

**TOWN OF CEDARBURG  
MEETING OF THE BOARD OF SUPERVISORS  
April 5, 2017**

Present:

David Valentine, Chairman  
Wayne Pipkorn, Supervisor, Seat 1  
David Salvaggio, Supervisor, Seat 2  
Thomas Esser, Supervisor, Seat 4

Tim Rhode, Administrator  
Adam Monticelli, Director of Public Works  
Eric Ryer, Asst. Administrator/Clerk  
Charles Pretty, Treasurer  
Brad Hoeft, Town Attorney

Excused:

Gary Wickert, Supervisor, Seat 3

**1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

Chairman Valentine called the meeting to order at 7:00 pm. The meeting began with the pledge of allegiance.

**2. ANNOUNCEMENTS:**

Chairman Valentine congratulated David Salvaggio on his election to Town Chairman, and Wayne Pipkorn and Gary Wickert to their election to Town Supervisor. Administrator Rhode noted the newsletter went to the printer and should hit homes soon.

**3. HEARING OF THE PEOPLE:**

None.

**4. COMMUNICATIONS AND REQUESTS FOR HOLDING TANK AGREEMENTS AND OPERATOR LICENSES:**

**a. Discussion and possible motion regarding an operator license application for Paul John Stahl for the 2016-2017 license period\***

Chairman Valentine noted the background check was conducted and Constable Fitting has recommended approval of Mr. Stahl, and he has submitted proof of the responsible server course. Supervisor Pipkorn made a motion to approve the operator license application for Paul John Stahl. Supervisor Salvaggio seconded, and the motion passed unanimously.

**b. Discussion and possible motion regarding a holding tank agreement for the property with tax key #03-010-01-003.00\***

Supervisor Pipkorn made a motion to approve the holding tank agreement for the property with tax key #03-010-01-003.00. Supervisor Esser seconded, and the motion passed unanimously.

**c. Discussion and possible motion regarding a holding tank agreement for the property located at 11103 State Road 60\***

Supervisor Salvaggio made a motion to approve the holding tank agreement for the property located at 11103 STH 60. Supervisor Pipkorn seconded, and the motion passed unanimously.

**5. CONSENT AGENDA: *The Consent Agenda contains routine items and will be enacted by one motion without separate discussion unless someone requests an item to be removed for separate consideration and vote.***

- a. Accepting February 22, 2017 Special Park & Recreation Committee Meeting Minutes
- b. Accepting February 15, 2017 Plan Commission Meeting Minutes

**c. Approving March 1, 2017 Town Board Meeting Minutes**

Supervisor Salvaggio made a motion to approve the consent agenda. Supervisor Pipkorn seconded, and the motion passed unanimously.

**6. TREASURER'S REPORT**

**a. Motion Accepting the March 2017 Treasurer's Report\***

Supervisor Pipkorn made a motion to accept the Treasurer's Report for March 2017. Supervisor Esser seconded, and the motion passed unanimously.

**7. PRESENTATION OF BILLS/PURCHASE ORDER/PAYROLL/AWARDS**

**a. Presentation of Bills/Purchase Orders/Payroll/Awards for March 1, 2017 to March 31, 2017 (Check #'s 31198-31288, V1300-V1340 and manual checks as shown)\***

Following brief discussion, Supervisor Esser made a motion to accept all bills as presented for review. Supervisor Pipkorn seconded, and the motion passed unanimously.

**8. REPORTS TO BE RECEIVED/FILED (Non-action items)**

**a. Possible report regarding local nuisance/law enforcement issues (Constable Ryan Fitting)\***

Constable Fitting was unable to attend.

**b. Report on recreation finances (Assistant Administrator/Clerk Eric Ryer)\***

Asst. Administrator/Clerk Ryer noted recreation programming remains self-supporting for the 2017, with a balance of \$44,911.

**9. PUBLIC HEARINGS**

**a. Public hearing to take comment on an application by Tim Kohlwey (Cedar Crest Ice Cream) to rezone that portion of their property currently M-2 to B-3 located at 7359 STH 60 [Owner: A AND J KOHLWEY II LTD PTSHP, NW ¼ Section 22, 1.75 acres, zoned B-3 Business & M-2 Planned Industrial and Mixed Use]\***

Tim Kohlwey of Cedar Crest Ice Cream submitted a formal application to rezone the southern portion of their 1.75 acre property from M-2 to B-3, as well as a CUP amendment application for the addition/site plan changes. Currently, the parcel has split zoning; the north portion is zoned B-3 Business, while the south portion is zoned M-2 Planned Industrial & Mixed Use district. They are interested in constructing a freezer warehouse addition, and obtaining one consistent zoning for the entire parcel will allow for amending the conditional use permit as required by Town Code.

With no comment from the public, Supervisor Pipkorn moved to close the public hearing. Supervisor Esser seconded, and the motion passed unanimously.

**10. OLD BUSINESS**

**a. Discussion and possible motion on the purchase of a new Public Works vehicle\***

Chairman Valentine noted this was for a Chevy Silverado from Newman Chevrolet for an amount not to exceed \$25,120. Following brief discussion, Supervisor Esser made a motion to accept the purchase from Newman Chevrolet for a ½ ton pickup for an amount not to exceed \$25,120. Supervisor Pipkorn seconded, and the motion passed unanimously.

**b. Discussion and possible motion to award the quote for the demolition of the Prochnow farm house and accessory buildings located at 1267 – Washington Ave\***

The property has a basement foundation and floor, two accessory garage structures and concrete foundations, concrete driveways, and tree stumps in and around the structures that

must be removed. The Town plans to clean and grade the property for proper drainage, and seed. The entrance off Washington Avenue will remain concrete to allow for future site development access. Three vendors provided bids to complete this project: Fischer Construction LLC (\$7,500), Spielvogel & Sons Excavating Inc. (\$14,950), and Earth Pro Excavating (\$8,865).

Following discussion, Supervisor Salvaggio moved the Board approve the bid from Fischer Construction in an amount not to exceed \$7,500. Supervisor Pipkorn seconded, and the motion passed unanimously.

## 11. NEW BUSINESS

- a. **Discussion and possible motion on an application by Tim Kohlwey (Cedar Crest Ice Cream) to rezone that portion of their property currently M-2 to B-3 located at 7359 STH 60 [Owner: A AND J KOHLWEY II LTD PTSHP, NW ¼ Section 22, 1.75 acres, zoned B-3 Business & M-2 Planned Industrial and Mixed Use]\***

This item continues from item #9a. Chairman Valentine noted this would make the property have consistent B-3 zoning throughout the entire property. Following brief discussion, Supervisor Pipkorn moved the Board approve the rezone from M-2 to B-3 for the property located at 7359 STH 60. Supervisor Esser seconded, and the motion passed unanimously.

- b. **Discussion and possible motion on a conditional use permit application by Tim Kohlwey (Cedar Crest Ice Cream) to construct a 12,491 square foot addition for the property located at 7359 STH 60 [Owner: A AND J KOHLWEY II LTD PTSHP, NW ¼ of Section 22, 1.75 acres, zoned B-3 Business District and M-2 Planned Industrial and Mixed Use District]\***

This item continues from items #9a and #11a. Chairman Valentine confirmed with the applicant Tim Kohlwey that he had reviewed the draft conditional use permit and had no issues with the conditions. Mr. Kohlwey confirmed. Following discussion, Supervisor Salvaggio moved the Board approve the conditional use permit application by Tim Kohlwey (Cedar Crest Ice Cream) to construct a 12,491 square foot addition for the property located at 7359 STH 60. Supervisor Pipkorn seconded, and the motion passed unanimously.

- c. **Discussion and possible motion to award the bid for the 2017 Asphalt Paving Projects\***

The Town Board approved a budget of \$254,920 for the 2017 highway construction projects. The projects included Pleasant Valley Road from Lofty Lane to CTH Y (budgeted \$158,620) and Douglas Lane at Western Avenue south 1500' (budgeted \$96,300). Two vendors provided bids to complete these projects: Stark Pavement Corporation (\$284,982.53) and Payne & Dolan Inc. (\$259,424.83). Following discussion, Supervisor Esser moved the Board approve the paving contract with Payne and Dolan. Supervisor Pipkorn seconded, and the motion passed unanimously. Supervisor Pipkorn then moved to give staff authority to use left-over funds within the budgeted amount for additional paving projects without having to come back to the Town Board for approval. Supervisor Salvaggio seconded, and the motion passed unanimously.

- d. **Discussion and possible motion on a license agreement with Galioto's Twelve21 for the use of Town property (1267 Washington Ave.) for sand volleyball\***

Seven years ago, the Town purchased approximately 2 acres from Meg and David Galioto, which included their two northern-most volleyball courts. The Town Board approved license agreements each of the last seven years to allow the Galioto's to use these volleyball courts. They are again requesting use of the courts via a license agreement. Following discussion,

Supervisor Salvaggio moved to approve the license agreement with Galioto's Twelve21 for the use of Town property (1267 Washington Ave.) for sand volleyball. Supervisor Pipkorn seconded, and the motion passed unanimously.

**e. Discussion and possible motion on the Town enter into an agreement with Ehlers and Associates as the Towns Financial Advisor\***

In 2009, the Town issued two notes for the general purpose of purchasing land and refinancing the construction of the Town of Cedarburg Fire Station #2.

Series 2009A     \$810,000 on April 15, 2009  
Series 2009B     \$1,400,000 on April 15, 2009

The Series 2009B was a refinancing of the Fire Station from a note issued in 2007. The combined debt was scheduled to be a 10-year note of approximately \$310,000/year principle and interest payments. The Town has an option to pre-pay the last two years which would result in a saving of \$44,000 of interest which would not need to be paid. The prepayment process could be aided by hiring a financial advisor. Following discussion, Supervisor Salvaggio moved to enter into an agreement with Ehlers and Associates as the Towns Financial Advisor. Supervisor Esser seconded, and the motion passed unanimously.

**f. Discussion and possible motion on Resolution 2017-5, "The Town Board of Supervisors of the Town of Cedarburg Recognizes Chairman David Valentine for his dedicated service to the Town of Cedarburg Citizens January 7th, 1996 to April 17th, 2017"\***

Supervisor Salvaggio read Resolution 2017-5 aloud. Following applause, Supervisor Salvaggio moved to approve Resolution 2017-5. Supervisor Pipkorn seconded, and the motion passed unanimously.

**12. ADJOURNMENT**

At 7:30 pm, Supervisor Pipkorn made a motion to adjourn that was seconded by Supervisor Salvaggio. The motion was unanimously approved.

Respectfully Submitted,

Eric Ryer  
Assistant Administrator/Clerk