

TOWN of CEDARBURG

Preserving Yesterday's Heritage for Tomorrow.

Town Receives
Good
Government
Award

See page 3 for
details



Town Newsletter Winter 2010

Mediation and the Cedarburg Library

Most town residents know that the City of Cedarburg and the Town of Cedarburg are involved in a mediation of sorts to resolve long-standing issues between them. Progress is slow, but there has been progress. I have represented clients in over 500 mediations over the last 27 years. If I had to guess, I'd say about 70% of them were resolved successfully – meaning precisely that neither side walked away happy. But they walked away. In any dispute, the dispute itself can take on a life of its own, and I often find it helpful to frequently remind myself precisely what the dispute is, how it started, and what is at stake. If you'll indulge me, I'd like to do precisely that.



Gary Wickert,
Town Supervisor

The town has done a spectacular job of keeping taxes flat for its residents, and I continue to see that as our number one responsibility. At the same time, however, we must plan for the future. And so we have. Years in the planning and with the help of environmental experts and a twelve person citizen committee which included the former president of the Cedarburg Chamber of Commerce, the former Chamber executive director, owners of downtown Cedarburg businesses, and long time Cedarburg residents, we came up with a Five Corners Master Plan in 2006. It was limited in scope but its purpose was to create town tax revenue without adding children to the schools or other traditional burdens on municipal government associated with residential development. The Five Corners intersection sees 13,000 cars daily. It is a natural business corridor that will be developed whether we want it to or not - and the Five Corners Master Plan merely ensures that this development is orderly, consistent, and attractive. The Master Plan was perfect for all of Cedarburg, with one minor exception – City officials saw it as competition with their downtown businesses and an obstacle to their plan to extend sewer and water to this area. How and why their own planned Kohlwey business park along Highway 60 wouldn't compete with the downtown area while ours would, remains a mystery.

Beginning in the fall of 2005, the city began annexing town property

Continue page 5

WHAT'S INSIDE

Performance Survey	2
2011 Town Budget	2
2011 Elections	2
Recreation & Planning	3
Town Chairman.....	4
Assessments & Taxes.....	8
Constable's Corner.....	9
Public Works Notes.....	10
Refuse Cart Order Form.....	10
Preservation Award.....	11

NOTES & REMINDERS

- Don't forget to renew your dog license before March 31st at Town Hall.
- Visit the Town's Redesigned Web Site!
- Winter parking restrictions are in effect until March 31st. No parking on any road between 1a.m. & 7a.m.
- Little League Registration Opens in January

Town Hall will be closed:

- Thursday, Dec. 23rd
- Friday, Dec. 24th
- Thursday, Dec. 30th
- Friday, Dec. 31st

Recycling Center will be closed:

- December 25th & January 1st

Town Administrator's Desk

Jim Culotta



2011 Town Budget Summary

On December 1st, the Town Board approved a \$2.3 million budget for 2011. Highlights of the new budget include a cut in the Town tax rate for the second year in a row, increased funding for road maintenance, and a significant increase in non-tax revenues to fully support our recreation program.

The tax levy - the property taxes paid to the Town - will increase by less than \$80,000 next year. A home with an assessed value of \$300,000 will pay \$697 to the Town, which is \$93 less than in 2010. However, homes which saw a significant increase in their assessed value due to reassessment could pay slightly more next year than this year. When compared to all other Ozaukee County municipalities, the Town will likely find itself among the bottom third in terms of tax rate, which is something we all can take pride in.

Positive Feedback Received for Town Services

Each year, the Town administers an Annual Performance Survey as a way to gain anonymous feedback from residents on Town services. This feedback allows staff to evaluate past performance and, if necessary, develop and establish new ways to improve future service. This year we were pleased to have 270 surveys returned to the Town Hall, the highest response rate to date. As shown below, the Town scored highly, receiving marks of excellent or good for most services.

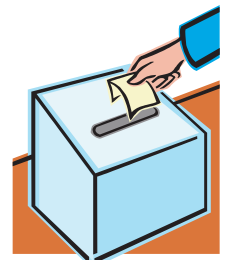
Town Provided Services	Excellent/Good	Fair/Poor	No opinion
Trash Collection	97%	3%	0%
Recycling	83%	14%	3%
Road Maintenance	62%	37%	.1%
Ditch Maintenance	56%	34%	10%
Snow/Ice Removal	85%	13%	2%
Park Maintenance	51%	5%	44%
Brush Chipping	35%	11%	54%
Building Inspections	31%	7%	62%
Constable	27%	7%	66%
Elections	84%	6%	10%
Other Town Services	50%	6%	44%

Some of the other survey questions dealt with our Recycling Center. A large majority (83%) of resident respondents use the Recycling Center on a regular basis and 71% are in favor of the Town continuing to operate the Recycling Center while still allowing individuals to contract on their own for curbside collection of recyclables if they so desire. Thanks to everyone that participated in this survey. The 2011 survey will be sent in the Spring/Summer newsletter.

2011 Election Update

There are two possible elections in 2011. The Spring Primary will be held on Tuesday, February 15 (if required) and the Spring Election on Tuesday, April 5th.

The following elected Town Board positions are up for re-election this spring: **Town Chairman, District 1 Supervisor, and District 3 Supervisor.** If you are interested in running for any of these positions you must file a Campaign Registration Statement before circulating nomination papers. All candidates must also file a Declaration of Candidacy and completed nomination papers by 5pm January 4th. For more information, contact the Town Clerk or the Wisconsin Government Accountability Board at <http://gab.wi.gov/>.



Recreation & Planning Notes

Eric Ryer - Director of Recreation & Planning



Town user/sponsor-financed recreation programming strives to meet the needs of area youth and fill service gaps. The following summarizes our efforts and accomplishments over the past year.

CEDARBURG LITTLE LEAGUE

Over 325 boys and girls played softball/baseball for Cedarburg Little League this first season! A very affordable registration fee, interleague play for most age groups, and a chance to walk on the field before a Brewers vs. Twins game at Little League night at Miller Park were just a few highlights. A big thanks to all the coaches, parents, umpires, and other volunteers that made the season a success! Watch for registration to open in early 2011. Tickets for the 2011 Little League night at Miller Park on June 20th versus the Tampa Bay Rays will also be on sale early in 2011; tickets are available to the general public! See www.cedarburglittleleague.com for more.



The Town was fortunate enough to cap off the season by receiving a **Wisconsin Good Government Award** for Cedarburg Little League. As a winning entry in the category of a town-led effort to reduce costs and improve services, the Town also received a \$1,000 Community Enhancement Grant funded by Foth Companies. We were one of only two towns in Wisconsin to receive this award.

CEDARBURG FLAG FOOTBALL LEAGUE

More than 145 boys and girls ages 6-11 played in the inaugural season of the Cedarburg Flag Football League. The Town partnered with the Concordia University football team, resulting in some unique experiences for the kids. A clinic was held early in the season on the Concordia University football field (see picture at left), our players had the chance to walk out onto the field during pre-game warm-up before a Concordia home game, and were allowed free admission to any Concordia home game. Thanks to all the coaches for their time and dedication, it was a great first season!



DEEP WATER TONING

The Town will be offering its second season of deep water toning from January - March. The one-hour classes are held on Tuesday and Thursday nights at the Cedarburg High School indoor pool, and are taught by Betty Schanz. The program is open to all area residents and there is no non-resident fee. Interested individuals should visit the Deep Water Toning webpage on the Town website or contact Town Hall for more at 377-4509.

CEDARBURG TRAILS DAY:

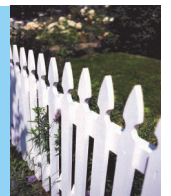
Over 50 people attended the first **Cedarburg Trails Day** at Pleasant Valley Nature Park on June 5th. This FREE event was part of the American Hiking Society's National Trails Day®. Participants took guided walks led by staff from River-edge Nature Center or "blazed their own trails" through the 88-acre park which features an elevated boardwalk path, observation platform, kettles, open prairie, bog, and Mole Creek!

RECREATION PROGRAM SPONSORS

A BIG thank-you to businesses and individuals that supported our programs in 2010! Our 2011 sponsorship schedule will likely include banner space among other benefits. We hope to see you all back in 2011!

PICKET FENCE ORDINANCE PASSED

Believe it or not, up until recently, picket fences were actually prohibited in residential districts in the Town of Cedarburg. A resident in the Hamilton Historic District asked Town leaders to review this policy and consider allowing for these types of decorative fences. The Town Board agreed that picket fences are appropriate, and passed Ordinance 2010-15 to allow picket fences in residential districts.



(Planning Notes continued page 9)

Proud to be a Town of Cedarburg Resident by Chairman Dave Valentine

There have been many positives for Town of Cedarburg residents this year. The Town received the “*Wisconsin Good Government Award for Excellence*” for the new Little League Program. Recognition for a new program that was very successful is always something for all residents to be proud of.

The new Cedarburg TV channel was initiated in 2010, so residents who desire can keep up with current Town events and meetings. This is an area that started slowly, but has increased usage as time passes.

The Town Matching Grant program awarded Johnson Gardens and Wayne’s Drive-In a total of \$5000 for projects that help the 5 Corners District continue to be an attractive and viable business district.

The Eernisse Funeral Home opened in December after renovating and making a huge addition to an existing farm house on Washington Avenue. It is not only beautiful and preserves part of the town heritage, but it will contribute to our tax base. The Town certainly welcomes this new business.

Turn Halle in the Historic Hamilton District was completely remodeled by Henke & Associates into offices. This historic building is now preserved and will be part of the Town for years to come. The Town also welcomes Henke & Associates to the Town. Thanks to Bill Henke and his company.

The recreation program also included a new Flag Football and a new Deep Water Toning Class program to our offerings to fill a void in the local recreational programs. The Flag Football program provided for expanded space to allow all who desired to play an opportunity. The Deep Water Toning was unavailable until the Town helped sponsor the program. As a reminder, all of the Town’s recreational programs are on a “user pays” system, where taxpayers do not subsidize any of the programs, the user pays for the programs.

The Town continued with the very popular “*Touch-a-Truck*” program where youth and adults alike can sit in, touch and enjoy the trucks and equipment used by the Town, the fire department and County Sheriff. We get excellent support from Wayne’s Drive-In and Cedar Crest Ice Cream for this free event.

“*Cookies with Santa*” had a second consecutive successful year. Thanks to the many volunteers, cookie bakers and the 5 Corners Lions who co-sponsored the free to the public event with the Town.

Looking forward, as of January 1st the Town will have a new garbage truck to make our collection faster and less expensive, saving tax dollars. In addition, the new trash cart rules will be in effect. Get your trash cart at the Town Hall during regular business hours.

Town of Cedarburg residents have good reason to be proud. The Town of Cedarburg is a GREAT place to live.

**CEDARBURG SCHOOL DISTRICT
WINTER/SPRING 2011
ADULT CONTINUING EDUCATION (ACE)
PROGRAM**

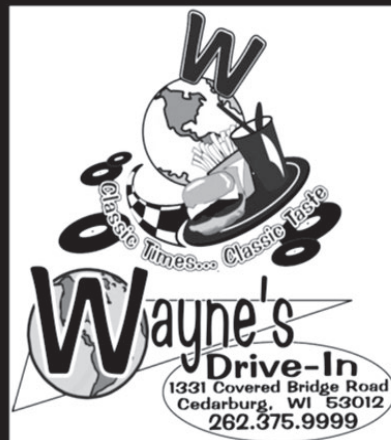
Schedule is as follows: (Mondays-Thursdays)

Session 1 - Jan. 10, 17, 24, 31, Feb. 7 & 14

Session 2 - Feb. 22, 28, Mar. 7, 14, 21, 28, April 4

**Winter/Spring 2011 brochure/registration
available November 17 at Cedarburg Public
Schools, Cedarburg Library, or**

**www.cedarburg.k12.wi.us (Community). Call
376-6219; e-mail kherre@cedarburg.k12.wi.us.**



**Open April
Thru
November
at 11am Daily
WaynesDriveIn.com**



(Supervisor Wickert continued from page 1)

– over 300 acres along Washington Avenue north toward the town center and crossing Highway 60 into the town along Highway I. The only real defense Wisconsin towns have against annexation is a border agreement, a common intergovernmental tool used across Wisconsin, but the town's initial efforts to discuss such an agreement were rejected, as was its request for a simple 30 day moratorium on annexation until the possibility of a boundary agreement could be discussed. There wasn't much talk from the city about being "one community" back then. They held all the cards. It became clear that if the city continued to annex at that rate, there would come a time when the town wouldn't be "economically viable," similar to the situation in the Town of Grafton where they are being nibbled away by four of their neighbors.

In an effort to balance its huge budget, the city in 2004 demanded that the town increase its contribution to a jointly-run Fire Department pie from 36% to 39%, even though calls to the town made up only 21% of Fire Department responses. But the pie had suddenly gotten much bigger because the city had included in the Fire Department budget the cost to install 8" and 12" water mains within City limits. The Public Service Commission prohibits cities from passing most of the cost of oversized water mains on to its citizens, so it tried to pass it off on town residents via the Shared Services Agreement, threatening to withhold fire protection from the town if an agreement couldn't be reached with the following quote from the Cedarburg mayor, "Failure to sign the contract in a timely manner could affect the provision of services including fire protection." Oversized water mains are not necessary to fight fires in the town, so your town board fought the attempted shakedown. The town relented and agreed to more than their fair share in order to protect its residents.

Around this time the library issue entered the picture. In 2004, the Cedarburg Joint Library Board, on orders from the Town Board and Common Council, had commissioned a building consultant to determine how much additional library space the area would need to meet the community's needs 20 years into the future. The consultants came back with a \$7 million to \$9 million building proposal and planning continued.

To further thwart the town's efforts to develop its town center, the city declared its intent to exercise its extraterritorial plat approval and zoning authority over the Five Corners area in 2006. The plat approval authority unilaterally restricts town lot sizes to 35 acres or more, preventing town farmers from using their land for their retirement by selling to developers. The outcry was shrill, but not shrill enough to prevent the city from filing a lawsuit against the town over the Five Corners development. Absent were the city talking points about Cedarburg being "one community." To the contrary, Mayor Greg Myers announced in a city newsletter that his criteria for judging the merit of any Town proposal was not what was best for Cedarburg overall, but what was "in the best interest of the city." Soon thereafter, the city acted defensively by changing its classification to give itself the ability to control zoning further into the town.

Throughout 2006, the city and town attempted to negotiate their differences. There were a series of proposals and counter-proposals, and just as we were about to reach an agreement, the city announced that "negotiations have terminated." This was just days after the city sent the town a counter-proposal which the town had all but agreed to. On April 4, 2006, the town held a referendum to determine if Town residents supported the construction of a joint library facility with the City of Cedarburg. The election results were as follows:

Wards 1, 2, 10	Yes – 116	No – 176	Wards 3 & 4	Yes – 125	No – 197
Wards 5 & 6	Yes – 185	No – 205	Wards 7, 8, 9	Yes – 114	No – 246

The message to the town board was clear. Town residents did not want to be part of a joint library project with the city and did not want the town to contribute the \$2.8 million being requested by the city. The city may have held all the chips when it came to annexation, but it was slowly starting to realize that the town had something it wanted too - money. The city was desperate for cash. Its budget was mammoth and its overhead crushing. The cost of running the police department alone is more than the entire town budget. Town residents wanted no party of paying city taxes, directly or indirectly. It's one reason why we live in the town.

Two additional factors also became important pieces of the puzzle. First, the town and local youth sports groups teamed together – at significant risk and expense - to plan a badly-needed sports complex on the 95-acre Prochnow property near Five Corners. Between 1941 and 1972, the southeast 7 acres of this property had been used as a landfill by city businesses such as Emerson Electric Corporation and Brunswick Corporation (now Mercury Marine). The DNR has enthusiastically agreed that a sports complex would be the perfect "cap" for this property – much like it was

Continue page 6

TOWN OF CEDARBURG

(Supervisor Wickert continued from page 5) for former landfills at Lime Kiln and Mee-Kwon Parks. The town even proposed indemnifying the other parties responsible for the small contaminated area – Mercury Marine, Emerson Electric and the city itself, in order to make the field of dreams come true. Instead of working with the town and the environmental experts it hired, the city resorted to scare tactics, using the sports complex as a political pawn.

While the city's commercial tax base was eroding, the city over-committed itself to an \$8 million library. Despite the referendum, the town approached the city in 2009 with a global proposal encompassing all of the issues between them – library, boundary agreement, shared services, and the sports complex. Both sides had one condition which was not negotiable – the city demanded a \$2 million payment from the town, and the town wanted a small but permanent boundary agreement around its town center. The town responded to the proposal in March of 2009, reluctantly agreeing to the city's inflexible \$2 million demand. The town's overture was not responded to for several months. When the June 9 response finally came, the city had already taken the permanent border agreement off the table, but still was still demanding the \$2 million.

To make matters worse, after eleven closed session city council meetings, the mayor of Cedarburg publicly reprimanded our Town Administrator in attendance at a city council meeting because the Town Board held certain meetings in closed session legally. While the mayor later apologized, City Attorney Kaye Vance proceeded to file a complaint with Ozaukee County District Attorney Adam Gerol, alleging that the town was knowingly violating state open meetings laws by having closed session discussions about negotiations with the city. The complaint was quickly dismissed as frivolous and the city attorney was admonished.

In November of 2009, the town opted not to renew a shared services arrangement covering library, recreation and senior programs under which the town had been paying more than its fair share. Most town residents didn't use the city's recreational programs or senior services. As for the library, since 2003, the town had paid about 36% of library costs though town residents made up just 22% of users. The town moved forward with its own little league program, which has been an award-winning and phenomenal success. Town officials approved a plan to use eminent domain to acquire only the clean acres of the site and develop the sports complex. If successful, using eminent domain would give the town control over the land and prevent the city from annexing the property.

The city and town entered into mediation, but in a particularly ineffective format. City attorney Kaye Vance insisted on a mediation in which town and city officials were allowed to volley sound bites back and forth in public, allowing personalities to predominate – rather than the traditional and more effective mode of mediation in which the mediator puts the parties in separate caucuses and moves back and forth between the parties' lawyers, carrying offers and pointing out weaknesses in order to bring the parties together. We have had two mediations so far, with modest success. It appears the city has 12 demands of the town:

- 1.) Town pays \$2 million in cash;
- 2.) Town will withdraw litigation over extraterritorial zoning authority;
- 3.) Town won't challenge City's Kohlwey Business Park on STH 60;
- 4.) Town will withdraw objection to City's proposed sewer expansion;
- 5.) Town will participate in joint operation of the library;
- 6.) Town will locate POWTS systems within Boundary Agreement area;
- 7.) Town will take no action to limit landowners' rights of annexation;
- 8.) Town will take over a number of recreation programs from the City;
- 9.) Town shares in cost of Community Pool based on usage;
- 10.) Town shares in cost of running Senior Center, Fire, Emergency Government and Pleasant Valley Center based on usage;
- 11.) Town agrees to share in cost of running Fire Dept. for term of boundary agreement (even though we already have an agreement that takes us through 2014 on this).

Of these, the town has more or less agreed to eight. Meanwhile, the town has only three demands of the city:

- 1.) Town will be allowed to control zoning and land division within its town center;
- 2.) City must agree to permanent boundary agreement around town center;
- 3.) City will support transfer of Prochnow property to town for Athletic Fields.

Thus far we've received a "no" on the first two and a maybe, but with "expensive strings attached" on the last *Continue page 7*

(Supervisor Wickert continued from page 6) one. One of the city's issues in particular – No. 5 dealing with the Cedarburg Library – has become a prominent issue with plenty of media attention.

Since 1970, the town and city have jointly owned and operated the Cedarburg Library pursuant to a Shared Services Agreement. That agreement has always required the town to contribute to the library's operating budget based on the percentage of library users who are town residents. For many years, however, we were not able to track this number, so the budget was arbitrarily allocated two-thirds to the city and one-third to the town. In more recent years, tracking methodologies have allowed us to ascertain that town residents make up only 23% of library users - meaning that the town had been overpaying by a significant sum. In the spirit of cooperation, however, the town continued to pay at the one-third level, and has done so for years. For example, in 2002 the town paid \$155,000 of the library's \$469,660 budget. In 2006, we paid \$220,000. It's no wonder the city is desperate for the town to be part of the joint library.

Town residents have had another option at their disposal, however. Wisconsin law allows the county to levy a tax to provide funds for library services to residents of the county. Municipalities with the county may be exempt from the tax if they spend an amount for library services in an amount at least equal to a formula set forth in the Wisconsin statutes. Due to some inequities in current state law, that formula requires the Town of Cedarburg to pay approximately \$220,000 in order to be exempt from the tax, while it would require only an approximate \$195,000 tax payment to be able to use the library free of charge. The Eastern Shore Library System collects those taxes and gives a majority of it back to the Cedarburg Library so the options for town residents are two in number – pay the City an annual shared services fee, or save approximately 10% and pay the county library tax. Either way, town residents can use the library free of charge. While the economically prudent decision would be to save dollars by paying the country library tax and letting the city residents bear the entire cost of the new library, the library chip was held open as long as possible.

The town's position at mediation is not one of strength. It is a classic David and Goliath struggle. State law strongly favors the city and the town has to hold on to and use as bargaining chips those things that the city wants the most – including the library issue. So it is no surprise that last month the city – desperate not to lose another \$88,000 in town dollars next year and eager to defuse perhaps the one bargaining chip the town has – made what could only be described as a publicity stunt when they offered a one-year library deal which the News Graphic headlines speciously captured as "*City Makes One More Library Offer.*" Unfortunately, even David Weinhold, director of the Eastern Shores Library System and City Council Member Michael Maher realized that seeking a hastily-written, one-year agreement was not in the best interest of the future relationship of the parties. While a joint library with the city in 2011 would cost the town \$177,000 as opposed to \$201,500 as part of a non-librariated community, the town would be giving up perhaps its only bargaining chip, and as David Weinhold correctly points out, "I would not want the City and Town rush this process, as much as both would like to see the joint library reconstituted." He also said, "I fear that if you rush this process and the agreement does not meet the requirements for the Town to participate as a partner in the joint library, you may have problems later." All in all, the Hail Mary was more posturing than substance and was certainly not helpful to the process.

Nothing about the mediation or the dispute with the city is personal. It's just business. And as we move forward with future mediations, the Town is committed to working hard to resolve the issues which stand between it and the city, but not at the expense of town taxpayers. We will not enter into long-term agreements with the city that are detrimental to town residents or fund city shortfalls with town tax dollars. We understand that the wisdom of compromise is to bend a little, rather than break, but we also hold true to our responsibility of protecting the tax burden of all town residents. Peace won by the compromise of those principles will be short-lived.



More than Plants

Old World Holiday Décor | Christmas Trees
Wreaths | Decorative Swags | Seasonal Greens & Gifts

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Happy Holidays!

Overview: Assessments & Taxes in a Declining Market by Town Assessor Mike Grotz

Town officials and the Assessor's Office staff continue to monitor the significant changes that are occurring in the national, regional and local real estate markets. Since 2010 was the last revaluation year for the Town, many property owners have expressed concerns as to how the unchanged assessments for the year 2010 in this declining market will impact their 2010 tax bills. The answer is that there is little, if any, direct impact on the individual property tax bills for existing homes and businesses. As long as uniformity and equity between property values is maintained in a non-revaluation year, an individual property owner's share of the overall tax burden within our community will remain about the same in a declining (or increasing) market. That is to say that an individual property owner's share or apportionment of the overall tax burden (via their tax payment) relative to other property owners' share of the tax burden will not change in non-revaluation years other than as affected by any new construction added or property removed from the tax rolls. The total cost to pay for all of the governmental services provided for in our approved annual budgets, called the tax levy, is not specifically impacted by either a good or bad economy [other than in the decisions that are made as to what services to provide, including any proposed additions or cuts].

Under Wisconsin law and as prescribed in the Uniform Standards of Professional Appraisal Practice (USPAP), mass appraisal is an ad valorem assessment process with checks and balances to aide in the uniform and equitable valuation of all properties within a municipality. The Assessor's Office completed our last revaluation with these principles in mind. The Department of Revenue has created a very insightful "Frequently Asked Questions" publication to help property owners understand the relationship between assessments and tax bills in a declining market, <http://www.dor.state.wi.us/faqs/slf/declmrkt.html>. Please take a few minutes to read through the this document to help understand how tax equity is maintained in a non-revaluation year, even when the current market is in decline. We realize that we are all in the same boat and that we will do our best as your Town officials and staff to get through this economic storm.

Free Radon Test Kits Available

The Ozaukee County Public Health Department is offering **FREE** radon test kits to Ozaukee county residents starting January 3rd. The Health Department (262-284-8170) is located at 121 W. Main St in Pt. Washington.



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- Interview your therapist
- Check credentials
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The Constable's Corner

Terry Zimmerman, Town Constable



Hunting/Firearms Reminders

Town Code (Sec. 237-2), state statutes and WDNR regulations provide the guidelines by which a person can hunt or discharge a firearm within the Town of Cedarburg. The discharge of firearms shall not interfere with the peace, quiet and enjoyment of their property by any neighboring residents. Below are a few answers to frequently asked questions.

What do I need to do to hunt in the Town of Cedarburg?

In addition to the required license (deer, small game etc.), a hunter shall obtain a Firearm Discharge permit from Town Hall or online at the Town website and have the property owner sign the permit on the reverse side. A hunter must carry this form when hunting on the property. The Town does **NOT** collect a fee for this permit.

Is hunting allowed in Town parks or other public properties?

No, hunting is prohibited in all Town parks and recreational areas. Only law enforcement officials may possess/control a firearm in a Town park or other public property. The discharge of firearms shall be so controlled that the bullet, shot or missile shall not enter or pass over the premises of another or upon public highways or other public grounds.

Is it permissible to discharge a firearm in a subdivision?

No person, except a Sheriff, Town Constable or law enforcement officer, shall fire or discharge any firearm, rifle, spring or air gun of any description within the limits of any subdivision within the Town of Cedarburg, or within 150 yards of any residence, or have any firearm, rifle, spring or air gun in his possession or under his control unless it is unloaded and knocked down or enclosed in a carrying case or other suitable container.

(Planning Notes continued from page 3)



NEW FIVE CORNERS BUSINESS

Driving south past Town Hall you'll notice the new Eernisse Funeral Home. The building design is a positive example of incorporating historic influence in a new building, keeping the old farmhouse and replicating the materials into the addition. The Eernisse's purchased the property from the Town in early 2010. The Town bought the property a few years ago for the purpose of promoting business development in the Five Corners area.

Henke & Associates Rehab Turn Halle

Henke & Associates has recently completed their move into Turn Halle located in the Town's Hamilton Historic District. Owner Bill Henke and his son Jack rehabilitated the exterior of the building, and came up with a design that only slightly modified the interior to preserve the building while at the same time meet the needs of their business. The project is viewed as a win-win: Henke & Associates has new work space, and this historic structure once again has an active use and function in the community.



Public Works Notes

Bob Eichner, PE - Director of Public Works



New Refuse Collection Rules Take Effect January 1, 2011

The beginning of the new year marks the start of some major changes to our refuse collection policy and procedures. In January, a new, automated refuse truck will be put into service. We expect this new truck will significantly improve the efficiency of our collection efforts. As a result, it will be more important than ever that your refuse cart is placed at the curb by 6:30 a.m. on collection day. Also, **do not** tie-down the cart lid because the automated truck will not be able to empty the cart. Below are a few excerpts from the new refuse collection policy approved by the Town Board on December 1, 2010. The entire policy is available at Town Hall or at www.town.cedarburg.wi.us

Refuse cart requirement. Effective December 31, 2010, all properties desiring refuse collection services from the Town of Cedarburg, must have at least one refuse cart either purchased from the Town or approved for use by the Town Director of Public Works. Refuse not in an approved cart **will not be collected, including overflow bags/items**. However, a resident may be given an exemption by the Director of Public Works due to a permanent physical limitation or disability that makes it unreasonably difficult or not possible to use a refuse cart for collection at a residential unit. It is also necessary that there is no other reliable assistance to handle the refuse carts on a regular basis.

Location of carts for collection. All refuse carts shall be accessible to collection crews. Carts shall be placed on a relatively level area in front of the premises adjacent to but not on the roadway; no farther than 10 feet from the edge of the road pavement. Carts shall be positioned with the lid opening facing the road and the handles/hinge facing the property. If multiple carts are used, the carts shall be placed at least three (3) feet apart. Examples of correct cart placement can be found in the refuse collection policy. Carts shall not be placed on top of snow banks, snow drifts, behind vehicles or behind mailboxes, nor shall they be placed in the roadway. The owner shall either shovel out an area on the shoulder of the road in which to place the cart or he shall place the cart in his/her driveway. Collection crews **will not collect refuse** unless the refuse cart is placed as described above.

Collection of bulk Item. Beginning January 1, 2011 **bulk items will no longer be collected with refuse on the scheduled collection day**. Bulk items, such as furniture, carpeting (bundled and cut into 4 foot lengths), appliances, or any such item that will not fit in the refuse cart, will only be collected as a special pick-up. Property owners shall notify Town Hall of the special pick-up and pay all appropriate pick-up and disposal fees, as listed in the Town Board approved fee schedule, prior to pick-up of the bulk or bundled items. Items that are arranged for pick-up by the end of business on each Wednesday will be collected by Friday of the same week, unless circumstances, such as inclement weather or equipment failure, prevent the pick-up.

ORDER YOUR REFUSE CART TODAY!



Name: _____ Street Address: _____

City/State: _____ Zip Code: _____

Telephone: (262) _____

Email Address: _____ Check here to receive Enotify updates

Size of Cart: 35 Gallon Cart (\$31) Quantity: _____

Size of Cart: 64 Gallon Cart (\$38) Quantity: _____

Size of Cart: 96 Gallon Cart (\$45) Quantity: _____

Payment Method: Cash – Amount Paid: _____

Payment Method: Check – Check No.: _____



Make checks payable to: Town of Cedarburg

Mail form & check to: Cedarburg Town Hall 1293 Washington Avenue, Cedarburg, WI 53012

BRIEF HISTORY OF FIVE CORNERS . . . Continued from Spring 2010

by William Malone

(Note: William Malone (1913-2003) was the unsung historian of the Town of Cedarburg. He was born and reared on the Malone family farm just north of Five Corners. He was a wealth of information and provided this brief history to me several years before his passing. With the anticipated development of the Five Corners Sports Complex and Business District it is a fitting tribute to Mr. Malone to share his historical perspective. -- Carol Boettcher, Landmark Commission Chair)

The Five Corners Creamery was located on the northeast corner of the intersection. Land was donated by Thomas Halpin, a progressive farmer, politician, justice of the peace, notary public and town chairman. The creamery was organized by about 20 farmers in 1893. The Creamery manufactured the finest butter in the area. Farmers brought their milk each morning to be weighed and tested for butter fat. The milk was processed through the separator which separated the pasteurized milk from the cream. The farmers took the skim milk home for their pigs and young calves. The Creamery operated until the 1950's when Alfred Kohlwey purchased the remaining stock and formed the Cedarburg Dairy. The building was eventually sold to Kohls and was converted to a carpet store and office. A new location was found in the City of Cedarburg for the Dairy.

The southeast corner of the intersection housed a blacksmith shop operated by Charles Goeden built in the 1890's and torn down in about 1925. The same area was the site of a large pond or cistern, 15 feet in depth. Harold Sauthoff purchased this property and then having the pond filled with strippings from Cedarburg Sand & Gravel. After this, he built a blacksmith and machine shop. In the 1960's, Harold sold this property to Richard Cassel for a Dodge agency. Cassel sold it to Paul Demler which currently houses both Dodge and GMC dealerships.

In 1928, Otto Ludwig purchased an acre of land from Arthur Wilhelmi for the building of a two car garage and the two pump gas station featuring Sinclair oil and gasoline. This was located on the southwest corner of the intersection. The gas station passed through several hands before Harvey Zirtzlaff purchased and operated it until 1940 when Demler acquired it and became known as Five Corners Mini Mart and Convenience store. The Mini Mart and gas station was demolished in late 1995 to make way for a P.D.Q. store and gas station.

Continued in next newsletter

Nominations Needed for 2011 Preservation Award

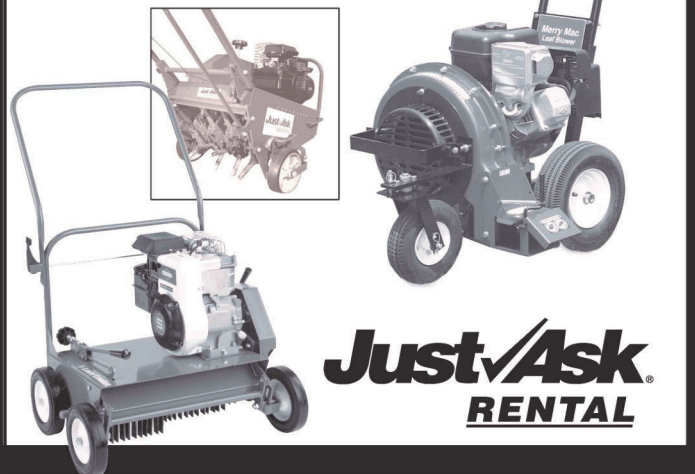
Nominate your own or someone else's recently completed historic structure renovation. Please forward your nomination to Town Preservation Award, 1293 Washington Avenue, Cedarburg, WI 53012 and explain why the particular renovation project should be considered. Nominations may also be faxed to 262-377-0308. The deadline for nominations is **April 1, 2011**.



Above: Lueders Bolwerk home— 2008 winner

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check out our service dept for all your repair needs
262-377-1313

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1293 Washington Avenue
 Cedarburg, Wisconsin
 53012-9304

PRSR* STD
 U.S. POSTAGE
 PAID
 CEDARBURG, WI
 PERMIT NO. 275

Current Resident

CONTACT INFORMATION FOR TOWN HALL

Name/Position	Telephone Number	Email Address
Town Hall	377-4509	townhall@town.cedarburg.wi.us
David Valentine, Town Chairman	377-1622	dvalentine@town.cedarburg.wi.us
David Flowers, Supervisor	375-1722	dflowers@town.cedarburg.wi.us
David Salvaggio, Supervisor	377-6779	dsalvaggio@town.cedarburg.wi.us
Gary Wickert, Supervisor	377-9499	gwickert@town.cedarburg.wi.us
Joe Rintelman, Supervisor	377-8253	jrintelman@town.cedarburg.wi.us
Jim Culotta, Administrator	377-4509	jculotta@town.cedarburg.wi.us
Bob Eichner, DPW	377-4509	beichner@town.cedarburg.wi.us
Dawn Priddy, Town Clerk	377-4509	dpriddy@town.cedarburg.wi.us
Bonnie Erickson, Deputy Clerk	377-4509	berickson@town.cedarburg.wi.us
Eric Ryer, Dir. Rec. & Planning	377-4509	eryer@town.cedarburg.wi.us
Roger Kison, Building Inspector	375-1349	rkison@wi.rr.com

Town Recycling Center - Home for Most Unwanted Electronics, Yard Waste & More.
Recycling Center Hours: Thursdays Noon - 6:00 P.M.; Saturdays 9:00 A.M. - 2:00 P.M.

Tax Bill Payment Locations

You may pay your taxes at Town Hall during normal business hours until January 31, 2011. Please make checks payable to the **Town of Cedarburg**. Taxes may also be paid at the following locations: Harris Bank-Cedarburg (City and Town locations); Bank Mutual-Cedarburg; Cornerstone Community Bank-Grafton (lobby only); M&I Bank-Cedarburg (lobby only); Tri-City Bank (Cedarburg lobby only, & inside Grafton Pick 'N Save). After January 31, 2011, taxes may only be paid at Ozaukee County or any of the local banks listed above. Town Hall will not accept payments after January 31st.

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Visit <http://www.town.cedarburg.wi.us>
 to register.

