



11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-242-3500
Fax: 262-242-7655

www.ci.mequon.wi.us

Police and Fire Departments

PUBLIC SAFETY COMMITTEE

Tuesday, June 13, 2023

5:45 PM

Lower Conference Room

Agenda

- 1) Call to Order and Roll Call
- 2) Approve Meeting Minutes
Action requested: review and approve
 - a. Public Safety Committee - Regular Meeting - May 9, 2023 6:00 PM
- 3) Ordinance
 - a. **ORDINANCE 2023-1652** An Ordinance Amending Chapter 2 of the Mequon Municipal Code, Incorporating Various Changes Resulting from the First Amendment to an Intergovernmental Agreement Establishing the Southern Ozaukee Fire & Emergency Medical Services Department
- 4) Adjourn

Dated: June 13, 2023

/s/ Gregg Bach, Chair

Notice is hereby given that a quorum of other governmental bodies may be present at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take formal action thereto at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the City Clerk's Office at 262-236-2914, twenty-four (24) hours in advance of the meeting.

Any questions regarding this agenda may be directed to the Public Safety Office at 262-242-3500, Monday through Friday, 8:00 AM – 4:30 PM



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Police and Fire Departments

PUBLIC SAFETY COMMITTEE

Tuesday, May 9, 2023

6:00 PM

Lower Conference Room

Minutes

1) Call to Order and Roll Call

Present:

Alderman Gregg Bach
Alderman Dale Mayr
Alderman Kelly Tolocko

Also Present: Police Chief Pryor, City Attorney Sajdak, Administrative Coordinator Melina Bowen

2) Election of Chair

A motion to elect Alderman Bach as Committee Chair was made by Alderman Bach, seconded by Alderwoman Tolocko.

1. Motion to nominate Greg Bach as Chairperson

A motion to nominate Alderman Bach as Committee Chair was made by Alderman Mayr, seconded by Alderwoman Tolocko.

RESULT: Approved by Voice Acclamation [Unanimous]

MOVED BY: Alderman Mayr

SECONDED BY: Alderman Tolocko

AYES: Bach, Mayr, Tolocko

3) Approve Meeting Minutes

a. Public Safety Committee - Regular Meeting - Apr 11, 2023 5:00 PM

RESULT: Accepted [Unanimous]

MOVED BY: Alderman Mayr

SECONDED BY: Alderman Tolocko

AYES: Bach, Mayr, Tolocko

4) Discussion

a. A Discussion on a potential future resolution adopting the City of Mequon Municipal Emergency Operations Plan

Chief Pryor discussed the updates that were made to the Emergency Management Plan. The Committee advised that the plan should be moved to the Committee of the Whole in June.

Minutes Acceptance: Minutes of May 9, 2023 6:00 PM (Approve Meeting Minutes)

5) Adjourn

- a. Motion to adjourn the meeting

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Mayr

SECONDED BY: Alderman Tolocko

AYES: Bach, Mayr, Tolocko

Respectfully Submitted,

Melina Bowen

Minutes Acceptance: Minutes of May 9, 2023 6:00 PM (Approve Meeting Minutes)



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Phone: 262-242-3100
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Office of City Attorney

TO: Public Safety Committee
FROM: Brian Sajdak, City Attorney
DATE: June 13, 2023
SUBJECT: ORDINANCE 2023-1652 An Ordinance Amending Chapter 2 of the Mequon Municipal Code, Incorporating Various Changes Resulting from the First Amendment to an Intergovernmental Agreement Establishing the Southern Ozaukee Fire & Emergency Medical Services Department

Background

At its May 2023 meeting, the Board of Directors of the Southern Ozaukee Fire & Emergency Medical Services (EMS) Department recommended approval of a First Amendment to the Intergovernmental Agreement (IGA) that established the Southern Ozaukee Fire & Emergency Medical Services Department in 2022. Among other things, this First Amendment includes changes to the number of members that comprise both the SOFD Board of Directors and the SOFD Joint Fire Commission. Pursuant to terms of the original IGA, the first amendment requires approval by both the Mequon Common Council and the Thiensville Village Board, and accordingly, it will appear on the Common Council's July 11 meeting agenda next month for review and consideration.

The proposed ordinance amendments contained herein amend provisions in Chapter 2 of the Mequon Municipal Code that relate to the SOFD Board of Directors and the Joint Fire Commission. Further, the ordinance amendments also repeal and recreate the final section for each of the divisions related to the Board of Directors and the Joint Fire Commission, to accurately reflect which of the standard provisions for City boards and commissions within Chapter 2 do not apply to these two bodies.

The changes to these sections (2-755 and 2-774) reflect both the changes necessitated by the First Amendment to the Intergovernmental Agreement that established the Southern Ozaukee Fire & EMS Department, and also include provisions that were mistakenly left out of the Code at the time of the new Department's creation.

Fiscal Impact

There are no fiscal provisions or impact to this ordinance.

Recommendation

A recommendation is forthcoming from the Public Safety Committee on June 13, 2023.

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2023-1652

An Ordinance Amending Chapter 2 of the Mequon Municipal Code, Incorporating Various Changes Resulting from the First Amendment to an Intergovernmental Agreement Establishing the Southern Ozaukee Fire & Emergency Medical Services Department

RECITALS

A. Following execution of the Intergovernmental Agreement establishing the Southern Ozaukee Fire & Emergency Medical Services Department (the “SOFD Agreement”), the Common Council previously adopted Division 18 and Division 19 of Article IX of Chapter 2 of the Mequon Municipal Code related to the Southern Ozaukee Fire and Emergency Medical Services Department Board of Directors and the Southern Ozaukee Fire and Emergency Medical Services Department Joint Fire Commission.

B. Upon the recommendation of the SOFD Board of Directors, the Common Council has approved a First Amendment to the SOFD Agreement relating to the membership of the Board of Directors and the Joint Fire Commission.

C. The Common Council desires to amend the Mequon Municipal Code to reflect the changes in the First Amendment to the SOFD Agreement.

BASED UPON THE FOREGOING RECITALS, THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I

Section 2-752(a) of the Mequon Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck through~~; Added text is **bolded & double-underlined**):

Sec. 2-752. - Membership.

(a) The Board shall have ~~five~~**seven** members. The members shall be the Thiensville Village President, a Thiensville Trustee ~~nominated by the Thiensville Village President and confirmed by the Thiensville Village Board,~~ **a Thiensville Citizen who may or may not be a second Village Trustee,** the Mequon Mayor, the President of the Mequon Common Council ~~and one other Mequon Resident nominated by the Mequon Mayor and confirmed by the Mequon Common Council,~~ **and two Mequon Citizens who may or may not be a Mequon Alderperson.** The Thiensville Trustee and the Thiensville Citizen member shall be nominated by the Thiensville Village President and confirmed by the Thiensville Village Board. The two Mequon Citizen members shall be nominated

by the Mequon Mayor and confirmed by the Mequon Common Council. The administrators of Mequon and Thiensville shall be ex officio, non-voting members of the Board.

SECTION II

Section 2-755 of the Mequon Municipal Code is repealed and recreated to read as follows:

Sec. 2-755. - Deviation from general provisions.

- (a) Section 2-420(b) shall not apply to the board. Appointments of Mequon citizen members shall be staggered together with the term of office of the mayor such that, other than appointments filling vacancies pursuant to section 2-423, only the mayor or one of the citizen members is appointed in any year.
- (b) Section 2-424(a), (b), and (d) shall not apply to the board. Section 2-753 shall apply.
- (c) Section 2-425 shall not apply to the board. A quorum shall consist of four voting members of the board, including any alternates serving in the stead of other members; however, at least one voting member from each municipality must be present to constitute a quorum.
- (d) Section 2-426 shall not apply to the board. The affirmative vote of a majority of the voting members of the board (including any alternates serving in the stead of other members) at which a quorum is present shall constitute the action of the board provided that at least one member from each municipality has voted in the affirmative.
- (e) Section 2-428 shall not apply to the board.
- (f) Section 2-430 shall not apply to the board. No member may appear at any meeting by telephonic or other electronic means. This rule may be waived in its entirety by the board or the President in the event of any public health emergency or, provided a quorum is present in person, for an individual member or members.

SECTION III

Section 2-271 of the Mequon Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck through~~; Added text is **bolded & double-underlined**):

Sec. 2-771. - Membership.

The ~~five~~**seven** members of the Southern Ozaukee Fire and Emergency Medical Services Department Board of Directors shall serve as the members of the commission. Vacancies on the commission shall be filled by appointment for any unexpired term by the appointing authority in the same manner as original appointments are made. The administrators of Mequon and Thiensville shall be ex officio, non-voting members of the commission.

SECTION IV

Section 2-774 of the Mequon Municipal Code is repealed and recreated to read as follows:

Sec. 2-774. - Deviation from general provisions.

- (a) Section 2-420(b) shall not apply to the commission. Appointments of Mequon citizen members shall be staggered together with the term of office of the mayor such that, other than appointments filling vacancies pursuant to section 2-423, only the mayor or one of the citizen members is appointed in any year.
- (b) Section 2-424(a), (b), and (d) shall not apply to the commission. Section 2-772 shall apply.
- (c) Section 2-425 shall not apply to the commission. A quorum shall consist of four voting members of the commission, including any alternates serving in the stead of other members; however, at least one voting member from each municipality must be present to constitute a quorum.
- (d) Section 2-426 shall not apply to the commission. The affirmative vote of a majority of the voting members of the commission (including any alternates serving in the stead of other members) at which a quorum is present shall constitute the action of the commission provided that at least one member from each municipality has voted in the affirmative.
- (e) Section 2-428 shall not apply to the commission.
- (f) Section 2-430 shall not apply to the commission. No member may appear at any meeting by telephonic or other electronic means. This rule may be waived in its entirety by the commission or the President in the event of any public health emergency or, provided a quorum is present in person, for an individual member or members.

SECTION V

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION VI

All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION VII

This Ordinance shall become effective the day after its publication as provided by law.

Approved by: Andrew Nerbun, Mayor

Date Approved: June 13, 2023

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on June 13, 2023.

Caroline Fochs, City Clerk

Published: _____