

**CITY OF CEDARBURG
COMMON COUNCIL
NOVEMBER 27, 2023**

A meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, November 27, 2023, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers, and online utilizing the Zoom app.

Mayor Michael O’Keefe called the meeting to order at 7:30 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited.

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

Also Present - City Administrator Mikko Hilvo, Attorney Michael Herbrand, City Clerk Tracie Sette, Engineering and Public Works Director Michael Wieser, Water Recycling Center Superintendent Dennis Grulkowski, interested citizens and news media.

STATEMENT OF PUBLIC NOTICE

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

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

NEW BUSINESS

Mayor O’Keefe called for agenda item 7.L. to be moved to the first item of new business.

CONSIDER APPROVAL OF A CLASS “B” FERMENTED MALT BEVERAGE (ON OR OFF-PREMISE CONSUMPTION) LICENSE FOR BLANCA’S COMMERCIAL KITCHEN LLC, W63N540 HANOVER AVENUE, CEDARBURG, WI 53012, ANDREA ACOSTA, AGENT, PREMISES TO BE LICENSED: W63N540 HANOVER AVENUE, KNOWN AS BLANCA’S COMMERCIAL KITCHEN (DISTRICT 3)

A motion was made by Council Member Thome, seconded by Council Member Curley, to approve the Class “B” fermented malt beverage license for Blanca’s Commercial Kitchen LLC, W63 N540 Hanover Avenue, Cedarburg, WI 53012, Andrea Acosta, Agent. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-24 AMENDING SECTION 10-1- 15(B) OF THE CODE OF ORDINANCES TO AUTHORIZE THE PLACEMENT OF A STOP SIGN FOR NORTHBOUND TRAFFIC ON HANOVER AVENUE AT THE INTERSECTION WITH WESTERN ROAD

Engineering and Public Works Director Wieser explained the importance of stop signs to be placed at the intersection of Hanover Avenue and Western Road; and Hanover Avenue and Grattan Drive in the new Fox Run development.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-26 AMENDING SECTION 10-1-15(F) OF THE CODE OF ORDINANCES TO AUTHORIZE THE PLACEMENT OF A STOP SIGN WITH AN EXCEPT RIGHT TURN PLAQUE FOR NORTHBOUND TRAFFIC ON HANOVER AVENUE AT THE INTERSECTION WITH GRATTAN DRIVE

A motion was made by Council Member Burkart, seconded by Council Member Thome, to approve Ordinance No. 2023-24 and Ordinance No. 2023-26. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-25 AMENDING SECTION 10-1-29(Q) OF THE CODE OF ORDINANCES TO PROHIBIT PARKING ON THE NORTH SIDE OF HAMILTON ROAD FOR 100 FEET SOUTHEAST OF WASHINGTON AVENUE BETWEEN 6:00 A.M. AND 9:00 A.M.

Engineering and Public Works Director Wieser explained the traffic situation on Hamilton Road during mornings when St. Francis Borgia holds church services. When parking occurs on both sides of Hamilton Road, it becomes a one lane road which results in traffic backing up on Washington Avenue.

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to approve Ordinance No. 2023-25. Motion carried without a negative vote.

The Mayor opened a discussion regarding the following agenda items:

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-27 APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE CITY OF CEDARBURG FOR THE YEAR 2024

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-28 APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE SPECIAL REVENUE FUNDS AND ADOPTING THE INDICATED BUDGETS

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-29 ESTABLISHING THE USER FEE SCHEDULE AND APPROPRIATING THE NECESSARY FUNDS FOR THE SEWERAGE FUND FOR THE OPERATION OF THE WATER RECYCLING CENTER OF THE CITY OF CEDARBURG

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-30 APPROPRIATING THE NECESSARY FUNDS FOR THE 2024 CAPITAL IMPROVEMENT BUDGET

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2023-31 LEVYING PROPERTY TAXES FOR THE GENERAL, DEBT SERVICE, SPECIAL REVENUE AND CAPITAL IMPROVEMENT FUNDS OF THE CITY OF CEDARBURG FOR THE YEAR 2024

A motion was made by Council Member Burkart, seconded by Council Member Thome, to approve Ordinance Nos. 2023-27, 2023-28, 2023-29, 2023-30, 2023-31. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON THE RECOMMENDED ALTERNATIVE FOR THE WATER RECYCLING CENTER FACILITY PLAN

Nathan Cassidy from Donohue and Associates explained that a facility study has begun to analyze future needs of the Water Recycling Center. The plant was rebuilt in 1988 with upgrades installed in 1999. There were several drivers that lead to the need for a facility study: aging facilities, new phosphorus limits, increased capacity needs, and bio solids management at the facility.

The meeting focused on comparing two alternative plans for the city's water treatment facility. The first alternative involves refurbishing and expanding the existing site, while the second alternative involves building a new water treatment facility at a different location. The discussion highlighted the differences in price, lifespan, and regulatory compliance between the two alternatives. The immediate needs identified for the facility included addressing the condition of the mechanical systems and processes that are nearing or exceeding capacity.

The City's discussion revolved around the capacity of their current Water Resource Center (WRC) and the need for potential expansions or upgrades. City staff explained that once the WRC reaches capacity, they will likely need to either build a new plant or consider partnering with other municipalities. Water Recycling Center Superintendent Grulkowski mentioned that the current WRC could potentially last another 5 to 10 years with proper maintenance. The City's council was then asked to give direction on whether to focus on renovations to the plant or to build a new site. The potential impact of the new subdivision on current capacities was also discussed.

The Council requested more information before a recommendation could be made.

No action was taken by the Council.

DISCUSSION AND POSSIBLE ACTION ON MODIFICATION TO RAMBOLL CONTRACT FOR PROCHNOW

Administrator Hilvo explained this modification decreases the markup on subcontractor work and changes the allowed reimbursable expenses.

A motion was made by Council Member Burkart, seconded by Council Member Bitter, to approve the modification to the Ramboll Contract for Prochnow. Motion carried without a negative vote.

DISCUSSION AND POSSIBLE ACTION ON MAYORAL APPOINTMENTS TO THE ECONOMIC DEVELOPMENT BOARD

Mayor O’Keefe recommended the Council approve his appointment of Joseph Otto to the Economic Development Board along with the removal of Daniel Burns from the Economic Development Board.

A motion was made by Council Member Burkart, seconded by Council Member Curley, to remove Daniel Burns from the Economic Development Board and replace him with Joseph Otto. Motion carried without a negative vote.

CONSENT AGENDA:

A motion was made by Council Member Thome, seconded by Council Member Simpson, to approve the following consent agenda items. Motion carried without a negative vote.

- November 13, 2023 Common Council meeting minutes
- New 2023-2024 Operator Licenses for period ending June 30, 2024 for Ryan R. Groth
- Payment of bills dated 11/03/2023 through 11/17/2023, transfers for the period 11/04/2023 through 11/11/2023, and payroll for period 10/29/2023 through 11/11/2023

ADMINISTRATOR’S REPORT

Administrator Hilvo continues to work on scheduling a meeting with the DNR regarding the Amcast site.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Curley expressed an interest in touring the Water Recycling Plant.

MAYOR’S REPORT - None

ADJOURN TO CLOSED SESSION

A motion was made by Council Member Thome, seconded by Council Member Mueller, to adjourn to closed session at 9:23 p.m. pursuant to State Statute 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. More specifically discussed was a possible second Amendment to Agreement for the purchase and sale of property of Real Property (vacant land sale in Highway 60 Industrial Park to BB&C Warehouses, LLC, as successor-in-interest to Jackson Distribution and Warehouse LLC). Motion carried on a roll call vote with Council Members Bitter, Fitzpatrick, Burkart, Curley, Simpson, Thome, and Mueller voting aye.

RECONVENE TO OPEN SESSION

The meeting was reconvened to open session at 9:30 p.m.

DISCUSSION AND REVIEW OF POSSIBLE SECOND AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY (VACANT LAND SALE IN HIGHWAY 60 INDUSTRIAL PARK TO BB&C WAREHOUSES, LLC, AS SUCCESSOR-IN-INTEREST TO JACKSON DISTRIBUTION AND WAREHOUSE LLC).

A motion was made by Council Member Thome, seconded by Council Member Mueller, to approve the Second Amendment to Agreement for Purchase and Sale of Real Property (vacant land sale in Highway 60 Industrial Park to BB&C Warehouses, LLC, as successor-in-interest to Jackson Distribution and Warehouse LLC). Motion carried without a negative vote.

ADJOURNMENT

A motion was made by Council Member Mueller, seconded by Council Member Burkart, to adjourn the meeting at 9:31 p.m. Motion carried without a negative vote.

Tracie Sette
City Clerk