

**CITY OF CEDARBURG
COMMON COUNCIL
NOVEMBER 28, 2022**

A meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, November 28, 2022, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers, and online utilizing the Zoom app.

Mayor Michael O'Keefe called the meeting to order at 7:00 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited.

Roll Call: Present - Mayor Michael O'Keefe, Council Members Jack Arnett, Kristin Burkart, Patricia Thome, Robert Simpson, Melissa Bitter, Rick Verhaalen, Mark Mueller

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

STATEMENT OF PUBLIC NOTICE

At Mayor O'Keefe's request, City Clerk Sette verified that notice of this meeting was provided to the public by forwarding the agenda to the City's official newspaper, the *News Graphic*, to all news media and citizens who requested copies, and by posting in accordance with the Wisconsin Open Meetings Law. Citizens present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

PRESENTATION OF WILEAG ACCREDITATION

Wisconsin Law Enforcement Accreditation Group (WILEAG) Board Members Dr. Stan Stojkovic and Rick Balistrieri began the presentation with a brief explanation that Accreditation is a process whereby an agency is evaluated on the existence of and its compliance with prescribed standards. The WILEAG program serves (2) purposes for agencies that successfully participate:

- It provides independent verification that the agency is meeting minimum expectations in essential areas of operations and management.
- It serves as a steppingstone to full accreditation for those agencies that aspire to that level of professional excellence.

Board Member Rick Balistrieri explained that accreditation is an achievement that departments must continually work at to maintain. He further explained it is possible for a department to lose accreditation if standards are not maintained.

The Cedarburg Police Department achieved full accreditation and joins an elite group of only 47 agencies in the State of Wisconsin to achieve full accreditation.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2022-19 EXTENDING THE 2-HOUR PARKING RESTRICTION DURING SCHOOL HOURS ON CLEVELAND STREET FROM 60 FEET TO 110 FEET WEST OF HARRISON AVENUE

The current City Code prohibits parking for more than 2 consecutive hours on school days between 7:00 a.m. and 3:00 p.m. on both sides of Cleveland Street west of Harrison Avenue for 60 feet to the end of the roadway. This section of Code has not been updated after Cleveland Street was extended and has been a source of confusion over the past year. Cleveland Street widens from 31 feet wide (face of curb to face of curb) to 36 feet wide at 110 feet west of Harrison Avenue. City Staff is comfortable with allowing school parking on both sides of Cleveland Street west of Harrison Avenue where the roadway is wider. Public Works & Sewerage Commission approved of extending the parking restriction.

A motion was made by Council Member Thome, seconded by Council Member Verhaalen, to approve Ordinance No. 2022-19 extending the 2-hour parking restriction during school hours on Cleveland Street from 60 feet to 110 feet west of Harrison Avenue. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-20 PROHIBITING PARKING ON THE SOUTH SIDE OF ALPINE DRIVE JUST WEST OF KEUP ROAD DURING SCHOOL DROP OFF AND PICK UP HOURS

Both sides of Alpine Drive are typically lined with parked cars during school drop-off and pick-up times. Since there are no sidewalks on Alpine Drive, children who live on Alpine Drive or get picked up/dropped off from their parents parked car, must walk in the travel lane, which poses a hazard. The problem is exacerbated in the winter months when snow is piled up on the side of the road. These signs are already in place on Thornapple Drive.

A motion was made by Council Member Burkart, seconded by Council Member Thome, to approve Ordinance No. 2022-20 prohibiting parking on the south side of Alpine Drive just west of Keup Road during school drop off and pick up hours of 8:00 a.m. - 9:00 a.m. and 3:00 p.m. - 4:00 p.m. on school days. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-21 PROHIBITING PARKING ON THE NORTH AND SOUTH SIDE OF BRIDGE ROAD FOR 40 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF ST. JOHN AVENUE

After a fatal accident occurred at the intersection of Bridge Road and St. John Avenue, residents in the area voiced their concerns about parked cars blocking the sight lines of northbound and southbound traffic at this intersection. To see the proper distance down Bridge Road drivers on St. John Avenue are forced to creep into the crosswalk. Staff is proposing to extend the no parking on the north and south side of Bridge Road from 15 feet to 40 feet east of the east right-of-way of St. John Avenue. This would help the sight lines and diminish the need to creep into the crosswalk.

A resident on this corner trimmed a rather large shrub on the property which greatly helped with traffic visibility.

A discussion ensued about the ramifications of changing City ordinances for every complaint received.

A motion was made by Council Member Burkart, seconded by Council Member Thome to approve Ordinance No. 2022-21 prohibiting parking on the north and south side of Bridge Road for 40 feet east of the east right-of-way line of St. John Avenue. Motion carried with five (5) votes in favor and two (2) against.

DISCUSSION AND POSSIBLE ACTION ON PROPOSAL FROM VISU-SEWER FOR SEWER LINING ON STREETS INCLUDED IN THE 2023 STREET AND UTILITY PROJECT

Water Recycling Center Superintendent Dennis Grulkowski explained to the Council the need for work to be performed by Visu-Sewer which includes adding a 1,301-foot lining to an 8” sanitary sewer pipe and eight (8) sanitary sewer manholes which will extend the life of the pipes by preventing leakages.

Visu-Sewer’s total bid came in at a total of \$69,070. This work would take place on Woodland Road and Garfield Street and would be separate from the Street and Utility project. Grulkowski further explained that \$40,000 of this work has been budgeted for but the remaining \$29,070 must come from the Collection System Replacement Fund.

A motion was made by Council Member Verhaalen, seconded by Council Member Thome, to approve the Visu-Sewer Proposal including the additional \$29,070 to be taken from the Collection System Replacement Fund for the balance. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-22 LEVYING PROPERTY TAXES ON THE GENERAL, DEBT SERVICE, SPECIAL REVENUE, AND CAPITAL IMPROVEMENT FUNDS FOR FISCAL YEAR 2023

Administrator Hilvo explained last year’s tax rate was \$18.42 (per thousand) and this year it dropped to \$13.91 (per thousand). He further explained a City-wide revaluation took place which increased home values in the City. The City’s portion of the tax levy increased by \$221,497, the School District’s levy increased by \$280,300, Ozaukee County’s levy increased by \$219,628 and MATC’s levy increased by \$69,111. Due to the increases, tax bills will be higher this year over last year. The ordinances represent the final approval of the City’s Budget. There have been no changes to the budget since the Public Hearing which took place on November 14, 2022.

A motion was made by Council Member Arnett, seconded by Council Member Simpson, to approve Ordinance No. 2022-22 levying property taxes on the General, Debt Service, Special Revenue and Capital Improvement Funds for fiscal year 2023. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-23 APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE CITY OF CEDARBURG FOR FISCAL YEAR 2023

A motion was made by Council Member Arnett, seconded by Council Member Simpson, to approve Ordinance No. 2022-23 appropriating the necessary funds for the operation of the Government and Administration of the City of Cedarburg for fiscal year 2023. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-24 APPROPRIATING THE NECESSARY FUNDS FOR THE 2023 CAPITAL IMPROVEMENT BUDGET

A motion was made by Council Member Arnett, seconded by Council Member Simpson, to approve Ordinance No. 2022-24 appropriating the necessary funds for the 2023 Capital Improvement Budget. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-25 ESTABLISHING THE USER FEE SCHEDULE AND APPROPRIATING THE NECESSARY FUNDS FOR THE SEWERAGE FUND FOR THE OPERATION OF THE WATER RECYCLING CENTER FOR FISCAL YEAR 2023

A motion was made by Council Member Arnett, seconded by Council Member Simpson, to approve Ordinance No. 2022-25 establishing the user fee schedule and appropriating the necessary funds for the Sewerage Fund for the operation of the Water Recycling Center for fiscal year 2023. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO 2022-26 APPROPRIATING THE NECESSARY FUND FOR THE OPERATION OF THE SPECIAL REVENUE FUNDS AND ADOPTING THE INDICATED BUDGETS FOR FISCAL YEAR 2023

A motion was made by Council Member Arnett, seconded by Council Member Simpson, to approve Ordinance No. 2022-26 appropriating the necessary funds for the operation of the Special Revenue Funds and adopting the indicated budgets for fiscal year 2023. Motion carried without a negative vote.

UPDATE ON REMEDIATION OF AMCAST PROPERTY

Administrator Hilvo provided the Council with an update on the remediation of the Amcast Property. He began with a history of the Amcast site and a timeline dating back to 2009. The City will be meeting with the DNR, EPA and multiple attorneys to review the site plan.

A Tax Incremental Finance District typically undergoes an audit when the project is 30% complete and again at 100% completion. Baker Tilly conducted the 30% audit of the Amcast site in 2019.

The Council expressed concerns about the general maintenance of the property and requested the Community Development Authority have more oversight for the remainder of the project.

CONSENT AGENDA:

A motion was made by Council Member Simpson, seconded by Council Member Burkart, to approve the following consent agenda items. Attorney Herbrand pointed out one correction to the October 24, 2022 minutes: Attorney Woodward was present for that meeting and not Attorney Herbrand. Motion carried without a negative vote.

- October 24, 2022 and November 14, 2022 Common Council Meeting Minutes
- New and Renewal 2022-2023 Operator Licenses for period ending June 30, 2023 for Lowell G. McKay
- Payment of Bills dated 11/11/2022 through 11/18/2022, Transfers for the period 11/10/2022

through 11/18/2022, and Payroll for period 10/30/2022 through 11/12/2022

ADMINISTRATOR'S REPORT

Administrator Hilvo invited Water Recycling Superintendent Grulkowski to provide a short update on a pilot program taking place at the Water Recycling Center. He invited Council Members to stop at the Water Recycling Center to view the pilot program which includes sludge hauling as a way to reduce the diesel surcharges that are incurred.

POLICE DEPARTMENT – 2021 ANNUAL REPORT

Police Chief McNerney gave the 2021 Annual Report to the Council. He explained the mission statement as well as goals and objectives of the Department. He also provided an update on current personnel, chain of command, and years of service. Also included in the report were the commendations, retirements, and promotions for the 2021 year. The report included many crime statistics as well as incident, arrest, and traffic statistics from the year. The report concluded with a summary of adult and juvenile court cases and an officer training summary.

COMMENTS AND SUGGESTIONS FROM CITIZENS – None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Arnett commented on a Letter to the Editor in the News Graphic from a gentleman thanking the DPW staff for assistance with leaf removal at his residence.

MAYOR'S REPORT - None

ADJOURNMENT

A motion was made by Council Member Arnett, seconded by Council Member Burkart, to adjourn the meeting at 9:07 p.m. Motion carried without a negative vote.

Tracie Sette
City Clerk