

**CITY OF CEDARBURG  
COMMON COUNCIL  
March 11, 2024**

**CC20240311-1  
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, March 11, 2024 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers and online utilizing the Zoom app.

Mayor O’Keefe called the meeting to order at 7:47 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited.

Roll Call: Present - Mayor Michael O’Keefe, Council Members Melissa Bitter, Jim Fitzpatrick, Kristin Burkart, Kevin Curley, Robert Simpson, Patricia Thome (left at 8:29 p.m.), Mark Mueller

Also Present - City Administrator Mikko Hilvo, Deputy City Clerk Jessica Campolo, City Attorney Michael Herbrand, Police Chief Michael McNerney, Fire Chief Jeff Vahsholtz, Water Recycling Center Superintendent Dennis Grulkowski, City Engineer Michael Wieser, interested citizens and news media

**STATEMENT OF PUBLIC NOTICE**

At Mayor O’Keefe’s request, Deputy City Clerk Campolo 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.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** - None

**NEW BUSINESS**

**DISCUSSION AND POSSIBLE ACTION ON FGMA ARCHITECTS PROPOSAL ON A SPACE NEEDS ANALYSIS WITH CONCEPT SITE AND FLOOR PLANS, AND CONCEPT BUDGET FOR A FUTURE PUBLIC SAFETY BUILDING**

City Administrator Hilvo stated that the discussion of building a new Fire Station and remodeling the current Police Station has been going on for a couple years even prior to discussions on adding full time staff to the Fire Department. The public safety impact fee was established by the previous Police Chief and Common Council in anticipation of a future new public safety building. Fire Chief Vahsholtz stated that the current Fire Station is not ADA compliant and would require extensive renovations to accommodate the growing department. Police Chief McNerney stated that the Police Station is 23 years old and is struggling to accommodate the current staffing levels. As the City continues to grow, there is a need to build public safety facilities to accommodate the growth. City staff have determined a combined Fire/EMS and Police Building (Public Safety Building) may be the best approach. RFP’s were sent to six architectural firms and City staff is recommending hiring FGMA Architects to create a space needs analysis. Andrew Mayo from FGMA Architects presented the process of creating this analysis to Council members. The process typically takes four to six months, after which a final report and presentation will be given to the Common Council. Police Chief McNerney and Fire Chief Vahsholtz briefly spoke to the current and predicted building needs of their respective departments.

Motion made by Council Member Simpson, seconded by Council Member Mueller, to approve hiring FGMA Architects to provide a space needs analysis with concept site and floor plans, and concept budget for a future Public Safety Building, not to exceed \$36,700, utilizing impact fees. Motion carried without a negative vote.

**DISCUSSION ONLY ON THE PATH FORWARD FOR FURTHER EVALUATION FOR THE WATER RECYCLING CENTER FACILITY PLAN**

City Administrator Hilvo and City Engineer Wieser presented information to Council members regarding the Water Recycling Center Facility Plan. This was done with the intent of giving Council members time to read through the Facility Plan and prepare questions for future meetings.

**DISCUSSION AND POSSIBLE ACTION ON AWARD OF 2024 STREET AND UTILITY CONSTRUCTION CONTRACT**

City Engineer Wieser shared that four bids were received for the 2024 Street and Utility Construction contract. Staff recommends Dorner Inc., as they were the lowest bid and they have successfully completed projects in Cedarburg in the past.

Motion made by Council Member Curley, seconded by Council Member Fitzpatrick, to award the 2024 Street and Utility Construction Contract to Dorner Inc. based on their bid of \$2,888,712.25. Motion carried without a negative vote.

**DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE 2023 ANNUAL STORM WATER COMPLIANCE REPORT**

City Engineer Wieser shared the 2023 Annual Storm Water Compliance Report that is required by the DNR.

Motion made by Council Member Burkart, seconded by Council Member Bitter, to accept the 2023 Annual Storm Water Compliance Report. Motion carried without a negative vote.

**DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2024-04 AMENDING SECTION 2-2-15 OF CITY CODE DEFINING THE ORDER OR BUSINESS AT CITY COUNCIL MEETINGS**

City Administrator Hilvo and City Attorney Herbrand explained that this Ordinance will bring Section 2-2-15 of the City Code up to date with how City Council meetings are currently run. A citizen in the audience suggested the Pledge of Allegiance be added to the Order of Business.

Motion made by Council Member Thome, seconded by Council Member Simpson, to approve Ordinance 2024-04 amending Section 2-2-15 of City Code defining the Order of Business at City Council meetings, with the correction of changing the word “of” to “or” in Section 2. Motion carried without a negative vote.

**DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2024-05 AMENDING THE CITY CODE, ARTICLE B, OPERATOR’S LICENSES**

City Administrator Hilvo and City Attorney Herbrand explained that this Ordinance allows the City Clerk to issue Operator's Licenses upon approval of the Police Chief. Also, fingerprinting of applicants will no longer be required. Operator License denials, revocations, and non-renewals would continue to fall under Common Council approval.

Motion made by Council Member Fitzpatrick, seconded by Council Member Mueller, to approve Ordinance 2024-05 amending the City Code, Article B, Operator's Licenses, with the correction of changing the word "of" to "or" in Section 2. Motion carried without a negative vote.

**DISCUSSION AND ACTION ON AN AMENDMENT TO THE US CELLULAR CELL TOWER AGREEMENT**

City Administrator Hilvo and City Attorney Herbrand explained that US Cellular is requesting to upgrade their equipment on the monopole on Western Ave. The upgrades meet the requirements of the monopole and original lease agreement terms.

Motion made by Council Member Mueller, seconded by Council Member Thome, to approve the amendment to the US Cellular Cell Tower Agreement. Motion carried without a negative vote.

**CONSENT AGENDA**

Motion made by Council Member Thome, seconded by Council Member Simpson, to approve the following consent agenda items:

- A. Discussion and possible action on approval of February 26, 2024 Council Meeting Minutes
- B. Discussion and possible action on License/Permit applications
  - 1. Consider approval of new 2023-2024 operator licenses for Eli R. Jones and Bradley A. Helmer
- C. Discussion and possible action on payment of bills dated 02/17/2024 through 03/01/2024, transfer list dated 02/24/24 through 03/08/2024, and payroll from 02/18/2024 through 03/02/2024

Motion carried without a negative vote.

**CITY ADMINISTRATOR'S REPORT**

City Administrator Hilvo shared that the new audio system has been installed in the Council Chambers.

**COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS**

Council Member Curley invited Council members to attend the Cedarburg Community Conversations event: IDD (Intellectual and Developmental Disabilities) Voices, on March 18, 2024 at the Cedarburg Public Library.

Council Member Burkart shared that people have begun moving into Fox Run, and that it is nice to see people getting settled in and making it their home. Council Member Thome shared that she toured Fox Run and was very pleased with the quality of the development.

**MAYOR REPORT** – None

**ADJOURN TO CLOSED SESSION**

A motion was made by Council Member Burkart, seconded by Council Member Mueller, to adjourn to closed session at 8:27 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 the potential purchase of property on Hanover Avenue, and discussion on a possible amendment to the Intergovernmental Agreement between the City of Cedarburg and Town of Cedarburg to provide for Orderly Growth and Development. 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 reconvened to open session at 8:48 p.m.

**DISCUSSION AND POSSIBLE ACTION ON PURCHASE OF PROPERTY ON HANOVER AVENUE**

No action was taken by the Council.

**ADJOURNMENT**

Motion made by Council Member Mueller, seconded by Council Member Burkart, to adjourn the meeting at 8:49 p.m. Motion carried without a negative vote with Council Member Thome excused.

Jessica Campolo  
Deputy City Clerk