

**TOWN OF CEDARBURG  
MEETING OF THE BOARD OF SUPERVISORS  
September 6, 2017**

Present:

David Salvaggio, Chairman  
Wayne Pipkorn, Supervisor, Seat 1  
Bill Wattson, Supervisor, Seat 2  
Gary Wickert, Supervisor, Seat 3  
Thomas Esser, Supervisor, Seat 4

Tim Rhode, Administrator  
Charles Pretty, Treasurer  
Adam Monticelli, DPW  
Brad Hoeft, Town Attorney

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

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

**2. ANNOUNCEMENTS:**

Director of Public Works Monticelli noted the automated refuse truck is undergoing repairs so the crew is out with the two-man refuse truck collecting at this time.

**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 Gia Marie Gigliette-Berry for the 2017-2018 license period\***

Supervisor Pipkorn made a motion to approve the operator license application for Gia Marie Gigliette-Berry for the 2017-2018 license period. Supervisor Esser 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 July 26, 2017 Special Park & Recreation Committee Meeting Minutes**
- b. Accepting July 19, 2017 Plan Commission Meeting Minutes**
- c. Approving August 2, 2017 Town Board Meeting Minutes**

Supervisor Wickert made a motion to approve the consent agenda. Supervisor Wattson seconded, and the motion passed unanimously.

**6. TREASURER'S REPORT**

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

Supervisor Pipkorn made a motion to accept the Treasurer's Report for August 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 August 1, 2017 to August 31, 2017 (Check #'s 31692-31778, V1471-V1501 and manual checks/wire transfers 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 (Administrator Tim Rhode)\***

Administrator Rhode noted Constable Fitting is currently working on two complaints; one dog related and one home-occupation related.

**b. Report on recreation finances (Administrator Tim Rhode)\***

Administrator Rhode provided updates regarding recreation programming including fundraising, flag football, and fall baseball. The recreation programming remains self-supporting for the 2017.

**9. PUBLIC HEARINGS**

**a. Public hearing to take comment on Ordinance 2017-5, “An Ordinance to allow for chickens in residential zoning districts”\***

Staff fields sporadic inquiries from residents interested in raising chickens in residential districts. Currently, Town Code does not allow for chickens in residential districts aside from E-1. The last time the Plan Commission and Board discussed this item was in the spring/summer of 2013, when an ordinance to allow for chickens in all residential districts following specified requirements and licensing failed on a 3-2 vote. The current draft ordinance would allow chickens in residential districts including the following provisions: allow for chickens in all residential districts (unless an HOA does not allow it); 40’ setback from the lot line and 25’ setback from the residence/attached garage for any portion of the coop and run; an inspection is required to ensure proper location of the coop/run; the fence height for the run would be limited to 6 feet in height; a limit of 6 hens per premises; roosters are prohibited; chickens would be for personal use with no associated sales; an annual license is required to track who currently has chickens.

Tim Fingeroos of 9130 Edge O Woods Drive, Robin Campbell of 5527 STH 60, Mark Tuhowski of 2376 CTH I, and Laura Bast of 824 Horns Corners spoke in support of the ordinance. With no further comment from the public, Supervisor Pipkorn moved to close the public hearing. Supervisor Wickert seconded, and the motion passed unanimously.

**10. OLD BUSINESS**

**a. Discussion and possible motion on Resolution 2017-12, “Approving the Town of Cedarburg Fiscal Year 2017 Annual Fee Schedule”\***

Each year the Town Board must approve the Town of Cedarburg’s fee schedule. The fee schedule designates fees, per Town Ordinances, for various duties performed by Town staff or boards/commissions. The proposed resolution would add a fee for initial/annual renewals for chicken licenses. Following discussion, Supervisor Esser made a motion to approve Resolution 2017-12. Supervisor Wattson seconded, and the motion passed unanimously.

**b. Discussion and possible motion on appointments to Town Committees, Commissions and Boards\***

Chairman Salvaggio asked this item be tabled at this time. Supervisor Pipkorn made a motion to table this item. Supervisor Wickert seconded, and the motion passed unanimously.

**11. NEW BUSINESS**

**a. Discussion and possible motion on Ordinance 2017-5, “An Ordinance to allow for chickens in residential zoning districts”\***

This item continues from item #9a. Chairman Salvaggio noted the Plan Commission addressed this ordinance in a thorough manner. Supervisor Wickert noted the irony that the City of Cedarburg allows chickens in residential districts, while the Town does not. Following

discussion, Supervisor Pipkorn made a motion to approve Ordinance 2017-5. Supervisor Wickert seconded, and the motion passed unanimously.

**b. Discussion and possible motion transferring the existing Conditional Use Permits for the property located at 1299 Washington Avenue from PDQ Food Stores, Inc. to Kwik Trip, Inc.\***

Kwik Trip Inc. will be purchasing the Cedarburg PDQ store the week of October 9th, and reopen as Kwik Trip 1010 on October 10th. While little will change initially, they will need to amend the conditional use permits in the future as they request signage/site plan changes. At this time, they have submitted the necessary paperwork for consideration of liquor and cigarette licenses, as well as a letter requesting the Town Board transfer the existing conditional use permits from PDQ to Kwik Trip. Such a transfer is allowed by Town Code Sec. 320-9, which allows for a CUP to survive a change of ownership upon submittal to the Town Board of a letter stating that all conditions of the permit will be complied with.

Supervisor Esser noted the same conditions would apply to Kwik Trip as applied to PDQ. Following discussion, Supervisor Esser made a motion to transfer the existing conditional use permits for the property located at 1299 Washington Avenue from PDQ Food Stores, Inc. to Kwik Trip, Inc. Supervisor Pipkorn seconded, and the motion passed unanimously.

**c. Request and possible motion approving an annual liquor license application\***

Kwik Trip, Inc. has applied to have the PDQ liquor licenses transferred to Kwik Trip, Inc. as they are purchasing the PDQ locating in early October. Following discussion, Supervisor Wickert made a motion to transfer the existing liquor licenses from PDQ to Kwik Trip, Inc. Supervisor Esser seconded, and the motion passed unanimously.

**d. Request and possible motion approving an annual cigarette license application\***

Kwik Trip, Inc. has applied to have the PDQ cigarette license transferred to Kwik Trip, Inc. as they are purchasing the PDQ locating in early October. Following discussion, Supervisor Esser made a motion to transfer the existing cigarette license from PDQ to Kwik Trip, Inc. Supervisor Wattson seconded, and the motion passed unanimously.

**e. Request and possible motion waiving the park shelter rental fee for Pleasant Valley Park & Trails for the Cedarburg Lion's Club\***

The Cedarburg Lion's Club has indicated they would like to reserve the Pleasant Valley Park & Trails shelter for Monday, September 11th from 5:00pm to 9:00pm. The purpose of the reservation is a Lion's Club general meeting with approximately 45 people attending. The Lion's Club has made considerable financial and labor donations to Pleasant Valley Park & Trails over the years. The Club is asking the Board to consider waiving the rental fee (\$65 for resident / \$100 non-resident – per day). Following discussion, Supervisor Pipkorn made a motion to waive the park shelter rental fee for Pleasant Valley Park & Trails for the Cedarburg Lion's Club. Supervisor Wattson seconded, and the motion passed unanimously.

**f. Update on Cedarburg Sports Complex and possible direction on fundraising efforts\***

Administrator Rhode summarized RA Smith has completed the renderings/concept plan and it is now time to think about fundraising for facilities. He noted the Cedarburg Crush softball club and Cedarburg Select Baseball club are working on submitting letters to the Town indicating their interest in possibly having field(s) at the complex. RA Smith is also working on cost estimates for the facilities for consideration by the Park and Recreation Committee. The website has been updated with all current information.

Supervisor Wickert recognized the difficulties in raising funds for a community project.  
Supervisor Esser noted the Town is working with local clubs on possible commitments.  
Supervisor Pipkorn noted he would like the Town to consider expending some of the impact fee money being held and available for such work.

**12. ADJOURNMENT**

At 7:32 pm, Supervisor Esser made a motion to adjourn that was seconded by Supervisor Pipkorn. The motion was unanimously approved.

Respectfully Submitted,

Eric Ryer  
Assistant Administrator/Clerk