WARNER CABLE			
E 100-518100-225		TELEPHONE/COMMUNI	\$66.85	120520	CH-TELEPHONE
E 100-513100-225		TELEPHONE/COMMUNI	\$7.42	120520	MAYOR-TELEPHONE
E 100-513200-225		TELEPHONE/COMMUNI	\$7.42	120520	ADMIN-TELEPHONE
E 100-514100-225		TELEPHONE/COMMUNI	\$37.12	120520	CLERK-TELEPHONE
E 100-515600-225		TELEPHONE/COMMUNI	\$14.85	120520	ASSESSOR-TELEPHONE
E 100-522310-225		TELEPHONE/COMMUNI	\$14.85	120520	BI-TELEPHONE
E 100-533110-225		TELEPHONE/COMMUNI	\$22.27	120520	ENG-TELEPHONE
E 100-566310-225		TELEPHONE/COMMUNI	\$14.85	120520	PLAN-TELEPHONE
E 100-533210-225		TELEPHONE/COMMUNI	\$29.70	120520	DPW-TELEPHONE
E 220-555390-225		TELEPHONE/COMMUNI	\$29.70	120520	REC-TELEPHONE
E 100-555140-225		TELEPHONE/COMMUNI	\$14.85	120520	SRCTR-TELEPHONE
E 601-573825-225		TELEPHONE/COMMUNI	\$59.40	120520	CWRC-TELEPHONE
E 100-522410-225		TELEPHONE/COMMUNI	\$22.27	120520	EG-TELEPHONE
E 100-522230-225		TELEPHONE/COMMUNI	\$14.85	120520	FD-TELEPHONE
E 240-555320-225		TELEPHONE/COMMUNI	\$37.12	120520	POOL-TELEPHONE

CITY OF CEDARBURG

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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 100-515600-225		TELEPHONE/COMMUNI	\$22.27	120520	TREAS-TELEPHONE
E 100-522110-225		TELEPHONE/COMMUNI	\$26.51	2801	PD-ADAPTERS
E 100-533210-350		OPERATING SUPPLIES	\$8.84	3301	DPW-ADAPTERS
		Total	\$451.14		
36605	12/11/20	TRANS UNION LLC			
E 100-522110-240		REPAIR AND MAINTENA	\$50.00	11005958	PD-NOVEMBER 2020 SERVICE
		Total	\$50.00		
36606	12/11/20	TRANSUNION RISK & ALTERNATIVE			
E 100-522110-225		TELEPHONE/COMMUNI	\$50.00	202011-1	PD-NOVEMBER 2020 FEE
		Total	\$50.00		
36607	12/11/20	UNEMPLOYMENT INSURANCE			
E 700-519400-393		UNEMPLOYMENT COMP	\$3,528.51	10481155	UNEMPLOYMENT CHARGES-NOVEMBER 2020
		Total	\$3,528.51		
36608	12/11/20	UNIFIRST CORPORATION			
E 100-533210-350		OPERATING SUPPLIES	\$49.51	096 1157917	DPW-OPERATING
E 601-573825-372		SAFETY EQUIPMENT	\$82.45	096 1158977	CWRC-SAFETY EQUIPMENT
E 100-533210-350		OPERATING SUPPLIES	\$49.51	096 1158979	DPW-OPERATING
		Total	\$181.47		
36609	12/11/20	VALU RITE CORPORATION			
E 100-515400-210		PROFESSIONAL SERVI	\$1,125.00	CK REQ	ASSESSOR-COMMERCIAL
		Total	\$1,125.00		
36610	12/11/20	WISCONSIN DEPT OF JUSTICE			
E 100-522110-225		TELEPHONE/COMMUNI	\$56.00	202011	PD-NOVEMBER 2020
		Total	\$56.00		
36611	12/11/20	WISC CHIEFS OF POLICE ASSOC			
G 100-162000		PREPAID EXPENSES	\$130.00	4738	PD-MEMBERSHIP 2021
		Total	\$130.00		
36612	12/11/20	WISCONSIN TRAFFIC SAFETY			
G 100-162000		PREPAID EXPENSES	\$200.00	CK REQ	PD-TRAINING
		Total	\$200.00		
36613	12/18/20	ABT MAILCOM			
E 100-515600-310		OFFICE SUPPLIES	\$1,490.20	38192	TAX BILL POSTAGE
		Total	\$1,490.20		
36614	12/18/20	ALBIERO PLUMBING			
E 100-522230-240		REPAIR AND MAINTENA	\$1,096.50	225310	FD-REPAIR & MAINTENANCE
		Total	\$1,096.50		
36615	12/18/20	BEAR GRAPHICS, INC.			
E 100-514200-310		OFFICE SUPPLIES	\$411.76	0856053	ELECTIONS-OFFICE SUPPLIES
E 100-514200-310		OFFICE SUPPLIES	\$701.28	0856054	ELECTIONS-OFFICE SUPPLIES
		Total	\$1,113.04		

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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36616	12/18/20	BSN SPORTS LLC			
E 220-555390-347		SUPPLIES AND EXPENS	\$441.00	910821839	REC-SUPPLIES AND EXPENSES
		Total	\$441.00		
36617	12/18/20	CEDARBURG FIRE DEPARTMENT			
R 100-435400		STATE GRANT FIRE CA	\$16,965.52	CK REQ	COVID EXPENS PAID BY RESCUE FUND
		Total	\$16,965.52		
36618	12/18/20	CEDARBURG LIGHT & WATER			
E 601-573850-216		L&W BILLING	\$12,572.13	7955	CWRC-SEWERAGE DECEMBER 2020
G 100-256201		DUE TO L&W IMPACT F	\$2,007.82	CK REQ	WTR IMPACT FEE-CORNERSTONE DEVELOPMENT-N117W5578 LUCAS CT LOT 63
G 100-256201		DUE TO L&W IMPACT F	\$2,007.82	CK REQ	WTR IMPACT FEE-CORNERSTONE DEVELOPMENT0-N111W5875 LUCAS CT LOT 55
		Total	\$16,587.77		
36619	12/18/20	CULLIGAN OF WEST BEND			
E 260-555110-350		OPERATING SUPPLIES	\$131.25	502X041142	LIBR-OPERATING
		Total	\$131.25		
36620	12/18/20	CUSTOM SERVICE INFORMATION,LLC			
G 100-162000		PREPAID EXPENSES	\$500.00	12420	PD-POLICY UPDATE 2021
		Total	\$500.00		
36621	12/18/20	EMERGENCY MEDICAL PRODUCTS			
E 100-522120-380		EQUIPMENT/CAPITAL O	\$968.98	2220531	PD-EQUIPMENT
		Total	\$968.98		
36622	12/18/20	ERIC VON SCHLEDORN FORD			
E 100-522120-240		REPAIR AND MAINTENA	\$267.07	132018	PD-REPAIR & MAINTENANCE-18 FORD EXP
		Total	\$267.07		
36623	12/18/20	ESRI, INC.			
G 100-162000		PREPAID EXPENSES	\$1,700.00	93940347	ENG-ARCGIS GIS MAPPING 2021
G 601-162000		PREPAID EXPENSES	\$1,000.00	93940347	CWRC-ARCGIS GIS MAPPING 2021
G 100-162000		PREPAID EXPENSES	\$350.00	93940347	DPW-ARCGIS GIS MAPPING 2021
		Total	\$3,050.00		
36624	12/18/20	FASTENAL COMPANY			
E 100-533210-353		MAINTENANCE PARTS	\$20.66	WISAU12100	DPW-MAINTENANCE PARTS
		Total	\$20.66		
36625	12/18/20	FIRST ADVANTAGE			
E 100-533311-210		PROFESSIONAL SERVI	\$101.28	2505522011	DRUG TESTING
G 100-156200		DUE FROM LIGHT & WA	\$90.59	2505522011	DRUG TESTING
		Total	\$191.87		
36626	12/18/20	FIVE CORNERS DODGE			
E 100-522120-240		REPAIR AND MAINTENA	\$88.65	72451	PD-MAINTENANCE- 2016 FORD UTILITY
		Total	\$88.65		
36627	12/18/20	GRAINGER			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 100-518100-240		REPAIR AND MAINTENA	\$77.06	9742400428	COMPLEX-REPAIR & MAINTENANCE
E 100-518100-240		REPAIR AND MAINTENA	\$88.72	9742400428	COMPLEX-REPAIR & MAINTENANCE
		Total	\$165.78		
36628	12/18/20	GROTHS COUNTRY GARDENS			
E 100-555220-347		SUPPLIES AND EXPENS	\$839.00	12720	CELEBRATIONS SUPPLIES
		Total	\$839.00		
36629	12/18/20	HOUSEMAN & FEIND, LLP			
E 100-522110-212		ATTORNEY/CONSULTA	\$1,304.00	70022	PD-LEGAL
E 100-516100-211		EXTRAORDINARY SERV	\$3,295.00	70044	EXTRAORDINARY SERVICES
E 700-519400-524		INSURANCE CLAIMS - 2	\$80.00	70044	INSURANCE CLAIM-2020
E 353-566710-212		ATTORNEY/CONSULTA	\$160.00	70044	TIF #6
E 350-566710-212		ATTORNEY/CONSULTA	\$200.00	70044	TIF #4
		Total	\$5,039.00		
36630	12/18/20	IIMC			
G 100-162000		PREPAID EXPENSES	\$175.00	CK REQ	CLERKS-DUES-KLETZIEN 2021
		Total	\$175.00		
36631	12/18/20	JFTCO, INC			
E 100-533210-353		MAINTENANCE PARTS	\$718.41	PIMK007941	DPW-MAINTENANCE PARTS
E 100-533210-353		MAINTENANCE PARTS	\$71.84	PINK007940	DPW-MAINTENANCE PARTS
		Total	\$790.25		
36632	12/18/20	JGS GEOTECH, LLC			
E 400-533311-854		STREET IMPROVEMENT	\$4,297.00	00000057	2021 STREET & UTILITY BORINGS
		Total	\$4,297.00		
36633	12/18/20	JOSEPH JACOBS			
E 100-522310-210		PROFESSIONAL SERVI	\$270.00	12-022	BI-ELECTRICAL INSPECTIONS 12/11-15/2020
		Total	\$270.00		
36634	12/18/20	LIGHTHOUSE SAFETY LLC			
E 601-573840-340		MAINTENANCE SUPPLIE	\$3,791.47	20191778	CWRC-MAINTENANCE SUPPLIES
		Total	\$3,791.47		
36635	12/18/20	MIDLAND HEALTH TESTING SERVICE			
E 100-533210-210		PROFESSIONAL SERVI	\$136.58	M1224	DPW-DRUG TESTING
		Total	\$136.58		
36636	12/18/20	NASSCO, INC.			
E 100-555510-240		REPAIR AND MAINTENA	\$90.61	S2697133.00	PARKS-REPAIR & MAINTENANCE
		Total	\$90.61		
36637	12/18/20	OFFICE DEPOT			
E 100-533110-310		OFFICE SUPPLIES	\$95.95	14005208900	ENG-OFFICE SUPPLIES
E 100-533110-310		OFFICE SUPPLIES	\$39.78	14038168600	ENG-OFFICE SUPPLIES
E 100-515600-310		OFFICE SUPPLIES	\$6.98	14038168600	TREAS-OFFICE SUPPLIES
E 100-515600-310		OFFICE SUPPLIES	\$28.59	14041089400	TREAS-OFFICE SUPPLIES
		Total	\$171.30		

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Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36638	12/18/20	OZAUKEE ACE HARDWARE			
E 100-522410-350		OPERATING SUPPLIES	\$37.77	165133	EM-OPERATING SUPPLIES
		Total	\$37.77		
36639	12/18/20	OZAUKEE DISPOSAL CORPORATION			
E 601-573830-297		REFUSE COLLECTION	\$1,525.00	IN62069	CWRC-DUMPSTER PICKUP-NOVEMBER2020
		Total	\$1,525.00		
36640	12/18/20	PROFESSIONAL SERVICE INDUSTRIE			
E 353-566710-210		PROFESSIONAL SERVI	\$14,565.00	00726377	TIF #6 PROFESSIONAL SERVICES
		Total	\$14,565.00		
36641	12/18/20	R&B SUPPLY CO.INC.			
E 100-533210-353		MAINTENANCE PARTS	\$376.80	75277	DPW-MAINTENANCE PARTS
		Total	\$376.80		
36642	12/18/20	AARON RACZYNSKI			
R 100-463101		PUBLIC WORKS FEES	\$15.00	CK REQ	REFUND FOR TV NOT ACCEPTED
		Total	\$15.00		
36643	12/18/20	RIVOLI THEATRE			
E 100-513200-330		TRAVEL & TRAINING	\$100.00	12920	TRAINING-WCMA MEETING HOST SITE
		Total	\$100.00		
36644	12/18/20	SCHWAAB, INC			
E 100-515600-310		OFFICE SUPPLIES	\$71.02	C098485	TREAS-OFFICE SUPPLIES
		Total	\$71.02		
36645	12/18/20	SEILER GEOSPATIAL DIVISION			
E 100-555510-240		REPAIR AND MAINTENA	\$149.00	CK REQ	EXTENDED WARRANTY TRIMBLE RI GPS
		Total	\$149.00		
36646	12/18/20	SHERWIN INDUSTRIES, INC.			
E 100-533311-240		REPAIR AND MAINTENA	\$1,550.36	SC046034	DPW-STREET REPAIR & MAINTENANCE
E 100-533311-240		REPAIR AND MAINTENA	\$2,888.28	SC046069	DPW-STREET REPAIR & MAINTENANCE
		Total	\$4,438.64		
36647	12/18/20	SHORELINE CONTRACTING SERVICES			
E 100-533440-240		REPAIR AND MAINTENA	\$50.00	20200884	DPW-STORM REPAIR & MAINTENANCE
		Total	\$50.00		
36648	12/18/20	SHORT ELLIOTT HENDRICKSON INC			
E 100-533110-210		PROFESSIONAL SERVI	\$680.54	397592	MONOPOLE PROFESSIONAL SERVICES
		Total	\$680.54		
36649	12/18/20	TIME WARNER CABLE			
E 100-555510-220		Internet	\$96.98	120720	REC-INTERNET GYM
E 100-522110-225		TELEPHONE/COMMUNI	\$424.28	120920	PD-TELEPHONE
E 100-555510-220		Internet	\$111.97	120920	PARKS-INTERNET CEDAR CREEK
		Total	\$633.23		
36650	12/18/20	WE ENERGIES			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 100-555510-224		NATURAL GAS	\$78.08	045	BOY SCOUT HOUSE
E 100-522230-224		NATURAL GAS	\$412.00	082	FD
E 601-573840-340		MAINTENANCE SUPPLIE	\$12.13	176	SEWER - DORCHESTER #4
E 100-555510-224		NATURAL GAS	\$115.12	213	GIRL SCOUT HOUSE
E 601-573840-340		MAINTENANCE SUPPLIE	\$14.79	229	SEWER - EVERGREEN #7
E 601-573825-224		NATURAL GAS	\$119.52	296	SEWER - PARK LANE UV
E 240-555320-224		NATURAL GAS	\$28.05	384	POOL
E 601-573825-224		NATURAL GAS	\$297.12	423	SEWER - PARK LANE CONTROL BLDG
E 100-518100-224		NATURAL GAS	\$629.93	425	GYM
E 260-555110-224		NATURAL GAS	\$814.55	477	LIBRARY
E 100-522410-224		NATURAL GAS	\$79.32	522	EM
E 100-522100-224		NATURAL GAS	\$677.44	610	PD
E 100-518100-224		NATURAL GAS	\$533.80	666	LINCOLN BLDG
E 601-573840-340		MAINTENANCE SUPPLIE	\$12.80	804	SEWER - KENZIE #11
E 601-573840-340		MAINTENANCE SUPPLIE	\$11.52	866	SEWER - KEUP #10
E 601-573840-340		MAINTENANCE SUPPLIE	\$27.21	928	SEWER - GARFIELD #9
E 601-573840-340		MAINTENANCE SUPPLIE	\$17.16	943	SEWER - HIGHLAND #8
E 100-518100-224		NATURAL GAS	\$598.26	952	CH
E 100-533210-224		NATURAL GAS	\$227.96	957	DPW FACILITY
E 100-522230-224		NATURAL GAS	\$557.83	971	FD
E 100-522100-224		NATURAL GAS	\$34.12	994	PD
Total			\$5,298.71		
36651	12/18/20	WHITE RICE ADVERTISING & PR,			
E 100-566310-210		PROFESSIONAL SERVI	\$600.00	8391	ED-PROFESSIONAL SERVICES
Total			\$600.00		
36682	12/22/20	KALIN ALBRECHT			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-1ST BBALL
Total			\$75.00		
36683	12/22/20	KATRINA ALEVIZOS			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-1ST BBALL
Total			\$75.00		
36684	12/22/20	DOMINIC BANHAM			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
Total			\$75.00		
36685	12/22/20	CLARICE BARRIE			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
Total			\$75.00		
36686	12/22/20	JODY BECKER			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
Total			\$150.00		
36687	12/22/20	DAYNA BIERNAT			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
Total			\$150.00		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36688	12/22/20	LISA BOETTCHER			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36689	12/22/20	LINDSAY BOGENSCHUETZ			
R 220-467327		SOLAR RECREATION	\$225.00	CK REQ	REC REFUND-COED BBALL
		Total	\$225.00		
36690	12/22/20	KRISTIN BROGAN			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36691	12/22/20	MEGAN CONDON			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36692	12/22/20	TYLER CONSTABLE			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36693	12/22/20	NICOLE CREW			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36694	12/22/20	MEGAN DEKKER			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36695	12/22/20	JACKIE DEPPISCH			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36696	12/22/20	MEGAN DIRKS			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36697	12/22/20	ERIKA DOHERTY			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36698	12/22/20	REBECCA DREIER			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$75.00		
36699	12/22/20	BRIAN DURSCH			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36700	12/22/20	NICOLE DUTTA			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36701	12/22/20	PIERA DYER			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36702	12/22/20	FASSBENDER, CRYSTAL			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36703	12/22/20	TINA FENNIG			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$75.00		
36704	12/22/20	BECKY FETTEROLF			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36705	12/22/20	JENNY GAST			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36706	12/22/20	DONALD R GRIEP			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL & SPORTS SPECTACULAR
		Total	\$150.00		
36707	12/22/20	HOPE GROTH			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$150.00		
36708	12/22/20	LIBBY GUNDRUM			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36709	12/22/20	MICHAEL HAAS			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36710	12/22/20	ANNE HAJIGEORGIOU			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36711	12/22/20	ALLISON HANNAM			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36712	12/22/20	THOMAS HARTWIG			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$150.00		
36713	12/22/20	ABBIE HAUGEN			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$75.00		

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36714	12/22/20	LISA HAYRY			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36715	12/22/20	VANESSA HOFMANN			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36716	12/22/20	MATTHEW HOPF			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36717	12/22/20	KELLY HOUGOM			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36718	12/22/20	MIKE JONES			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36719	12/22/20	KELLY KEEGAN			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36720	12/22/20	JESSICA KERSLAKE			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36721	12/22/20	TRACY KOSINSKI			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36722	12/22/20	KC KRANICH			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36723	12/22/20	NATHALIE KRIER			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36724	12/22/20	MEGAN KROK			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36725	12/22/20	KRZYKOWSKI, JEFFREY			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36726	12/22/20	MICHELLE KUTZ			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36727	12/22/20	NICOLE LABINSKI			
R 220-467327		SOLAR RECREATION	\$225.00	CK REQ	REC REFUND-COED BBALL
		Total	\$225.00		
36728	12/22/20	LAUREN LEPP			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36729	12/22/20	KIMBERLY LEUTENEGGER			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36730	12/22/20	BRENT LUTFT			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$75.00		
36731	12/22/20	LOGO IMPRESSIONS			
E 100-522120-352		K-9 UNIT EXPENSE	\$1,400.00	999087	PD-K-9 EXPENSE
		Total	\$1,400.00		
36732	12/22/20	KERA MCCLAIN			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36733	12/22/20	ADAM MCGEE			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36734	12/22/20	MERKLE, LORI			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36735	12/22/20	LAUREL MILLAR			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36736	12/22/20	LINDSAY MONGOVEN			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36737	12/22/20	MARIA MORALES			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36738	12/22/20	JODIE MROTEK			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36739	12/22/20	KATHARINE MUDRA			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL/SPORT SPEC
		Total	\$150.00		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36740	12/22/20	LLANIE NOBILE			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36741	12/22/20	STACI OAKES			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36742	12/22/20	JOSH PALLEON			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36743	12/22/20	ERICA PAULY			
R 220-467327		SOLAR RECREATION	\$300.00	CK REQ	REC REFUND-COED BBALL
		Total	\$300.00		
36744	12/22/20	LISA PETERS			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36745	12/22/20	MEGAN POTTER			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36746	12/22/20	HOLLY RADKE			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$75.00		
36747	12/22/20	LISA REIMER			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36748	12/22/20	ERIN RILEY			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36749	12/22/20	CHRISSIE ROEMER			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36750	12/22/20	MICHAEL SCHMIDT			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36751	12/22/20	BRANDON SCHMITZ			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36752	12/22/20	MARGARET SCOTTBERG			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36753	12/22/20	LISA SHAMAKOV			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36754	12/22/20	BRIAN SIKORA			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36755	12/22/20	SONNENBERG, KRISTEN			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36756	12/22/20	SUSIE STANLEY			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36757	12/22/20	BETH STECKLEIN			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-SPORTS SPECTACULAR
		Total	\$150.00		
36758	12/22/20	DAN SWARTHOUT			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36759	12/22/20	JOE TARABOI			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36760	12/22/20	BRYAN TAYLOR			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36761	12/22/20	JOHN K TOKARZ			
R 220-467327		SOLAR RECREATION	\$225.00	CK REQ	REC REFUND-COED BBALL & SPORTS SPEC
		Total	\$225.00		
36762	12/22/20	LAURA VANGENDEREN			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36763	12/22/20	JONATHAN WALDHART			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND - COED BBALL
		Total	\$75.00		
36764	12/22/20	JENNIFER WALL			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36765	12/22/20	TRACY TOOLEY WENDT			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36766	12/22/20	AARON WETZEL			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36767	12/22/20	TRISHA WILLIAMS			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36768	12/22/20	WM CORPORATE SERVICES, INC.			
E 100-533710-290		MAINT/CONTRACTED S	\$36,248.52	6574777-227	CH-GARBAGE
E 100-533730-290		MAINT/CONTRACTED S	\$17,520.93	6574777-227	CH-GARBAGE
		Total	\$53,769.45		
36769	12/22/20	KENT WUEBBEN			
R 220-467327		SOLAR RECREATION	\$75.00	CK REQ	REC REFUND-COED BBALL
		Total	\$75.00		
36770	12/22/20	LUKE ZIMBRIC			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36771	12/22/20	LYNDSEY ZUBARIK			
R 220-467327		SOLAR RECREATION	\$150.00	CK REQ	REC REFUND-COED BBALL
		Total	\$150.00		
36772	12/30/20	ADVANCED DISPOSAL-			
R 100-463101		PUBLIC WORKS FEES	\$740.31	E100014597	DPW-ROLLOFF EXCHANGE
		Total	\$740.31		
36773	12/30/20	ALBIERO PLUMBING			
E 100-522230-240		REPAIR AND MAINTENA	\$273.75	225450	FD-MAINTENANCE
		Total	\$273.75		
36774	12/30/20	AT&T LONG DISTANCE			
E 260-555110-225		TELEPHONE/COMMUNI	\$35.07	121320	LIBRARY-LONG DISTANCE
E 100-522110-225		TELEPHONE/COMMUNI	\$4.74	121320	PD-LONG DISTANCE
		Total	\$39.81		
36775	12/30/20	AT&T MOBILITY			
E 100-522410-225		TELEPHONE/COMMUNI	\$123.55	12192020	EM-WIRELESS
		Total	\$123.55		
36776	12/30/20	AT&T			
E 100-533210-225		TELEPHONE/COMMUNI	\$56.19	26237576031	DPW-TELEPHONE
E 260-555110-225		TELEPHONE/COMMUNI	\$340.21	26237576031	LIBRARY-TELEPHONE
E 601-573825-225		TELEPHONE/COMMUNI	\$104.36	26237576031	CWRC-TELEPHONE
E 100-518100-225		TELEPHONE/COMMUNI	\$94.76	26237576031	CH-TELEPHONE
E 100-522230-225		TELEPHONE/COMMUNI	\$104.18	26237576031	FD-TELEPHONE
		Total	\$699.70		
36777	12/30/20	BAKER & TAYLOR BOOKS			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 260-555110-322		DONATION EXPENDITU	\$98.36	2035659803	LIBR-PUBLICATIONS
		Total	\$98.36		
36778	12/30/20	NICK BENISHEK			
R 100-463101		PUBLIC WORKS FEES	\$25.00	CK REQ	REFUND-APPLIANCE PICKUP
		Total	\$25.00		
36779	12/30/20	BEYER'S HARDWARE			
E 100-533210-350		OPERATING SUPPLIES	(\$23.72)	157193	DPW-OPERATING
E 100-555510-240		REPAIR AND MAINTENA	\$48.58	160674	PARKS-REPAIR & MAINTENANCE
E 100-533210-353		MAINTENANCE PARTS	\$126.36	160877	DPW-MAINTENANCE PARTS
E 100-533210-353		MAINTENANCE PARTS	\$12.22	160904	DPW-MAINTENANCE PARTS
E 100-522410-240		REPAIR AND MAINTENA	\$44.07	161085	EM-REPAIR & MAINTENANCE
E 100-555510-240		REPAIR AND MAINTENA	\$16.15	161151	PARKS-REPAIR & MAINTENANCE
E 100-555510-240		REPAIR AND MAINTENA	\$29.53	161154	PARKS-REPAIR & MAINTENANCE
E 100-555220-347		SUPPLIES AND EXPENS	\$51.28	161163	CELEBRATIONS-SUPPLIES & EXPENSES
E 100-555510-240		REPAIR AND MAINTENA	\$40.48	161173	PARKS-REPAIR & MAINTENANCE
E 100-555510-240		REPAIR AND MAINTENA	\$12.59	161185	PARKS-REPAIR & MAINTENANCE
E 100-518100-240		REPAIR AND MAINTENA	\$47.12	161194	COMPLEX-REPAIR & MAINTENANCE
E 100-555510-240		REPAIR AND MAINTENA	\$9.89	161226	PARKS-REPAIR & MAINTENANCE
E 100-555510-240		REPAIR AND MAINTENA	\$35.99	161320	PARKS-REPAIR & MAINTENANCE
E 601-573825-370		LAB SUPPLIES	\$32.65	161331	CWRC-LAB SUPPLIES
E 260-555110-310		OFFICE SUPPLIES	\$4.31	161343	LIBR-OFFICE SUPPLIES
E 100-518100-240		REPAIR AND MAINTENA	\$21.38	161345	COMPLEX-REPAIR & MAINTENANCE
E 601-573840-340		MAINTENANCE SUPPLIE	\$93.97	161355	CWRC-MAINTENANCE SUPPLIES
E 601-573840-340		MAINTENANCE SUPPLIE	(\$93.97)	161356	CWRC-MAINTENANCE SUPPLIES
E 601-573840-340		MAINTENANCE SUPPLIE	\$57.08	161358	CWRC-MAINTENANCE SUPPLIS
E 100-555510-240		REPAIR AND MAINTENA	\$1.97	161365	PARKS-REPAIR & MAINTENANCE
E 100-515600-310		OFFICE SUPPLIES	\$9.89	161371	TREAS-OFFICE SUPPLIES
E 100-555510-240		REPAIR AND MAINTENA	\$5.84	161388	PARKS-REPAIR & MAINTENANCE
E 100-533210-353		MAINTENANCE PARTS	\$80.59	161409	DPW-MAINTENANCE PARTS
E 100-555510-240		REPAIR AND MAINTENA	\$18.43	161437	PARKS-REPAIR & MAINTENANCE
E 100-518100-240		REPAIR AND MAINTENA	\$18.70	161449	COMPLEX-REPAIR & MAINTENANCE
E 100-533210-353		MAINTENANCE PARTS	\$178.15	161457	DPW-MAINTENANCE PARTS
E 100-533210-353		MAINTENANCE PARTS	\$2.06	161489	DPW-MAINTENANCE PARTS
E 100-555510-240		REPAIR AND MAINTENA	\$5.84	161495	PARKS-REPAIR & MAINTENANCE
E 100-555510-240		REPAIR AND MAINTENA	\$28.79	161526	PARKS-REPAIR & MAINTENANCE
E 100-533210-353		MAINTENANCE PARTS	\$89.54	161534	DPW-MAINTENANCE PARTS
E 100-533210-353		MAINTENANCE PARTS	\$18.43	161538	DPW-MAINTENANCE PARS
E 100-533210-353		MAINTENANCE PARTS	\$39.13	161559	DPW-MAINTENANCE PARTS
E 100-533210-353		MAINTENANCE PARTS	\$20.20	161565	DPW-MAINTENANCE PARTS
E 200-544210-240		REPAIR AND MAINTENA	\$12.13	161577	CEMETERY-REPAIR & MAINTENANCE
E 100-518100-240		REPAIR AND MAINTENA	\$80.98	161660	COMPLEX-REPAIR & MAINTENANCE
E 100-522100-340		MAINTENANCE SUPPLIE	\$5.39	161676	PD-MAINTENANCE SUPPLIES
E 100-533210-353		MAINTENANCE PARTS	\$77.33	161704	DPW-MAINTENANCE PARTS
E 601-573825-370		LAB SUPPLIES	\$8.96	161711	CWRC-LAB SUPPLIES
E 260-555110-350		OPERATING SUPPLIES	\$32.18	161744	LIBR-OPERATING
E 100-555510-240		REPAIR AND MAINTENA	\$24.29	161801	PARKS-REPAIR & MAINTENANCE
		Total	\$1,324.78		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36780	12/30/20	ERIN CALLAHAN BLUM			
E 100-555140-210		PROFESSIONAL SERVI	\$264.00	CK REQ	SRCTR-PROF SERVICES-WATERCOLOR CLASS
		Total	\$264.00		
36781	12/30/20	BOEHLKE BOTTLED GAS CORP.			
G 221-161500		FUEL INVENTORY	\$738.92	112325	DPW-FUEL INVENTORY
		Total	\$738.92		
36782	12/30/20	BOEHLKE TRANSPORT CORP.			
E 100-533210-210		PROFESSIONAL SERVI	\$275.00	INV0028	DPW-TOWING-SWEEPER THAT BROKE DOWN
		Total	\$275.00		
36783	12/30/20	BSN SPORTS LLC			
E 220-555390-347		SUPPLIES AND EXPENS	\$272.98	911090464	REC-SUPPLIES & EXPENSES
		Total	\$272.98		
36784	12/30/20	MARTINA & KURT BUCHBERGER			
G 100-261400		OVERPAYMENT OF TAX	\$129.49	CK REQ	REAL ESTATE TAX REFUND
		Total	\$129.49		
36785	12/30/20	BURKE TRUCK & EQUIPMENT CO.			
E 100-533210-353		MAINTENANCE PARTS	\$317.60	27526	DPW-MAINTENANCE PARTS
E 100-533210-353		MAINTENANCE PARTS	\$379.45	27576	DPW-MAINTENANCE PARTS
		Total	\$697.05		
36786	12/30/20	CEDARBURG LIGHT & WATER			
G 100-256201		DUE TO L&W IMPACT F	\$2,007.82	CK REQ	WTR IMPACT FEE-KORNDORFER HOMES-N82W4968 TERRACE LOT #8
G 100-256201		DUE TO L&W IMPACT F	\$2,007.82	CK REQ	WTR IMPACT FEE-VICTORY HOMES-W81N9187 STONEY KETTLE DR
		Total	\$4,015.64		
36787	12/30/20	COMPLETE OFFICE OF WISCONSIN			
E 100-514100-312		COMPUTER/COPIER SU	\$339.90	835212	CLERKS-COPY PAPER
		Total	\$339.90		
36788	12/30/20	CULLIGAN OF WEST BEND			
E 200-544210-245		HOUSE MAINTENANCE	\$142.10	502X041244	CEMETERY-RENTAL 12/1/20-2/28/21
		Total	\$142.10		
36789	12/30/20	MATTHEW DELLINGER			
G 100-261400		OVERPAYMENT OF TAX	\$59.22	CK REQ	REAL ESTATE TAX REFUND
		Total	\$59.22		
36790	12/30/20	DIGITAL EDGE OF GRAFTON			
E 100-533110-350		OPERATING SUPPLIES	\$38.00	18002	ENG-OPERATING SUPPLIES
		Total	\$38.00		
36791	12/30/20	EGELHOFF LAWNMOWER SERVICE			
E 100-555510-240		REPAIR AND MAINTENA	\$189.99	279501	PARKS-REPAIR & MAINTENANCE
		Total	\$189.99		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
36792	12/30/20	EMR, LLC			
E 100-533210-353		MAINTENANCE PARTS	\$153.26	12530	DPW-MAINTENANCE PARTS-2009 PETERBILT
		Total	\$153.26		
36793	12/30/20	FASTENAL COMPANY			
E 100-533210-353		MAINTENANCE PARTS	\$50.64	WISAU12112	DPW-MAINTENANCE PARTS
E 100-518100-350		OPERATING SUPPLIES	\$86.33	WISAU12117	COMPLEX-OPERATING
		Total	\$136.97		
36794	12/30/20	FORESTRY SUPPLIERS			
E 100-555510-240		REPAIR AND MAINTENA	\$36.25	794169-01	PARKS-REPAIR & MAINTENANCE
		Total	\$36.25		
36795	12/30/20	GOLLNICK & SONS TREE SERVICE			
E 100-555510-290		MAINT/CONTRACTED S	\$1,500.00	20929	PARKS-CONTRACTED SERVICES
		Total	\$1,500.00		
36796	12/30/20	HAJEK, MICHAEL			
G 100-261400		OVERPAYMENT OF TAX	\$52.30	CK REQ	REAL ESTATE TAX REFUND
		Total	\$52.30		
36797	12/30/20	JIM HEIDEN			
E 100-555510-240		REPAIR AND MAINTENA	\$80.00	773928	PARKS-REPAIR & MAINTENANCE
		Total	\$80.00		
36798	12/30/20	HEIN ELECTRIC SUPPLY CO			
E 100-518100-240		REPAIR AND MAINTENA	\$80.24	767173	COMPLEX-REPAIR & MAINTENANCE
		Total	\$80.24		
36799	12/30/20	JOHNSONS NURSERY, INC.			
G 100-239837		DEVELOPERS DEPOSIT	\$7,364.00	72437	PARKS-NEW SUBDIVISION PLANTING & COMMUNITY TREE PLANTING
E 100-555510-384		LEGACY TREE & BENCH	\$143.00	72437	PARKS-NEW SUBDIVISION PLANTING & COMMUNITY TREE PLANTING
G 100-239837		DEVELOPERS DEPOSIT	\$6,302.64	72467	PARKS-NEW SUBDIVISION PLANTING & COMMUNITY TREE PLANTING
E 100-555510-384		LEGACY TREE & BENCH	\$138.81	72467	PARKS-NEW SUBDIVISION PLANTING & COMMUNITY TREE PLANTING
		Total	\$13,948.45		
36800	12/30/20	JOHN & LISA MCCARVILLE			
G 100-261400		OVERPAYMENT OF TAX	\$128.60	CK REQ	REAL ESTATE TAX REFUND
		Total	\$128.60		
36801	12/30/20	MILLER MONUMENT CO, INC.			
E 200-544210-210		PROFESSIONAL SERVI	\$585.00	29980	CEMETERY-PROF SERVICES
		Total	\$585.00		
36802	12/30/20	CHUCK MOEGENBURG			
E 100-518100-240		REPAIR AND MAINTENA	\$110.00	121620	CH-REPAIR & MAINTENANCE
		Total	\$110.00		
36803	12/30/20	NASSCO, INC.			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 260-555110-310		OFFICE SUPPLIES	\$188.43	S2692199.00	LIBR-OFFICE SUPPLIES
		Total	\$188.43		
36804	12/30/20	NORTHEAST WISCONSIN TECHNICAL			
E 100-522120-330		TRAVEL & TRAINING	\$200.00	CS34693	PD-TRAINING
		Total	\$200.00		
36805	12/30/20	OFFICE COPYING EQUIPMENT, LTD			
E 100-515600-310		OFFICE SUPPLIES	\$9.72	AR128033	TREAS-OFFICE SUPPLIES
		Total	\$9.72		
36806	12/30/20	OLIVER FIONTAR LLC			
E 350-566710-227		DEVELOPERS INCENTIV	\$37,117.50	624	TIF #4 - DRAW #48
E 350-566710-227		DEVELOPERS INCENTIV	\$43,314.41	625	TIF #4 - DRAW #48
		Total	\$80,431.91		
36807	12/30/20	ONTECH SYSTEMS, INC			
E 100-533210-350		OPERATING SUPPLIES	\$545.00	53170	DPW-GATEWAY SECURITY
E 601-573825-312		COMPUTER/COPIER SU	\$59.25	53264	CWRC-COMPUTER SUPPLIES
E 100-514700-210		PROFESSIONAL SERVI	\$441.28	53291	IT-TOUGHBOOK SETUP & DPW FIREWALL
		Total	\$1,045.53		
36808	12/30/20	OSCAR GRADY PUBLIC LIBRARY			
E 260-555110-319		PUBLICATIONS AND SU	\$16.95	CK REQ	LIBR-LOST BOOK FROM CEDARBURG PATRON
		Total	\$16.95		
36809	12/30/20	PETTY CASH			
E 260-555110-310		OFFICE SUPPLIES	\$37.49	CK REQ	LIBR-OFFICE SUPPLIES
E 260-555110-315		POSTAGE	\$21.54	CK REQ	LIBR-POSTAGE
		Total	\$59.03		
36810	12/30/20	QUACKENBUSH, DAVID			
R 100-463101		PUBLIC WORKS FEES	\$25.00	CK REQ	DPW-APPLIANCE PICKUP
		Total	\$25.00		
36811	12/30/20	R A SMITH NATIONAL			
E 353-566710-210		PROFESSIONAL SERVI	\$32,166.95	155617	TIF #6 ENGINEERING
		Total	\$32,166.95		
36812	12/30/20	RECOGNITION SPECIALISTS, INC.			
E 100-533110-310		OFFICE SUPPLIES	\$15.00	34855	ENG-OFFICE SUPPLIES-WIESER NAMEPLATE
		Total	\$15.00		
36813	12/30/20	SETTLERS INN			
E 100-514200-310		OFFICE SUPPLIES	\$1,793.64	106186	NOVEMBER ELECTION SUPPLIES
		Total	\$1,793.64		
36814	12/30/20	SOPER GRADING & EXCAVATING LLC			
E 400-533311-854		STREET IMPROVEMENT	\$6,298.81	7 (FINAL)	2020 STREET & UTILITY PROJECT
E 400-533440-475		STORMWATER IMPROV	\$3,218.46	7 (FINAL)	2020 STREET & UTILITY PROJECT
G 400-156200		DUE FROM LIGHT & WA	\$2,679.05	7 (FINAL)	2020 STREET & UTILITY PROJECT
G 601-184313		COLLECTION MAINS AN	\$8,953.42	7 (FINAL)	2020 STREET & UTILITY PROJECT

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***Check Detail Register©**

Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$21,149.74		
36815	12/30/20	SUPERIOR CHEMICAL CORP.			
E 100-533210-350		OPERATING SUPPLIES	\$1,174.22	287589	DPW-OPERATING
Total			\$1,174.22		
36816	12/30/20	TIME WARNER CABLE			
E 100-522410-220		Internet	\$134.98	1121420	EM-INTERNET
E 240-555320-210		PROFESSIONAL SERVI	\$134.98	1121520	POOL-INTERNET
E 100-514700-220		Internet	\$1,046.45	1121620	CH-INTERNET
E 100-533210-350		OPERATING SUPPLIES	\$117.48	1122020	DPW-2 FIRE LINES
E 100-555510-220		Internet	\$117.48	1122020	PARKS-INTERNET SHOP
Total			\$1,551.37		
36817	12/30/20	U.S. CELLULAR			
E 601-573825-225		TELEPHONE/COMMUNI	\$25.50	0410940310	CWRC-TABLET
E 100-522310-225		TELEPHONE/COMMUNI	\$38.50	0410940310	BI-TELECOM
E 100-533210-225		TELEPHONE/COMMUNI	\$25.00	0410940310	DPW-TABLET
E 601-573825-225		TELEPHONE/COMMUNI	\$38.50	0410940310	CWRC-TELECOM
E 100-555510-225		TELEPHONE/COMMUNI	\$10.50	0410940310	PARKS-TABLET
E 100-555510-225		TELEPHONE/COMMUNI	\$10.50	0410940310	PARKS-TABLET
E 100-533210-225		TELEPHONE/COMMUNI	\$39.50	0410940310	DPW-HOTSPOT
E 601-573825-225		TELEPHONE/COMMUNI	\$10.50	0410940310	CWRC-TABLET
E 100-555510-225		TELEPHONE/COMMUNI	\$10.50	0410940310	PARKS-TABLET
E 100-555510-225		TELEPHONE/COMMUNI	\$10.50	0410940310	PARKS-TABLET
E 100-533210-225		TELEPHONE/COMMUNI	\$25.00	0410940310	DPW-IPAD
E 100-533110-225		TELEPHONE/COMMUNI	\$1.78	0410940310	ENG-TELECOM
E 100-533210-225		TELEPHONE/COMMUNI	\$42.50	0410940310	DPW-TELECOM
E 100-533110-225		TELEPHONE/COMMUNI	\$24.66	0410940310	CH-TELECOM
E 100-533110-225		TELEPHONE/COMMUNI	\$38.50	0410940310	ENG-TELECOM
E 100-555145-225		TELEPHONE/COMMUNI	\$3.38	0410940310	SC-TELECOM
E 100-555510-225		TELEPHONE/COMMUNI	\$42.50	0410940310	PARKS-TELECOM
E 601-573825-225		TELEPHONE/COMMUNI	\$38.50	0410940310	CWRC-DUTY PHONE
Total			\$436.32		
36818	12/30/20	UNIFIRST CORPORATION			
E 601-573825-372		SAFETY EQUIPMENT	\$78.35	096 1160044	CWRC-SAFETY
E 601-573825-372		SAFETY EQUIPMENT	\$78.35	096 1161116	CWRC-SAFETY
E 601-573830-342		JANITORIAL SUPPLIES	\$73.50	096 1161123	CWRC-JANITORIAL
E 100-518100-240		REPAIR AND MAINTENA	\$114.83	096 1162183	COMPLEX-REPAIR & MAINTENANCE
Total			\$345.03		
111300 PWSB Checking			\$434,955.97		

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***Check Detail Register©**

Batch: 121120AP,121820AP,121820RECFUND,121820WE,122220AP,122920USC,123020AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
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Fund Summary**111300 PWSB Checking**

100 GENERAL FUND	\$163,722.84
200 CEMETERY FUND	\$745.23
220 RECREATION PROGRAMS FUND	\$12,364.22
221 FUEL SYSTEM - WASH BAY	\$738.92
240 SWIMMING POOL FUND	\$200.15
260 LIBRARY FUND	\$5,563.42
350 TIF DISTRICT FUND #4	\$80,631.91
353 TIF DISTRICT #6	\$60,783.95
400 CAPITAL IMPROVEMENTS FUND	\$52,919.73
601 WATER RECYCLING CENTER	\$53,402.09
700 RISK MANAGEMENT FUND	\$3,883.51
	<hr/>
	\$434,955.97



City of Cedarburg

City Administrator's Report

January 7, 2021

Department News

The following information is provided to keep the Common Council and staff informed on some of the activities and events of the City. Points of clarification may be addressed during the City Administrator's Report portion of the agenda; however, if discussion of any of these items is necessary, placement on a future Council agenda should be directed.

Engineering & Public Works — Director Wiza reported that the bids for the Hwy. 60 Business Park came in lower than estimated. The City will be picking up Christmas trees on the second and last week in January, as Waste Management is no longer providing this service. Detailed information will be provided to residents via social media.

Assistant Engineer Wieser is scheduling a kick-off meeting for the 2021 Street & Utility Project.

Building Inspection—Inspector Baier reported that construction will be gearing up again after the Holidays.

Parks, Recreation & Forestry— The ice rink in Cedar Creek park will reopen this week after some damage is repaired. The Youth Basketball program begins this weekend in the Community Center Gym.

Police— A vendor is installing a 911 system capable of answering emergency cell phone calls in Cedarburg. It will satellite off of the County system and will be finished in 1—1 1/2 months. Patrol officer John Schemenauer began employment two weeks ago and is currently involved in training.

Treasurer— Finance Director/Treasurer Mertes reported that of the \$28.5 million in collectible taxes, \$15.7 million has been collected and of that amount, \$11.9 million has been collected at City Hall. The Department will be preparing for the final audit, which is scheduled for the first week in March.

Human Resources— The 2020 payroll numbers are in the process of being completed. January 15 is the first payroll for 2021.

Water Recycling Center— The Department is installing new phosphorous removal equipment. A drone mapped the Zarling property for reference on future projects.

Light & Water—WE Energies and the ATC will be performing a major 2 1/2 week transmission system maintenance project beginning January 11. Provisions will be in place in the event of an outage.

Library— The Library purchased two new copiers and has the old machines available to any City department who may be interested in them. Bridge the Divide has organized a County-wide read and the Cedarburg Library will have extra copies of *The Color of Law* available for participants. A new phone system will be installed soon at the Library.

Clerk — All of the incumbent Council Members (Districts 2, 4 and 6) and the Mayor have turned in their paperwork and will be on the April ballot.

City Administrator— City Hall is open and fully staffed. Employees are reminded to wear masks and practice safe distancing.

Director Wiza's last day is Friday, January 8, 2021. A retirement luncheon was held on Wednesday, January 6 in the Community Gym.

Respectfully submitted,

Mikko Hilvo

PROCLAMATION

WHEREAS, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all people to participate in the never-ending work of building a more perfect union; and

WHEREAS, Dr. King believed immensely in the power of individual action and collective hope to create a brighter future; and

WHEREAS, Dr. King's legacy includes such landmark United States federal laws as the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968 and created a framework to ensure equality and advance justice in the years ahead; and

WHEREAS, Dr. King taught us to see the commonality of our dreams, our hopes and our fears - the threads, truths and dignity that bind us together as human beings; and

WHEREAS, Dr. King believed that "the arc of the moral universe is long, but it bends towards justice" – and that it requires all hands and all hearts to keep its course straight and true; and

WHEREAS, we recognize the need to model Dr. Martin Luther King's pursuit of unity, equity and justice to prevent all forms of discrimination including systemic racism.

NOW, THEREFORE, be it resolved, that the City of Cedarburg, does hereby proclaim Monday, January 18, 2021, as

Dr. MARTIN LUTHER KING JR. DAY

a day to seek inspiration for personal action by honoring the great legacy of Dr. Martin Luther King, Jr. and by observing this United States Federal Holiday to CELEBRATE, EDUCATE, ADVOCATE, and SERVE.

Dated this 11th day of January 2021.

Michael J. O'Keefe, Mayor

Attest:

Tracie Sette, City Clerk