

**TOWN OF CEDARBURG
MEETING OF THE BOARD OF SUPERVISORS
April 1, 2026**

Present:

David Salvaggio, Chairman
Wayne Pipkorn, Supervisor Seat 1
Russ Lauer, Supervisor Seat 2
Larry Lechner, Supervisor Seat 3
Thomas Esser, Supervisor Seat 4 &
Presiding Supervisor

Eric Ryer, Administrator
Sara Jacoby, Clerk/Assistant Administrator
Paul Jungbauer, Director of Parks & Recreation
Adam Monticelli, Director of Public Works
Brad Hoeft, Town Attorney

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

Presiding Supervisor Esser called the regular meeting to order at 7:01 pm. The meeting began with the Pledge of Allegiance. Supervisor Esser reminded the audience that he was appointed by the Town Board to preside over Town Board Meetings for the remainder of Chairman Salvaggio's term through April 2027 at the Special Town Board meeting on November 17th and that Chairman Salvaggio remains Chairperson.

2. ANNOUNCEMENTS

A reminder announcement was made for the April 7th Spring General Election.

3. HEARING OF THE PEOPLE:

None.

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

a. None

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. Approving March 4, 2026 Town Board Meeting Minutes
- b. Accepting February 18, 2026 Plan Commission Meeting Minutes
- c. Accepting February 25, 2026 Special Park & Recreation Committee Meeting Minutes
- d. Accepting February 5, 2026 Landmarks Commission Meeting Minutes

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

6. TREASURER'S REPORT

a. Motion accepting the March 2026 Treasurer's Report*

Chairman Salvaggio made a motion to approve the March 2026 Treasurer's Report. Supervisor Lechner seconded, and the motion passed unanimously.

7. PRESENTATION OF BILLS/PURCHASE ORDER/PAYROLL/AWARDS: *The bills presented for review have been paid from the Town treasury as authorized under Sec. 60.44(2), Stats., and Sec. 63-8 of the Code of Ordinances.*

a. Presentation of Bills/Purchase Orders/Payroll/Awards for March 1, 2026 to March 31, 2026 (Check #'s 41365-41408, V4793-V4815, and manual checks as shown)*

Supervisor Lauer made a motion to accept all bills, purchase orders, payroll, and awards as presented. Supervisor Pipkorn seconded, and the motion passed unanimously.

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

a. Report regarding local nuisance/code enforcement issues (Constable Samuel Peters)*

Constable Peters' report included one background check for a peddler's permit.

b. Report on recreation finances (Director of Parks & Recreation Paul Jungbauer)*

Director Jungbauer highlighted Little League registrations, Little League roster construction, Track registration, and noted the current positive balance in the Recreation Fund at the end of March 2026.

9. PUBLIC HEARINGS

- a. **Public hearing to take comment on Ordinance 2026-5, “An Ordinance to Amend § 320-118. Ponds., under Chapter 320 the Zoning Code of the Town of Cedarburg, Ozaukee County, Wisconsin” [Applicant: Town of Cedarburg]**

Presiding Supervisor Esser announced the public hearing and Supervisor Lechner made a motion to open the public hearing at 7:07pm. Supervisor Lauer seconded and the motion carried unanimously.

Susan Knox of 1760 Malibu Drive questioned offering exceptions for wildlife ponds and wetland ponds in the A-1 district. She asked if there was a depth limit and wondered if motorized boats/jet skis would be allowed on ponds.

Cynthia Barlow of 1977 Blacksmith Road believes that a five-acre pond is too large and she would like to see a smaller size limit.

Matt King of 1737 Malibu Drive expressed support for pond size limits.

With no additional comment from the public, Supervisor Lechner made a motion to close the public hearing. The motion was seconded by Chairman Salvaggio and carried unanimously. The Public Hearing closed at 7:13pm.

10. OLD BUSINESS

- a. None

11. NEW BUSINESS

- a. **Discussion and possible motion on a conditional use permit application by Kristin Bartz requesting use of the existing residence as a residential use without a retail component at 1810 Washington Avenue [SW1/4 SEC 9, 2.72 acres, zoned B-1 Neighborhood Business District]***

Administrator Ryer summarized the application, the historic non-conforming status of the residence on the property in terms of setback from CTH NN seeing it was constructed prior to Town zoning being in place, the lack of intention to operate a business on the property, and identified the sizes of the buildings on site. He noted Plan Commission recommended approval.

Supervisor Lauer made a motion to approve a Conditional Use Permit requesting use of the existing residence as a residential use without a retail component at 1810 Washington Avenue, finding that all the following conditions are present:

- (1) Welfare. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (2) Compatible with adjacent land. The uses, values and enjoyment of other Town property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
- (3) Not impede surrounding property development and improvement. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding Town property for uses permitted in the district.
- (4) Adequate infrastructure. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
- (5) Ingress and egress. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (6) Conform to zoning district regulations. The conditional use application shall conform to all applicable regulations of the district in which it is located.

Supervisor Pipkorn seconded. The motion was then amended by Supervisor Lauer to clarify the approval is conditioned upon closing of the property, and that the permit require the current owner’s personal property is removed within 30 days of closing. The amended motion was seconded by Supervisor Pipkorn, and passed unanimously.

b. Discussion and possible motion on Ordinance 2026-5, “Ordinance to Amend § 320-118. Ponds., under Chapter 320 the Zoning Code of the Town of Cedarburg, Ozaukee County, Wisconsin” [Applicant: Town of Cedarburg]*

This item continues from item #9a. Presiding Supervisor Esser requested clarification on the wildlife pond/wetland scrapes question that was raised during the public hearing. Attorney Hoeft clarified the wildlife pond and wetland scrape exception is up for Town Board discussion. Director Monticelli clarified wildlife ponds and wetland scrapes permitting authority rests with WDNR, not the Town. With respect to wildlife ponds and wetland scrapes, Attorney Hoeft recommended adding clarifying language to subsection B(1) indicating that approval comes from the Wisconsin Department of Natural Resources as follows:

“(1) Wildlife ponds/wetland scrapes constructed with the assistance and approval of the Wisconsin Department of Natural Resources or the Ozaukee County Land and Water Conservation Department and which are located at least 100 feet from a property line; and”

Administrator Ryer noted the Plan Commission recommended one amendment to the proposed ordinance, increasing the total lot area pond(s) may cover from 10% of a lot to 15% of a lot in subsection C.

C.B. Lot area. Ponds shall be considered a special accessory use and shall not be limited to any given yard but shall not occupy more than 105% of the total lot area, nor more than 5 acres in total size per individual pond.

Administrator Ryer summarized the staff report, noting that in order to help inform the Plan Commission and Town Board on this topic, an informal inventory of ponds within the Town of Cedarburg was assembled using Ozaukee County GIS. This database is by no means an exhaustive or perfect analysis of all ponds but does provide the Plan Commission and Town Board a general count of ponds, and related details. Specifically, considering all 168 ponds inventoried: average size was 0.95 acres; when removing the ponds present in 1941 and stormwater ponds: average size of these 123 ponds was 0.96 acres. A maximum pond size of 5 acres would address 97% of ponds inventoried.

Supervisor Lauer made a motion to approve Ordinance 2026-5. Chairman Salvaggio seconded the motion. Attorney Hoeft sought clarification if the motion included the amendments discussed above to the draft version provided in the meeting packet including:

- Add language to subsection B(1) specifying wildlife ponds/wetland scrapes must be constructed with the assistance and approval of the Wisconsin Department of Natural Resources.
- Amend subsection C so that ponds shall not occupy more than 15% of the total lot area.

Supervisor Lauer so amended his motion, Chairman Salvaggio seconded the amended motion, and the motion carried unanimously.

c. Discussion and possible motion on an architectural and site plan review for a proposed 4,480 square foot, new construction accessory structure at 156 Green Bay Road, in the Hamilton Historic District [Applicant: Ryan & Lyzz Sberna, 9.85 acres, zoned E-1 Estate and C-1 Conservancy, SE ¼ Sec. 35]*

The application for architectural and site plan review was summarized. The applicant spoke to the Commission about their history with the property and changes made to their previously submitted plan to address Landmarks Commission concerns and Plan Commission comments. The plans include stone skirt of real quarried stone, vertical cement board and batten siding, and a standing seam metal roof applied.

This is before the Board following action by the Landmarks Commission at their February 5th meeting and a favorable recommendation by the Plan Commission at their March 18th meeting regarding the proposed accessory structure.

Commissioner Lauer complimented the applicants on their willingness to address all recommendations and made a motion the Town Board approve the architectural and site plan review for a proposed 4,480 square foot, new construction accessory structure at 156 Green Bay Road, in the Hamilton Historic District. The motion was seconded by Supervisor Lechner, noting the following findings being met:

Site plan review principles and standards.

- (a) The proposed use(s) conforms to the uses permitted.
- (b) The dimensional arrangement of buildings and structures conforms to the required area, yard, setback, and height restrictions of this chapter.
- (c) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects upon owners and occupants of adjacent and surrounding properties by providing for adequate design of ingress/egress, interior/exterior traffic flow, stormwater drainage, erosion, grading, lighting, and parking, as specified by this chapter or any other codes or laws.
- (d) Consideration should be given to preserving the natural features of the landscape where they can enhance the development on the site, or where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes or where they assist in preserving the general safety, health, welfare, and appearance of the neighborhood.
- (e) Adverse effects of the proposed development and activities upon adjoining residents or owners are

Architectural review principles and standards.

- (a) Building scale and mass. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new outbuildings are built or when existing outbuildings are remodeled or altered.
- (b) Building rooflines and roof shapes. Building roof lines and roof shapes shall be complementary to the existing or surrounding buildings.
- (c) Materials. No building shall be permitted where any exposed facade is constructed or faced with a finished material which is not aesthetically complementary to other surrounding buildings.
- (d) Building location. Consideration shall be given to siting a building in a manner which would not unnecessarily destroy or substantially damage the beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

The motion passed 4-1 with Presiding Supervisor Esser voting naye.

d. Discussion and possible motion on a license agreement with RE 1221 SC LLC for the use of Town property (1267 Washington Avenue) for sand volleyball*

Sixteen years ago, the Town purchased approximately 2 acres from Meg and David Galimoto, which included their two northern-most volleyball courts. The Town Board approved license agreements each of the last sixteen years to allow use of these volleyball courts including last year with the new ownership group RE 1221 SC LLC that has opened as Elbow Room 1221. RE 1221 SC LLC has once again requested use of these volleyball courts.

Supervisor Pipkorn made a motion to approve the License Agreement with RE 1221 SC LLC for the use of Town property for sand volleyball. Supervisor Lauer seconded, and the motion passed unanimously.

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

A list of appointments or reappointments to be considered is provided below.

- (1) Plan Commission (3 yr term) – **Dave Salvaggio (Chair), Larry Lechner, Anne Lewandowski, and Steve Wolf**
- (2) Landmarks Commission (3 yr term) – **Kyle Rosengren, Drew Nelson and Jeanie Rudich**
- (3) Landmarks Commission for Vacated Position (2 yr term) – **Tim Rassmussen**
- (4) Weed Commissioner (1 yr term) – **DPW Director Monticelli**
- (5) Emergency Management Director (1 yr term) – **DPW Director Monticelli**
- (6) Park & Recreation Committee (3 yr term) – **John Bishop, Keith Martin**

Supervisor Lechner made a motion to approve the list of appointments and reappointments. The motion was seconded by Supervisor Pipkorn, and carried unanimously.

f. Discussion and possible motion on a master services agreement for professional planning and zoning services with Stantec Consulting Services, Inc.*

Administrator Ryer summarized the agreement with Stantec, who would replace Consulting Planner Barrows at her request to focus on her business in the Waukesha County area. Presiding member Esser noted this recommendation followed a series of interviews with firms.

Supervisor Lauer made a motion to approve a master services agreement for professional planning and zoning services with Stantec Consulting Services, Inc. The motion was seconded by Supervisor Lechner and passed unanimously.

g. Discussion and possible motion regarding a Resolution for compensation of elected officials*

Staff provided history on past compensation for Board Members, noting it has been four years since compensation was revisited by the Board, and explained the statute that spells out the compensation for elected officials. The Town Board discussed a 3.5% increase for each of the four years for a total of 14% increase. It was also suggested that Town Board compensation be discussed annually at the same time as employee compensation.

Supervisor Lauer made a motion to approve Resolution 2026-4 that would implement a 3.5% increase/year from the prior 4-year period (14% total) for elected official compensation. The motion was seconded by Supervisor Lechner. The motion passed unanimously.

h. Discussion and possible motion on draft Ordinance 2026-6, "An Ordinance to Amend Chapter 232 Parks & Recreation, Relating to the use of grills within the Korb Sports Complex, Orthopedic Hospital of Wisconsin Fields and other Park and Recreation Facilities, of the Town of Cedarburg Code of Ordinances"*

Parks & Recreation Director Jungbauer summarized the request to accommodate grilling for recreational facility rental groups, especially service organizations. The proposed siting was provided in the meeting packet for this meeting, and the Parks & Recreation Committee recommended approval of the plans, application, insurance requirement and addition of the permit to the fee schedule.

Supervisor Lauer made a motion to approve Ordinance 2026-6. Supervisor Pipkorn seconded, and the motion passed unanimously.

12. ADJOURNMENT

Supervisor Lauer made a motion to adjourn the meeting at 8:07 pm. Chairman Salvaggio seconded, the motion passed unanimously and the meeting adjourned.

Respectfully Submitted,

Sara Jacoby
Assistant Administrator/Clerk