TOWN OF CEDARBURG
MEETING OF THE BOARD OF SUPERVISORS
November 2, 2026

Present:
David Salvaggio, Chairman (Via Zoom)
Russ Lauer, Supervisor Seat 2
Wayne Pipkorn, Supervisor Seat 1
Larry Lechner, Supervisor Seat 3
Thomas Esser, Supervisor Seat 4 & Presiding Supervisor
Eric Ryer, Administrator
Adam Monticelli, Director of Public Works
Sara Jacoby, Assistant Administrator/Clerk
Paul Jungbauer, Director of Parks & Recreation
Troy Hartjes, Town Engineer
Amanda Schaefer, Consulting Planner
Brad Hoeft, Town Attorney

1. **CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
Presiding Supervisor Esser called the regular meeting to order at 7:00 pm. The meeting began with the Pledge of Allegiance.

2. **ANNOUNCEMENTS**
Reminders were given about the upcoming General Election, the November 11th meetings regarding the 2027 budget, and Town Board candidacy paperwork.

3. **HEARING OF THE PEOPLE**:
   a. **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 October 5, 2026 Town Board Meeting Minutes**
   b. **Approving October 19, 2026 Special Town Board Meeting Minutes**
   c. **Accepting September 16, 2026 Plan Commission Meeting Minutes**
   d. **Accepting October 1, 2026 Special Plan Commission Meeting Minutes**
   e. **Accepting September 16, 2026 Finance Committee Meeting Minutes**
   f. **Accepting September 2, 2026 Special Park & Recreation Committee Meeting Minutes**
   g. **Accepting June 4, 2026 Joint Ad Hoc Bicycle & Pedestrian Committee Meeting Minutes**
   Supervisor Lauer made a motion to approve the consent agenda items. Supervisor Pipkorn seconded, and the motion carried unanimously.

6. **TREASURER'S REPORT**
   a. **Motion Accepting the October 2026 Treasurer's Report***
   Supervisor Lauer made a motion to accept the October 2026 Treasurer's Report. Supervisor Pipkorn seconded, and the motion carried 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 October 1, 2026 to October 31, 2026 (Check #'s 41876-41979, V4998-V5043, and manual checks as shown)***
   After a question by Supervisor Lauer related to a vendor, Supervisor Lechner made a motion to approve all bills, purchase orders, payroll, and awards as presented. Supervisor Lauer seconded, and the motion carried unanimously.

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

a. Report regarding local nuisance/code enforcement issues (Constable Samuel Peters)*
Constable Peters provided a report noting the updated background check related to the appeal of an operator license.

b. Report on recreation finances (Director of Parks & Recreation Paul Jungbauer)*
Director Jungbauer's report highlighted the current positive balance in the Recreation Fund at the end of October 2026 of $28,057, with upcoming expenses including staff wages and utility bills.
Supervisor Lechner commented that at the last meeting he expressed concerns about the parking lot and driveway at Korb Sports Complex and was told that seasonal lot reclamation was underway. He noted Chairman Salvaggio and he recently drove out to look at the lot and commended Town staff on coordination between the DPW and Parks & Recreation directors for lot maintenance.

9. PUBLIC HEARINGS

a. None

10. OLD BUSINESS

a. Discussion and possible motion regarding a review of a conditional use permit relating to the property located at 1221 Wauwatosa Road dba Elbow 1221 (Elbow Room Cedarburg). [Owner: RE 1221 SC LLC, NE1/4 SEC 21, 3.09 acres, zoned B-2 Planned Business District & C-1 Conservancy District]*
On June 1, 2026, the applicants received approval for a Conditional Use Permit to authorize proposed outdoor viewing events, site plan improvements, and associated operational activities. This item is only a review of the approved CUP by the Town Board in case the Board chooses to address any concerns and/or direct staff to take certain steps. Planner Schaefer summarized the approved CUP and site plan application for a place of entertainment in relation to the existing restaurant bar and banquet hall which included new signage, outdoor events, new parking configuration, a beer garden, live music and an off-site shared parking use agreement reviewed by Town Legal. Caveats included no temporary signage, no 3rd party food trucks, legal review for any function functionally equivalent parking agreements and review at the November Town Board meeting. Staff were not aware of any complaints regarding the conditional use permit and Planner Schaefer visited the site on October 28th at approximately 9:00 AM to review consistency with the previously submitted site plan. The site appeared to be operating in a manner that aligned with the application, with the exception of two shuttles now being parked on the grass surface near the north property line and porta potties being located near the food truck location. Both appear to be temporary situations, and the photographic documentation of conditions were presented.

Attorney Hoeft commented that he understood that the applicants were working with other town property owners for additional parking agreements, but he never received an update on any additional agreements. He requested the applicant follow up with presentation of parking agreements in effect with a site plan showing the locations of the parking.

Applicant and business partner Seth Dehne of Elbow Room spoke addressing the parking comment from Attorney Hoeft. He clarified they did not require any additional parking agreements, with the lone agreement in place being with 5 Corners Dodge Chrysler Jeep.

Because this item was only a review of the CUP by the Town Board, there was no formal motion required and none was taken.

b. Discussion and possible motion regarding appeal to reconsider operator license application for Jennifer Marchel for the 2026-2027 license period*
Jennifer Marchel made an application for an operator license at the July 6, 2026 Town Board Meeting. Constable Peters recommended that the license for Jennifer Marchel be denied. A motion was made to approve all the operator licenses listed, except for Jennifer Marchel.

Any applicant whose application has been denied has the ability to request a reconsideration by the Town Board. The applicant will be permitted to, "present evidence and testimony as to why the license should be granted." Ms. Marchel provided written testimony and requested reconsideration at this time.

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Attorney Hoeft noted Constable Peters reviewed the information again. Attorney Hoeft clarified the applicant understood this item was going to be conducted in open session tonight.

Jennifer Marchel of N19 W6390 Carriage Trace Apartments, Cedarburg, WI, noted she is currently on probation and parole until September. Attorney Hoeft asked that she communicate the conditions of her probation. Jennifer Marchel noted the conditions are complete sobriety, she has to do parenting class that she's completed already, and she must meet with her parole officer once a month. Attorney Hoeft asked her to talk about possession or consumption of alcohol. She stated that as far as she knows, she can't have that either. Attorney Hoeft confirmed that the understands what "possession" means, to which she answered "yes." Attorney Hoeft asked her if she had anything from her parole officer to support her application; she responded she did not. It was also noted she had charges in Milwaukee County regarding a texting matter.

Attorney Hoeft stated the fact of the matter is the applicant is currently under probation with restrictions imposed by a Court that she cannot possess or consume alcohol, which is evidence the Board can consider and Ms. Marchel is not disputing. He noted an exception to those restrictions would usually be approved by the Court.

Supervisor Lechner noted the Constable recommendation is denial.

Supervisor Esser asked if she had anything from her probation officer indicating they knew about her appearance in front of the Town Board, that would support her rehabilitation or outline the conditions of probation. Ms. Marchel responded she did not have anything from the probation officer, but was agreeable to the idea of tabling the item until the December meeting so she could obtain something from her probation officer and furnish it to the Town Clerk.

Supervisor Lauer made a motion to table the item until more information is provided. Supervisor Pipkorn seconded, and the motion carried 4-1 with Commissioner Lechner dissenting.

11. NEW BUSINESS

a. Discussion and possible Discussion and possible motion approving a proposal for a firm to complete a Town Board room audio visual update project*

Two firms were interviewed at the September 16th Finance Committee meeting. At their October 14th meeting, the Committee reviewed updated proposals from the two finalist firms. The recommendation of the Committee was to recommend approval of the CTI proposal. Attorney Nugent reviewed the proposal and because they did not include standard terms and condition document, Attorney Hoeft requested any motion to approve make the approval subject to legal review.

Supervisor Lauer made a motion to accept the CTI proposal dated Friday October 23rd subject to legal review (total $71,014.50). Supervisor Pipkorn seconded, and the motion carried unanimously.

b. Discussion and possible motion on a CSM to reconfigure ~6 acres of land for properties located at 1126, 1170 & 1180 Wauwatosa Road CSH Property (John Haeberlin applicant) [Owners: CSH Building LLC & John Haeberlin, NW ¼ Sec. 22, ~6 acres total, currently zoned MU-2 District]*

Consulting Planner Schaefer presented the staff report for the proposed 3-lot Certified Survey Map. No new lot was being created with the CSM, rather, the applicant proposed a reorganization of the properties via lot line shifts on the CSM to allow for better site circulation, parking availability, and organized development in the future. She also noted that with the adoption of the updated zoning code, a rezoning for the property is no longer required or being sought. She noted the CSM meets requirements for the MU-2 district.

Planner Schaefer noted the applicant did receive updated feedback from WisDOT, who noted the applicant will have to work directly with WisDOT for any access point alterations. She noted WisDOT supplied the following comments:

- WisDOT does not object to the latest revised CSM.
- Please note other non-related CSM requirements for the site:
- Comments regarding the need for submittal of a site plan showing the proposed parking lot removed from the dedication area, all signs/retaining walls removed from the right of way dedication area, and the

permit application submittals for all existing or relocated driveways are still required but the CSM recording is not conditioned on these other items.
- Submittals of the remaining information should be sent to kevin.koehnke@dot.wi.gov when available and prior to any construction commencing on the parking lot or building.

Planner Schaefer noted the applicant submitted soil tests showing the site is suitable for a mound system. A wetland delineation was conducted by Wetland & Waterway Consulting, LLC, on June 23, 2026, and June 28, 2026, and wetlands have been identified and presented on the CSM. The Cedarburg Fire Department does not have any concerns with the CSM. Gremmer & Associates did not have any remaining engineering comments. However, Town staff identified the following that must be resolved prior to recording:
- The name for the Assistant Administrator/Clerk must be updated to Sara Jacoby.
- All zoning categories must be shown as MU-2.

At their meeting on October 21st, the Plan Commission recommended the approval of the CSM with the following conditions:
1. All outstanding Staff Report items are resolved by the applicant and confirmed with Planner.
2. All easements of record are accurately identified on the Certified Survey Map.
3. All approving and objecting agency feedback is resolved by the applicant and confirmed with Planner.

Supervisor Lauer made a motion to approve the CSM contingent upon the three conditions being met in their entirety. Supervisor Pipkorn seconded, and the motion carried unanimously.

c. Discussion and possible motion on an MOU for Pleasant Valley Park & Trails with the City of Cedarburg, Metro Mountain Bikers, & Town of Cedarburg*

Director Jungbauer noted that Craig Ruhland, of the Metro Mountain Bikers, presented this idea to the Town Parks & Recreation Committee at the June 24th Parks & Recreation Committee meeting. In the presentation, Metro Mountain Bikers presented some potential trail re-route projects that they would like to complete. This would make certain sections of the trails more accessible during wet times. Pleasant Valley Park and Trails are owned jointly between the City of Cedarburg and the Town of Cedarburg. The Metro Mountain Bikers have been using the park for many years, grooming and maintaining the trails. There is currently no formal agreement in place. The MOU proposed tonight would be between all three entities.

The MOU was drafted by the Metro Mountain Biker's attorney, reviewed by Town of Cedarburg Staff, City of Cedarburg's Attorney, and finally, Town legal. The Parks and Recreation Committee recommended that the Town Board approve and accept the joint MOU at their meeting on October 28th.

Supervisor Lechner made a motion to approve the MOU for Pleasant Valley Park and Trails with the City of Cedarburg and the Metro Mountain Bikers. Supervisor Pipkorn seconded, and the motion carried unanimously.

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

Attorney Hoeft explained that under state statute, compensation of elected officials must occur at a Meeting of the Electors (special or annual Meeting of the Electors). This item was not taken up for discussion, and no action was taken.

e. Discussion and possible direction on the 2027 Town of Cedarburg draft budget*

Administrator Ryer summarized the draft 2027 General Fund budget, noting it now accounts for the incorporation of the new stormwater utility. Under the draft budget, the tax rate would decrease from $2.35/$1,000 in 2026 to $2.33/$1,000 in 2027. The Town Board gave positive feedback related to Budget progress.

12. CLOSED SESSION

a. The Town Board may go to closed session pursuant to:

i. Wisconsin Statutes Sec. 19.85 (1) (c) to "Consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility," specific to compensation and performance evaluation of Administrator and Clerk employees, Public Works employees, Parks and Recreation employees, Constable, and Treasurer.

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Supervisor Lechner made a motion to enter closed session at 7:51pm. Supervisor Lauer seconded, and the motion carried unanimously by a roll call vote.

b. Reconvene to open session and the regular order of business
Chairman Salvaggio made a motion to reconvene to open session at 8:38pm. Supervisor Pipkorn seconded, and the motion carried unanimously.

13. Discussion and possible motion related to closed session business*
Supervisor Lauer made a motion to approve 2027 wages effective January 1, 2027, for the Administrator and Clerk employees, Public Works employees, Parks and Recreation employees, Constable, and Treasurer per the compensation plan. Wayne Pipkorn seconded, and the motion passed unanimously.

14. ADJOURNMENT
Supervisor Pipkorn made a motion to adjourn the meeting at 8:39 pm. Supervisor Lechner seconded, the motion carried unanimously and the meeting adjourned.

Respectfully Submitted,

Sara Jacoby
Assistant Administrator/Clerk

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