11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2914
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of the City Clerk
Taped & Televised

COMMITTEE OF THE WHOLE
Tuesday, March 14, 2023
6:30 PM
Christine Nuernberg Hall

Agenda

1. Call to Order, Roll Call

2. Approval of Meeting Minutes

   a. February 14, 2023

3. Ordinances

   a. **ORDINANCE 2023-1640** An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Building and Site Plan Requirements for Properties Located in the Town Center and Arrival Corridor Zoning Districts

   b. **ORDINANCE 2023-1641** An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Turf Grass Height Limits During the Month of May

   c. **ORDINANCE 2023-1642** An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Regarding Required Setbacks and Offsets for Properties Located within the City's R-2 (2-Acre) Zoning Districts

   d. **ORDINANCE 2023-1643** An Ordinance Amending Chapter 10 of the Mequon Municipal Code, Updating References to, and Requirements of, Applicable Administrative Code Provisions Related to Building Permits

4. Discussion

   a. Concept Streetscape Design Plans for Port Washington Road Located in Tax Increment Districts 4 & 5

   b. Status Update Concerning the MT Trails Foundation's Proposal to Install an Off-Road Bicycle and Pedestrian Path Along Highland Road Between Rotary Park and the Ozaukee Interurban Trail

5. Future Policy Items for Discussion/Consideration/Analysis

6. Adjourn

Dated: March 14, 2023 */s/ Andrew Nerbun, Mayor*

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 City Administrator's Office at 262-236-2941, Monday through Friday, 8:00 AM – 4:30 PM.

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Office of the City Clerk
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COMMITTEE OF THE WHOLE
Tuesday, February 14, 2023
6:45 PM
Christine Nuernberg Hall

Minutes

1. Call to Order, Roll Call

   Mayor Nerbun called the meeting to order at 6:45 PM.

   Present:
   Mayor Andrew Nerbun
   Alderman Glenn Bushee
   Alderman William Gebhardt
   Alderman Mark Gierl
   Alderman Jeffrey Hansher
   Alderman Dale Mayr
   Alderman Brian Parrish
   Alderman Kathleen Schneider
   Alderman Robert Strzelczyk

   Also present: City Administrator Jones, Assistant City Administrator Schoenemann, City Attorney Sajdak, City Clerk Fochs, Director of Public Works/City Engineering Lundeen, Deputy Director of Utilities Driscoll, Assistant City Engineer McCraw, Administrative Assistant Schlereth, Director of Community Development Tollefson, Assistant Director of Community Development Zader, press and interested public.

2. Approval of Meeting Minutes

   a. January 10th, 2023

   RESULT: **Approved by Voice Acclamation [Unanimous]**
   MOVED BY: Alderman Strzelczyk
   SECONDED BY: Alderman Mayr

Attachment: 2.14.23 COTW (8259 : February 14, 2023)

AYES:	Nerbun, Bushee, Gebhardt, Gierl, Hansher, Mayr, Parrish, Schneider, Strzelczyk

3. Resolutions

   a. **RESOLUTION 4013** A Resolution Authorizing Expenditures and Awarding Contracts for the Final Phase of Public Improvement Projects in the Town Center Tax Increment District (TID) No. 3 for the Reconfiguration of Mequon Road, OIT Crossing Improvements, Overhead Utility Burial, Street Lighting, Streetscaping, Signage, Land Acquisition and Ancillary Maintenance in the Amount of $5,365,627

   Director Tollefson gave an overview of public improvements to the Town Center and shared gratitude for the many foundations, partnerships, and consultations involved in this ongoing process.

   There will be a tax revenue from this development and the TID will be closed timely with cash flow positive by 2028. She provided a timeline for the projects and the steps of awarding contracts and appropriate notifications to the neighborhood(s). Contract lists were provided and with construction anticipated to begin in May.

   Motion to present the Resolution to the Common Council in March.

RESULT:	**Approved by Roll Call Vote [Unanimous]**
MOVED BY:	Alderman Schneider
SECONDED BY:	Alderman Strzelczyk

AYES:	Bushee, Gebhardt, Gierl, Hansher, Mayr, Parrish, Schneider, Strzelczyk

4. Future Policy Items for Discussion/Consideration/Analysis

5. Adjourn

   Motion to Adjourn at 7:12 PM.

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Alderman Schneider
SECONDED BY:	Alderman Gebhardt

AYES:	Nerbun, Bushee, Gebhardt, Gierl, Hansher, Mayr, Parrish, Schneider, Strzelczyk

Respectfully Submitted,

Janet Meyer
Deputy Clerk

Attachment: 2.14.23 COTW (8259 : February 14, 2023)

11333 N. Cedarburg Road
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www.ci.mequon.wi.us **Office of Community Development**

TO: **Committee of the Whole**
FROM: **Jac Zader, Assistant Director Community Development**
DATE: **March 14, 2023**
SUBJECT: **ORDINANCE 2023-1640 An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Building and Site Plan Requirements for Properties Located in the Town Center and Arrival Corridor Zoning Districts**

Background

Planning Division staff is recommending a text amendment to the Town Center (TC) and Arrival Corridor (AC) Zoning Districts as it relates to the requirements for building and site plan approval. The proposed change requires future applicants to install certain public improvements as part of their building and site plan approval. In the past, the City has either offered incentives, and/or reimbursed developers for work completed in the City right-of-way, including sidewalks, street trees, street lighting and on-street parking.

On February 14, 2023, the Common Council approved the expenditure of approximately $5.3M to complete public improvements at specific areas in the Town Center along Mequon Road, including modifications to the OIT bike crossing. This work will conclude the public investment made by the City related to Tax Increment District (TID) #3, due to the requirement that all TID financial obligations need to encumbered five years prior to the date of the District's closure. In this case, April 15, 2023, is the last date that City funds can be allocated towards improvements made in TID #3.

Analysis

While the City has invested over $8 million dollars towards public improvements in the Town Center, there are other parcels that have not been developed. This includes parcels along Buntrock Avenue, Weston Drive, and Mequon Road. Since the City will no longer fund such improvements, the responsibility for these items will fall onto the developer as it does in other non-TID locations throughout the community. The type of improvements will vary based on the location within the neighborhood. Staff will analyze each project on a case-by-case basis once an application is submitted, and provide a list of required improvements for the Planning Commission's consideration and final action.

Fiscal Impact

The fiscal impact is neutral.

Recommendation

On February 27, 2023, the Planning Commission approved a recommendation to approve the proposed ordinance amendments by a vote of 8-0. A recommendation from the Committee of the Whole is forthcoming on March 14, 2023.

Attachments:
Exhibit A (DOCX)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2023-1640

An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Building and Site Plan Requirements for Properties Located in the Town Center and Arrival Corridor Zoning Districts

RECITALS

A. Pursuant to the authority granted to it under Section 62.23(7) of the Wisconsin Statues, the City of Mequon previously adopted a comprehensive Zoning Code for the City which includes the Town Center (TC) District and Arrival Corridor (AC) under Section 58-301 and 58-302 of the Municipal Code.

B. The Planning Commission, by a majority vote, adopted a recommendation to approve a text amendment to those regulations as it relates to the requirement for certain streetscape elements.

C. Following due notice and a public hearing by the Common Council, the Council finds that the proposed amendment is consistent with the City's comprehensive master plan and that the amendment would further the health, safety and welfare of the community.

BASED UPON THE FOREGOING RECITALS, the Common Council of the City of Mequon, Wisconsin, do ordain as follows:

SECTION I

Section 58-301 (n) 9 and Section 58-302 (n) 9, which establish building and site plan requirements within the Town Center and Arrival Corridor Zoning Districts, are amended as attached in Exhibits A.

SECTION II

The terms and provision of this ordinance are severable. Should any term of 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 III

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

SECTION IV

This ordinance shall be in full force and effect upon its passage and on the day after its publication.

Approved by: Andrew Nerbun, Mayor

Date Approved: March 14, 2023

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 14, 2023.

Caroline Fochs, City Clerk

Published: _____

Sec. 58-301. TC town center district.

(n) *Building and site plan review requirements.*

(1) *Pedestrian access.* Walkways shall connect building entrances to adjacent public sidewalks or trails and to any parking facility located on the same site. Walkways shall be a minimum of four feet in width.

(2) *Vehicular access.* Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses. Curb cuts shall be consolidated wherever possible.

(3) *Parking.* Onsite parking facilities shall be located to the rear or interior side of the site, within the principal building served or entirely below grade. No driveway width shall exceed 20 feet. Shared parking, driveways and loading is encouraged. Specific parking requirements are listed in section 58-441.

(4) *Shared parking calculations.* The planning commission may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Table 58-301-4, Shared Parking Calculations, lists the land use classification and the peak and low operating hours to calculate shared parking.

Table 58-301-4 Standard Parking Calculation in the Town Center District

Land Use Classification	Weekday			Weekend		
	1:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—1:00 a.m.	1:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—1:00 a.m.
Office	5%	100%	5%	0%	15%	0%
Retail and services	0%	100%	80%	0%	100%	60%
Restaurant	20%	70%	100%	30%	75%	100%
Residential	100%	60%	100%	100%	75%	90%
Religious institution	0%	25%	50%	0%	100%	50%

The following procedure is required to calculate the minimum number of shared parking spaces:

a. Multiply the minimum parking required for each use by the appropriate percentage indicated in Table 58-301-2, Shared Parking Calculation in the Town Center District, for each of the six designated time periods.

b. Add the resulting sums for each of the six columns.

c. The minimum parking requirement shall be the highest sum among the six columns resulting from the above calculation.

d. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

(5) *General landscaping.* In general the composition and location of the landscaped areas shall complement the scale of the development and its surroundings. Large, contiguous planting areas shall be provided. Not less than 30 percent of the site not occupied by buildings shall be landscaped in accordance with section 58-564 or alternative hardscape amenities, including but not limited to plazas, seating, dining tables or bicycle racks, as approved by the planning commission. The planning commission may authorize a contribution, of equal or greater value, of off-site open space within the Town Center boundaries in lieu of the required 30 percent landscaping.

Attachment: Exhibit A (ORDINANCE 2023-1640 : TC / AC Text Amendment Re: Public Improvements)

(6) *Landscape yards for non-residential uses.* Required yards for side and rear setback areas for any non-residential use shall be landscaped with a mix of trees and shrubs and shall include a ground cover of grasses, flowering plants and vines or an alternative feature as approved by the planning commission.

(7) *Hours of operation.* Maximum hours of operation for commercial uses shall be as follows unless specifically waived by the planning commission:

Sunday through Thursday, from 6:30 a.m. to 10:00 p.m.

Friday and Saturday, from 6:30 a.m. to 11:00 p.m.

(8) *Enclosed building requirement.* All production, processing and storage shall be conducted within a completely enclosed building. All mechanical equipment, located at ground level or on the roof, shall be screened from public view.

(9) *Public Improvements*. Any change to a building or site plan shall require the installation of public improvements in accordance with the Town Center Design Criteria as determined by the department of community development. Improvements may include street lighting, on street parking, street trees and landscaping, bike racks, benches, and trash receptacles.

Sec. 58-302. AC arrival corridor district.

(n) *Building and site plan review requirements.*

(1) *Pedestrian access.* Walkways shall connect building entrances to adjacent public sidewalks or trails and to any parking facility located on the same site. Walkways shall be a minimum of four feet in width.

(2) *Vehicular access.* Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses. Curb cuts shall be consolidated wherever possible.

(3) *Parking.* Onsite parking facilities shall be located to the rear or interior side of the site, within the principal building served or entirely below grade. No driveway width shall exceed 20 feet. Shared parking, driveways and loading is encouraged. Specific parking requirements are listed in section 58-441.

(4) *Shared parking calculations.* The planning commission may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Table 58-302-4, Shared Parking Calculations, lists the land use classification and the peak and low operating hours to calculate shared parking.

Table 58-302-4 Standard Parking Calculation in the Arrival Corridor District

Land Use Classification	Weekday			Weekend		
	1:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—1:00 a.m.	1:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—1:00 a.m.
Office	5%	100%	5%	0%	15%	0%
Retail and services	0%	100%	80%	0%	100%	60%
Restaurant	20%	70%	100%	30%	75%	100%
Residential	100%	60%	100%	100%	75%	90%
Religious institution	0%	25%	50%	0%	100%	50%

The following procedure is required to calculate the minimum number of shared parking spaces:

a. Multiply the minimum parking required for each use by the appropriate percentage indicated in Table 58-302-2, Shared Parking Calculation in the Town Center District, for each of the six designated time periods.

Attachment: Exhibit A (ORDINANCE 2023-1640 : TC / AC Text Amendment Re: Public Improvements)

b. Add the resulting sums for each of the six columns.

c. The minimum parking requirement shall be the highest sum among the six columns resulting from the above calculation.

d. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

(5) *General landscaping.* In general, the composition and location of the landscaped areas shall complement the scale of the development and its surroundings. Large, contiguous planting areas shall be provided. Not less than 40 percent of the site not occupied by buildings shall be landscaped in accordance with section 58-564 or alternative hardscape amenities, including but not limited to plazas, seating, dining tables or bicycle racks, as approved by the planning commission. The planning commission may authorize a contribution, of equal or greater value, of off-site open space within the Town Center boundaries in lieu of the required 30 percent landscaping.

(6) *Landscape yards for non-residential uses.* Required yards for side and rear offset areas for any non-residential uses shall be landscaped with a mix of trees and shrubs and shall include a ground cover of grasses, flowering plants and vines or an alternative feature approved by the planning commission.

(7) *Hours of operation.* Maximum hours of operation for commercial uses shall be as follows unless specifically waived by the planning commission:

Sunday through Thursday, from 6:30 a.m. to 10:00 p.m.

Friday and Saturday, from 6:30 a.m. to 11:00 p.m.

(8) *Enclosed building requirement.* All production, processing and storage shall be conducted within a completely enclosed building. All mechanical equipment, located at ground level or on the roof, shall be screened from public view.

(9) Public Improvements. Any change to a building or site plan shall require the installation of public improvements in accordance with the Town Center Design Criteria as determined by the department of community development. Improvements may include street lighting, on street parking, street trees and landscaping, bike racks, benches, and trash receptacles.

Attachment: Exhibit A (ORDINANCE 2023-1640 : TC / AC Text Amendment Re: Public Improvements)

11333 N. Cedarburg Road
Mequon, WI 53092-1930
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www.ci.mequon.wi.us **Office of Community Development**

TO: **Committee of the Whole**
FROM: **Jac Zader, Assistant Director Community Development**
DATE: **March 14, 2023**
SUBJECT: **ORDINANCE 2023-1641 An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Turf Grass Height Limits During the Month of May**

Background

On January 10, 2023, the Public Welfare Committee directed staff to modify Section 58-420 as it relates to turf grass and 'No Mow May'. The Committee believes that it is important to allow residents to partake in 'No Mow May' without being in violation of the City's turf grass height limit of eight inches. While unlikely, it is possible for turf grass to exceed eight inches in height during the month of May. The Planning Commission reviewed and recommended approval of the proposed text amendment at its February 27, 2023, meeting.

Analysis

The proposed Ordinance (see attached) states that the eight-inch turf grass requirement is in effect from June 1st to December 31st. The change would allow residents to participate in 'No Mow May' without being in violation of the code. Last year, staff decided to defer issuing orders to residents in violation of the height requirement until after June 1st. According to City Code Enforcement Inspector Scott Pinzer, there were no complaints during May of 2022 regarding tall grass. The City Forester has provided a memo regarding the benefits of 'No Mow May' (see attached).

Fiscal Impact

The fiscal impact is neutral.

Recommendation

On January 10, 2023, the Public Welfare Committee approved a recommendation in favor of adopting the proposed ordinance amendment by a vote of 3-0. Thereafter, on February 27, 2023, the Planning Commission approved a recommendation in favor of adopting the proposed ordinance amendment by a vote of 8-0. A recommendation from the Committee of the Whole is forthcoming on March 14, 2023.

Attachments:
Memo from Parks and Forestry Superintendent (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2023-1641

An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Turf Grass Height Limits During the Month of May

RECITALS

A. The Common Council previously adopted § 58-420(4) of the Mequon Municipal Code which regulates the height of turf grass within the City.

B. The Common Council desires to clarify the enforcement of the City's turf grass regulations, so as to not penalize owners who wish to participate in "No Mow May" for the benefit of bees and other pollinators.

C. Following a public hearing, the Planning Commission recommended the adoption of regulations designed to reflect this policy decision.

D. The regulation of turf grasses within the City preserves the health, safety, and welfare of the community.

BASED UPON THE FOREGOING RECITALS, the Common Council of the City of Mequon, State of Wisconsin, do ordain as follows:

SECTION I

Section 58-420(4) of the Mequon Municipal Code is amended to read as follows (Note: Added text is **bolded and double-underlined**; Deleted text is ~~struck-through~~):

Turf grass. Turf grass shall be defined as grass commonly used in regularly-cut lawns or play areas including, but not limited to bluegrass, fescue and ryegrass blends. Turf grass, as defined in this section, does not include grass in drainage ditches, portions of property zoned as critical environmental districts or areas on residential properties that cannot be mowed with ordinary residential lawn cutting equipment. **Between June 1 and December 31 of each calendar year, turf** ~~Turf~~ grass, on properties of less than five acres, exceeding eight inches in height, shall subject the owner of the land to a corrective order requiring mowing. In the event any owner of the land fails to mow a lawn area as required by an order issued under this section, the city may proceed to mow the area and shall charge the owner the cost of such mowing at labor and equipment rates established by the city from time to time, as special charges pursuant to Wis. Stats. § 66.0627. Any special charge which is made under this section and remains unpaid after its due date shall be placed on the tax roll as a tax to be collected pursuant to Wis. Stats. ch. 74.

SECTION II

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 III

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

SECTION IV

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

_____

Approved by: Andrew Nerbun, Mayor

Date Approved: March 14, 2023

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 14, 2023.

_____

Caroline Fochs, City Clerk

Published: _____

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Office of Parks and Forestry

TO: **Common Council**
FROM: **Mike Gies, Parks/Forestry Superintendent**
DATE: **March 14, 2023**
SUBJECT: **An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Turf Grass Height Limits During the Month of May**

Background

It is my understanding that the City was asked to discuss the growing popularity of "no mow May", and if it should consider any steps to formally recognize or encourage participation in no mow May. To give the conversation a little context, the following is an excerpt from a Bee City Publication.

> "Americans have a love affair with lawns-maintaining roughly 40 million acres, or 2% of land in the US, making it the single largest irrigated crop we grow Lawns require frequent mowing, raking, fertilizing, weeding, chemical treatment, and watering-sucking up time, money, and other resources. Not only are lawns burdensome for the people maintaining them, but they also provide little positive benefit to wildlife, and in fact are often harmful.
>
> The traditional monoculture lawn lacks floral resources or nesting sites for bees and is often treated with large amounts of pesticides that harm bees and other invertebrates. When we think of habitat loss, we tend to imagine bulldozers and rutted dirt, but acres of manicured lawn are as much a loss of habitat as any development site.
>
> Mowing your lawn less can create habitat and can increase the abundance and diversity of wildlife including bees and other pollinators."

In 2020, residents of Appleton, Wisconsin, an affiliate of Bee City USA, became energized about No Mow May and the City Council agreed to suspend their weed ordinance for the month of May.

Analysis

Currently, the City's enforcement of delinquent lawn mowing according to section 54-420 of the Code of ordinances requires the following:

> Turf grass. Turf grass shall be defined as grass commonly used in regularly cut lawns or play areas including, but not limited to bluegrass, fescue and ryegrass blends. Turf grass, as defined in this section, does not include grass in drainage ditches, portions of property zoned as critical environmental districts or areas on residential properties that cannot be mowed with ordinary residential lawn cutting equipment. Turf grass, on properties of less than five acres, exceeding eight inches in height, shall subject the owner of the land to a corrective order requiring mowing. In the event any owner of the land fails to mow a lawn area as required by an order issued under this section, the city may proceed to mow the area and shall charge the

Attachment: Memo from Parks and Forestry Superintendent (ORDINANCE 2023-1641 : Chapter 58 No Mow May)

owner the cost of such mowing at labor and equipment rates established by the city from time to time, as special charges pursuant to Wis. Stats. § 66.0627. Any special charge which is made under this section and remains unpaid after its due date shall be placed on the tax roll as a tax to be collected pursuant to Wis. Stats. ch. 74.

The main purpose of "no mow May" is to create habitat and food source for bees and other pollinators. In order to adequately attain a viable food source and habitat, the lawns would have to remain both un-mowed, but more importantly untreated. Applying an Herbicide or Insecticide defeats the benefits of food or shelter for bees and other pollinators. Both rely on the clover, dandelion, violets, and other beneficial none grass type or broadleaf plants as a primary early food source. That primary food source comes in the form of the early blooms on many of those broadleaf plants, the common grass or monocot species having little positive effect.

In speaking with a representative from the Mequon Nature Preserve, the thought is that if residents just simply allow their lawns to grow through the month of May, most Mequon manicured lawns provide little benefit to the bees and pollinators if treatments of any type have been applied within recent years.

Attachment: Memo from Parks and Forestry Superintendent (ORDINANCE 2023-1641 : Chapter 58 No Mow May)

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www.ci.mequon.wi.us **Office of Community Development**

TO: **Committee of the Whole**
FROM: **Jac Zader, Assistant Director Community Development**
DATE: **March 14, 2023**
SUBJECT: **ORDINANCE 2023-1642 An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Regarding Required Setbacks and Offsets for Properties Located within the City's R-2 (2-Acre) Zoning Districts**

Background

On January 10, 2023, the Public Welfare Committee voted to approve modifications to the front setback and side yard offset within the City's R-2 (2-Acre) Zoning Districts. The issue came to light recently at a Board of Appeals meeting where a resident, whose parcel was zoned R-2, requested a variance to the front yard setback to install solar panels. Since this section is in Chapter 58 of the Code, Planning Commission reviewed the proposed changes on February 27, 2023, and recommended approval.

Analysis

The City of Mequon has seven single-family zoning districts with lot size requirements ranging from five acres to a half-acre in size (see attached chart). The R-1 Zoning District (5-Acre) is unique in that it includes most of the agricultural uses across the City. The R-1 Zoning District has a 100-foot front setback requirement for all properties regardless of the road classification. This makes sense since most large parcels in the City abut a primary or secondary arterial. Once these large parcels are subdivided, they typically become part of a Planned Unit Development (PUD), which allows for flexibility to the district's requirements. Five of the other six zoning districts have a varied front setback based on the classification of the road. The only district that does not have this requirement is the R-2 Zoning District. The R-2 has a 75-foot front setback regardless of the type of road frontage. This requirement is a holdover from a previous Zoning Code and the current staff does not have any recollection as to why it was not changed to match the other zoning districts or what the intent of the uniform 75-foot requirement is.

Staff recommends changing the front setback requirements for the R-2 Zoning District to be consistent with the other zoning districts for several reasons. When wholesale changes were made to the zoning map in the 1990's, new zoning designations were created based on the size of the existing parcel. For example, if a parcel was an acre in size it was designated as R-3. A two-acre parcel was designated R-2. One of the impacts of this policy was it resulted in having parcels with different zoning districts being adjacent to one another. Based on this, it makes sense to enact a uniform front setback for all the different zoning districts to ensure a consistent build-to line along the street. In addition, a large portion of properties zoned R-2 are located along the Lake Michigan bluff and the Milwaukee River. In many of these cases, the setback

would be 50 feet if it had a different zoning classification, but since it is R-2 it requires 75 feet. This requirement moves structures closer to the lake or the river, which is contrary to protecting these environmentally sensitive areas.

Side yard offsets vary in width based on the zoning district with the largest being 30 feet in the R-1 Zoning District to 20 feet in the R-5 Zoning District. The R-2 Zoning District has a 30-foot offset even though the R-1B (2.5-Acre) Zoning District, which requires a larger area, has a smaller offset at 25 feet. Staff does not know the history as to why this situation exists. Accordingly, staff recommends that the side yard offset be changed to 25 feet to be consistent with the R-1B and the R-2B (1.5-Acre) Zoning Districts.

Fiscal Impact

The fiscal impact is neutral.

Recommendation

On January 10, 2023, the Public Welfare Committee approved a recommendation to adopt the proposed ordinance amendments by a vote of 3-0. Thereafter, on February 27, 2023, the Planning Commission approved a recommendation to adopt the proposed ordinance amendments by a vote of 8-0. A recommendation from the Committee of the Whole is forthcoming on March 14, 2023.

Attachments:
Exhibit A: Technical Requirements of Residential Zoning Districts (DOCX)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2023-1642

An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Regarding Required Setbacks and Offsets for Properties Located within the City's R-2 (2-Acre) Zoning Districts

RECITALS

A. Pursuant to the authority granted to it under Section 62.23(7) of the Wisconsin Statues, the City of Mequon previously adopted a comprehensive Zoning Code for the City which includes the R-2 Zoning District under Section 58-249 of the Municipal Code.

B. On February 27, 2023, the Planning Commission, by a majority vote, adopted a recommendation to approve a text amendment to amend the setback and offset requirements for structures within the R-2 Zoning District.

C. Following due notice and a public hearing by the Common Council, the Council finds that the proposed amendment is consistent with the City's comprehensive master plan and that the amendment would further the health, safety and welfare of the community.

BASED UPON THE FOREGOING RECITALS, the Common Council of the City of Mequon, Wisconsin, do ordain as follows:

SECTION I

Table 58-249, which establishes technical standards of residential zoning districts, is amended as attached in Exhibit A.

SECTION II

The terms and provision of this ordinance are severable. Should any term of 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 III

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

SECTION IV

This ordinance shall be in full force and effect upon its passage and on the day after its publication.

Approved by: Andrew Nerbun, Mayor

Date Approved: March 14, 2023

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 14, 2023.

Caroline Fochs, City Clerk

Published: _____

Sec. 58-249. Technical requirements of residential districts.

(a) *Generally.* Table 58-249 sets forth the technical requirements for each residential zoning district.

Table 58-249	R-1									
	Estate Lot Design	Conservation	R-1B	R-2	R-2B	R-3	R-4	R-5	R-6	RM
Minimum Lot Size	5.0 acres (217,800 sq. ft.)	0.75 acres (32,670 sq. ft.)	2.5 acres (108,900 sq. ft.)	2.0 acres (87,120 sq. ft.)	1.5 acres (65,340 sq. ft.)	1.0 acre (43,560 sq. ft.)	0.75 acres (32,670 sq. ft.)	0.5 acres (21,780 sq. ft.)	1.0 acre (43,560 sq. ft.)	One-bedroom units, 6,000 square feet (i.e., 7.26 units per acre) Two-bedroom units, 7,000 square feet (i.e., 6.2 units per acre) Three-bedroom units, 10,000 square feet (i.e., 4.35 units per acre)
Density	N/A	One dwelling per five acres	N/A	N/A	N/A	N/A	N/A	N/A	Four units per acre	N/A
Minimum Living Area										
Single-family dwelling units	1,800 sq. ft.	1,800 sq. ft.	1,600 sq. ft.	1,800 sq. ft.	1,400 sq. ft.	1,800 sq. ft.	1,600 sq. ft.	1,400 sq. ft.	N/A	N/A
One-bedroom units	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1,000 sq. ft.	900 sq. ft.
Two-bedroom units	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1,200 sq. ft.	1,100 sq. ft.
Three-bedroom units	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1,400 sq. ft.	1,300 sq. ft.
Maximum Building Height*										
Dwelling Height	42 ft.	42 ft.	42 ft.	42 ft.	42 ft.	42 ft.	42 ft.	42 ft.	42 ft.	42 ft.
Accessory Structures	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Minimum Average Lot Width and Minimum Average Lot Length	300 ft.	N/A	200 ft.	200 ft.	175 ft.	150 ft.	130 ft.	120 ft.	150 ft.	150 ft.
Minimum Building Setbacks										
Local Streets	100 ft.	See text	50 ft.	~~75~~ 50ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 feet (planning commission may vary to no less

Attachment: Exhibit A: Technical Requirements of Residential Zoning Districts (ORDINANCE 2023-1642 : Chapter 58 Text R2 setback / offset)

										than 25 feet)
Expressways—Freeways	100 ft.	See text	200 ft.	200~~75~~ ft.	200 ft.	200 ft.	200 ft.	200 ft.	100 ft.	100 ft.
Primary Arterials	100 ft.	See text	100 ft.	100~~75~~ ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Secondary Arterials	100 ft.	See text	80 ft.	80~~75~~ ft.	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.
Local Arterials	100 ft.	See text	70 ft.	70~~75~~ ft.	70 ft.	70 ft.	70 ft.	70 ft.	70 ft.	70 ft.
Minimum Building Offset										
Generally	30 ft.	30 ft.	25 ft.	~~30~~ 25 ft.	25 ft.	20 ft.	20 ft.	20 ft.	20 ft. (side); 35 ft. (rear)	15 ft.
Building or structures housing livestock	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	N/A	N/A	N/A
Maximum Lot Coverage Percentage	5%	10%	10%	10%	15%	15%	15%	20%	30%	30%

* See section 58-418(d)

(b) *Explanations.* As used in Table 28-248:

(1) Minimum living area shall be measured from the outside of exterior walls (excluding cellars, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes).

(2) Minimum building setback shall be measured from the ultimate right-of-way line of each public street, road, or highway which abuts the subject property.

(3) Minimum building offset shall be measured from each side and rear lot line other than a lot line subject to a minimum building setback.

(4) Maximum lot coverage percentage shall be the percentage of a property covered by buildings and structures.

(c) *Special maximum lot coverage standards.*

(1) Maximum lot coverage percentage shall not apply to a residential planned unit development unless the common council determines otherwise in the ordinance that creates the planned unit development.

(2) If a property is in the R-1 through R-3 zoning districts and the property is smaller than the minimum lot size for the zoning district in which it is located, the maximum lot coverage percentage shall be the percentage applicable to the zoning district with a minimum lot size smaller than, but closest in size to, the property.

(Ord. No. 2021-1591, § I(Exh. A), 6-8-2021)

Attachment: Exhibit A: Technical Requirements of Residential Zoning Districts (ORDINANCE 2023-1642 : Chapter 58 Text R2 setback / offset)

11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-236-2902
Fax: 262-242-9655

www.ci.mequon.wi.us **Office of Community Development**

TO: **Committee of the Whole**
FROM: **Jac Zader, Assistant Director Community Development**
DATE: **March 14, 2023**
SUBJECT: **ORDINANCE 2023-1643 An Ordinance Amending Chapter 10 of the Mequon Municipal Code, Updating References to, and Requirements of, Applicable Administrative Code Provisions Related to Building Permits**

Background

A State review of **Chapter 10: Buildings and Building Regulations** contained within the Mequon Municipal Code revealed some minor clerical issues which need to be addressed to achieve compliance with state law, as outlined in the attached ordinance that is proposed for adoption.

Analysis

To comply with the requirements of the State, staff has prepared the following changes to Chapter 10 of the Mequon Code of Ordinances:

1. Modifications to Sections 10-21, 10-108, and 10-110 that provide minor language clarifications, and updates all references to the Wisconsin Administrative Code to reflect the current Administrative Code sections based on changes the State made to the name of the responsible administrative agency and numbering sequence used for current building codes.

2. Modification to Section 10-81(a), striking the requirement that all applications shall be signed by a licensed master electrician or a licensed electrical contractor.

Representatives from the State have reviewed and approved these required changes to Chapter 10.

Fiscal Impact

The fiscal impact is neutral.

Recommendation

Staff recommends approval of these changes to comply with State requirements. Because the changes are in accordance with State process and requirements, staff advises that a suspension of rules for a second reading of the ordinance be considered.

A recommendation from the Public Welfare Committee is forthcoming on March 14, 2023.

Attachments:
Chapt 10 Clean - BCS Version (DOCX)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2023-1643

An Ordinance Amending Chapter 10 of the Mequon Municipal Code, Updating References to, and Requirements of, Applicable Administrative Code Provisions Related to Building Permits

RECITALS

A. The Common Council previously adopted Chapter 10 of the Mequon Municipal Code, which establishes certain rules and regulations related to building within the City.

B. Chapter 10 references various sections of the Wisconsin Administrative Code, and the Wisconsin legislature renamed the various administrative agencies responsible for building codes and renumbered the Administrative Code sections.

C. The Common Council desires to amend Chapter 10 to reflect the current Administrative Code provisions.

D. The regulation of buildings and the establishment of building codes within the City furthers the health, safety and welfare of the community.

BASED UPON THE FOREGOING RECITALS, the Common Council of the City of Mequon, Wisconsin, do ordain as follows:

SECTION I

Section 10-21 of the Mequon Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck-through~~; Added text is **bolded & double-underlined**):

Sec. 10-21. - Wisconsin Building Codes adopted by ordinance.

(a) The Wisconsin Uniform Building Code prepared by the Building Inspectors Association of Southeastern Wisconsin with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein. This code shall apply to existing buildings and to additions, alterations and repairs to existing buildings and to all construction, demolition or moving or existing buildings not within the scope of paragraph (b) of this section.

(b) Wisconsin Uniform Dwelling Code**, Wis. Admin. Code §§ SPS 320-325,** ~~Chapters SPS 20-25 prepared by the Department of Professional Services of the State of Wisconsin~~ with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein.

(c) Wisconsin Commercial Building Code**, Wis. Admin. Code §§ SPS 360-366,** ~~Chapters SPS 60-66 prepared by the Department of Professional Services of the State of Wisconsin~~ with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein.

(d) Wisconsin Flammable and Combustible Liquids Code**, Wis. Admin. Code § ATCP 93,** ~~Chapter SPS 10 prepared by the Department of Professional Services of the State of Wisconsin~~ with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein.

(e) The following sections of the Wisconsin Administrative Code with all amendments and revisions thereto are adopted by reference and made a part of this ordinance as though fully set forth herein:

(1) SPS 305 — Credentials
(2) SPS 327 — Campgrounds
(3) SPS 375-379 — Buildings Constructed Prior to 1914

SECTION II

Section 10-81(a) of the Mequon Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck-through~~; Added text is **bolded & double-underlined**):

(a) *Permits required*. The electrical inspector shall issue permits for electrical installations for light, heat, or power upon the filing of a proper application which shall be made on blanks furnished by the electrical inspector prescribing the nature of the work and such other information as may be required for inspection, and no work shall be done until a permit has been obtained. ~~All applications shall be signed by a licensed master electrician or a licensed electrical contractor.~~

SECTION III

Section 10-108 of the Mequon Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck-through~~; Added text is **bolded & double-underlined**):

Sec. 10-108. - Adoption of State Plumbing Code.

The provisions of **Wis .Stat. Ch. 145, Wis. Admin. Code §§ SPS 381-387, and Wis. Admin. Code § NR 113,** ~~Wis. Stats. ch. 145 and Wis. Admin. Code SPS chs. 81—87 and NR ch. 113e~~ and all amendments thereto**,** are adopted and by reference made a part of this chapter with the same force and effect as though set out in full. ~~Failure to comply with any of the provisions of such regulations shall constitute a violation of this chapter, punishable according to the penalties provided herein.~~

SECTION IV

Section 10-110 of the Mequon Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck-through~~; Added text is **bolded & double-underlined**):

Sec. 10-110. - Plumbing inspector.

(a) The common council plumbing inspector shall have control of the supervision and inspection of all plumbing work and shall faithfully enforce all laws, ordinances, and rules in relation thereto. It shall be the duty of said plumbing inspector to require that the construction, reconstruction and alteration of all plumbing, sanitary drainage, wells and plumbing ventilation hereafter installed in all of the buildings in the City of Mequon, shall conform to the laws **and rules** of the state, ~~the rules of the department of commerce,~~ **and the** ordinances, rules and regulations adopted by the common council of the City of Mequon.

(b) Upon approval by the division of health, the City of Mequon and the plumbing inspector shall be authorized to require, examine and approve all plumbing plans for facilities as described in Wis. Admin. Code **§ SPS 382.20** ~~Comm. 82.20~~ with the exception of the following:

(1) Health care and related facilities.
(2) State owned buildings.
(3) Reduced pressure zone principle type backflow preventers.
(4) Controlled roof drainage systems.
(5) Mobile and manufactured homes.
(6) Mobile home parks, water and sewerage systems.
(7) The granting of variances to the state uniform plumbing code.

(c) The plumbing inspector shall charge fees for the above plan review and approval in accordance with Wis. Admin. Code **§ SPS 382.20(7)** ~~Comm. 82.20~~.

(d) The review and approval of plans as described in subsection (b) of this section shall not interfere with the normal inspection and administrative duties of the plumbing inspector. Additional staff time shall be authorized as needed for the accomplishment of such review.

(e) All plans reviewed by the plumbing inspector under the authority of this section shall be retained in good order for a period of five years.

SECTION IV

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 V

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

SECTION VI

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: March 14, 2023

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 14, 2023.

_____
Caroline Fochs, City Clerk

Published: _____

Sec. 10-21. - Wisconsin Building Codes adopted by ordinance.

(a) The Wisconsin Uniform Building Code prepared by the Building Inspectors Association of Southeastern Wisconsin with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein. This code shall apply to existing buildings and to additions, alterations and repairs to existing buildings and to all construction, demolition or moving or existing buildings not within the scope of paragraph (b) of this section.

(b) Wisconsin Uniform Dwelling Code, Wis. Admin. Code §§ SPS 320-325, with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein.

(c) Wisconsin Commercial Building Code, Wis. Admin. Code §§ SPS 360-366, with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein.

(d) Wisconsin Flammable and Combustible Liquids Code, Wis. Admin. Code § ATCP 93, with all amendments and revisions thereto is adopted by reference and made a part of this ordinance as though fully set forth herein.

(e) The following sections of the Wisconsin Administrative Code with all amendments and revisions thereto are adopted by reference and made a part of this ordinance as though fully set forth herein:

(1) SPS 305 — Credentials
(2) SPS 327 — Campgrounds
(3) SPS 375-379 — Buildings Constructed Prior to 1914

Sec. 10-81. – Electrical Permits.

(a) *Permits required*. The electrical inspector shall issue permits for electrical installations for light, heat, or power upon the filing of a proper application which shall be made on blanks furnished by the electrical inspector prescribing the nature of the work and such other information as may be required for inspection, and no work shall be done until a permit has been obtained.

Sec. 10-108. - Adoption of State Plumbing Code.

The provisions of Wis .Stat. Ch. 145, Wis. Admin. Code §§ SPS 381-387, and Wis. Admin. Code § NR 113 and all amendments thereto, are adopted and by reference made a part of this chapter with the same force and effect as though set out in full.

Attachment: Chapt 10 Clean - BCS Version (ORDINANCE 2023-1643 : Chapter 10: state requirements)

Sec. 10-110. - Plumbing inspector.

(a) The common council plumbing inspector shall have control of the supervision and inspection of all plumbing work and shall faithfully enforce all laws, ordinances, and rules in relation thereto. It shall be the duty of said plumbing inspector to require that the construction, reconstruction and alteration of all plumbing, sanitary drainage, wells and plumbing ventilation hereafter installed in all of the buildings in the City of Mequon, shall conform to the laws and rules of the state, and the ordinances, rules and regulations adopted by the common council of the City of Mequon.

(b) Upon approval by the division of health, the City of Mequon and the plumbing inspector shall be authorized to require, examine and approve all plumbing plans for facilities as described in Wis. Admin. Code § SPS 382.20 with the exception of the following:

(1) Health care and related facilities.
(2) State owned buildings.
(3) Reduced pressure zone principle type backflow preventers.
(4) Controlled roof drainage systems.
(5) Mobile and manufactured homes.
(6) Mobile home parks, water and sewerage systems.
(7) The granting of variances to the state uniform plumbing code.

(c) The plumbing inspector shall charge fees for the above plan review and approval in accordance with Wis. Admin. Code § SPS 382.20(7).

(d) The review and approval of plans as described in subsection (b) of this section shall not interfere with the normal inspection and administrative duties of the plumbing inspector. Additional staff time shall be authorized as needed for the accomplishment of such review.

(e) All plans reviewed by the plumbing inspector under the authority of this section shall be retained in good order for a period of five years.

Attachment: Chapt 10 Clean - BCS Version (ORDINANCE 2023-1643 : Chapter 10: state requirements)

11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-242-3100
Fax: 262-242-9655

www.ci.mequon.wi.us **Office of Community Development**

TO: **Committee of the Whole**
FROM: **Jac Zader, Assistant Director Community Development**
DATE: **March 14, 2023**
SUBJECT: **Concept Streetscape Design Plans for Port Washington Road Located in Tax Increment Districts 4 & 5**

Background

The attached streetscaping concept plan (Exhibit A) for TID No. 4 and TID No. 5 along the Port Washington Road corridor from County Line Road to Mequon Road is being presented to the Common Council for review and input. The plan is a culmination of over a years' worth of review and analysis by various committees and the City's landscape consultant, Harwood Engineering. The consultant estimates the cost to complete all the improvements, as shown, would be approximately $1,000,000. Currently, TIF 4 and TIF 5 have approximately $1,350,000 in cash reserves as of 2021 (see Annual Reports). The chronology of decisions to this point is as follows:

Economic Development Board Meeting - November 16, 2021:
The Economic Development Board recommended that existing and future unallocated increment in TIF Districts #4 and #5 should be used for the planning and implementation of public improvements along the Port Washington Road corridor from County Line Road to Mequon Road.

Port Washington Road Ad Hoc Design Committee Meeting - December 9, 2021:
The Port Washington Ad Hoc Design Committee recommended that the City hire a consultant to design streetscaping improvements along Port Washington Road from County Line Road to Mequon Road.

City Issues a Request for Proposals for Design Services - February 4, 2022:
The City received two responses to the RFP and conducted interviews with the two applicants on March 28. City staff (Director Tollefson, Assistant Director Zader and Public Works Director Lundeen) and four members of both the Ad Hoc Design Committee and Economic Development Board sat in on the interviews and evaluated and scored each applicant.

Common Council Approves Contract for $24,000 with Harwood Engineering - April 12, 2022:
The Common Council awarded the contract to develop streetscaping features for the Port Washington Road commercial corridor from Mequon Road to Zedler Lane.

Port Washington Road Ad Hoc Design Committee Approves Final Concept Plan - January 24, 2023.

Concept Plan:
The final plan includes the following elements along the corridor:

Stamped Asphalt:
The plan shows the use of stamped asphalt at all three of the signalized intersections along Port Washington Road (Mequon Road, Donges Bay, and Town Square Road). The decorative stamped asphalt has a square pattern with darkened strip along the border. The Mequon Road intersection is under the jurisdiction of the Department of Transportation and would require their approval. If approved, work on this portion of the project would not take place until improvements to the intersection as part of the I-43 expansion are completed.

Light Fixtures:
The plan shows new 25' tall decorative median lights that replace the existing show box fixtures as well as new 20' poles lights on each side of the street. The lights will be spaced approximately 100 feet on-center. The additional lights will provide a greater amount of uniformity along the corridor - both illumination and street edge rhythm. Currently, there are brights spots primarily at the intersections with darker areas in between. The current situation is considered unsafe for both pedestrians and vehicles.

Median Treatments:
The overall goal for improvements was to add interest and cohesiveness throughout the corridor, creating a sense of place while keeping maintenance to a minimum. It was determined through a site analysis that the medians would be the main focus for the improvements. The medians throughout the corridor are generally wide and long, which offered the most area for improvements. The general design theme, which is carried out throughout the corridor (with minor variations) consists of an outer lawn edge followed by a wide band of decorative concrete edging with plantings located in the center. The lawn and decorative concrete will offer interest while keeping maintenance needs low for most of the median. The internal section of the medians is where the designs differ from the entry medians to the transitional medians and then to the central medians.

The central portion of the medians were designed to have a hierarchy moving into the Port Washington Road corridor from the south and north. As a traveler enters the corridor from both Mequon Road and Zedler Lane the medians have an entry feature with signage (TBD) along with movable planters and landscaping to accent the hardscape elements. Entry features are also located at the Donges Bay Road intersection. Maintaining the design theme as one travels along the corridor, the transitional medians include similar design elements without entry feature elements, and the landscape has been simplified. The medians located in the center of the corridor, adjacent to residential developments, have tree groves with a simple ground treatment of crushed stone.

Median Modifications
There are several areas where the existing medians are proposed to be enlarged in order to add landscaping, lighting or reduce safety concerns. Staff have reached out to all impacted property owners to make them aware of the proposed changes.

The first location near the intersection of Mequon Road shows the median being extended to the south which would eliminate the direct left hand turn over the current rumble strips into the northerly driveway of the Pavilions. In discussions with the Police Department, there is a moderate accident history at this location. Staff spoke with a representative of Brixmor, the owner of The Pavilions Shopping Center, and they have agreed to the modification request. In addition, they are contemplating other parking lot changes that would help address current circulation patterns.

The second location on the north side of the Donges Bay Road intersection shows the median being extended to the south which eliminates southbound access into the Goodyear/Life Storage shared driveway and northbound access to the Chalet Motel/Crave parking lot. The Police Department has also stated that there is a moderate accident history at this location. In addition to the safety concern, the median extension is being proposed to accommodate additional landscaping and a new median light fixture.

The final location is on the south side of the Donges Bay Road intersection and shows the median being extended to the north which eliminates the northbound access into the Clark Station driveway and southbound access to the Baymont Hotel. The Police Department has stated that there is a low accident history at this location. The median extension is being proposed to accommodate additional landscaping and a new median light fixture.

Other Considerations:

Electrical Burial
There was a discussion regarding the burial of the overhead wires along Port Washington Road. In discussions with WE Energies, it was roughly estimated to bury all the lines in the project area would cost approximately $15,000,000. While the Committee recognizes that the price tag was too high to address such as part of this project, there was consensus that burial of the wires should be considered by the Common Council in the future as future increment becomes available.

*Annual Maintenance***:**
Port Washington Road is currently under the jurisdiction of Ozaukee County. The changes as shown in the concept plan will require the City to enter into a Memorandum of Understanding with the County that will shift maintenance responsibilities to the City of Mequon. According to Public Works Director, Kristen Lundeen, the cost associated with maintenance of this plan is estimated at approximately $69,000 per year. That cost includes the median maintenance contract for top dressing the stone mulch, mowing and weed control within the medians, annual pot and planting materials for the planters, pruning, mulching, watering and plant replacement (as needed) within the medians, along with capital funding for future pot replacement and road infrastructure previously funded by Ozaukee County. It also includes the approximate energy costs for the additional street lights. Please see the attached exhibit for details.

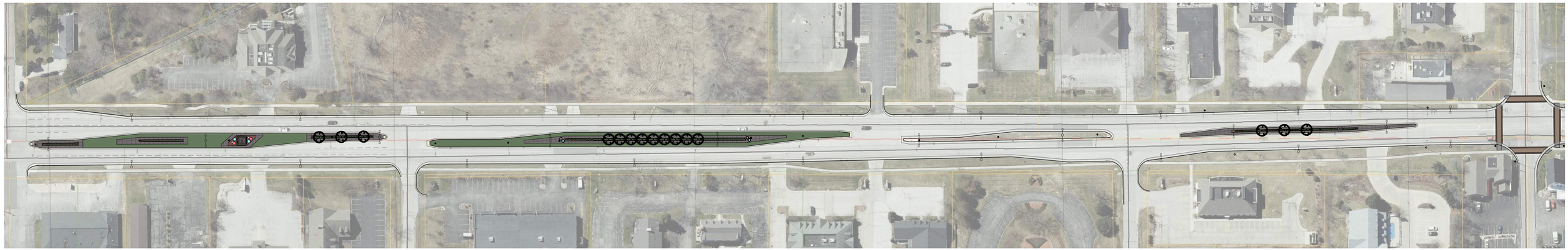
While there are adequate cash reserves available in the two TIF Districts to address maintenance costs for a few years, ongoing maintenance costs will need to be addressed as part of the annual budget process.

Welcome Sign:
The Ad Hoc Committee felt that welcome signage should be included in the plan along Mequon Road just west of the I-43 overpass (See Exhibit B). This would require approval from the Department of Transportation and would not be completed until improvements associated with the I-43 expansion are completed in 2024/25. The sign is an eligible TID expenditure.

Summary
In order to move forward in the process, staff is looking for feedback from the Council on the draft concept plan. Specifically, staff seeks input related to the modifications to and the treatment of the medians, the location of the welcome sign and the style and location of the lighting fixtures. While early, gauging the Council's interest regarding the burial of the overhead utilities

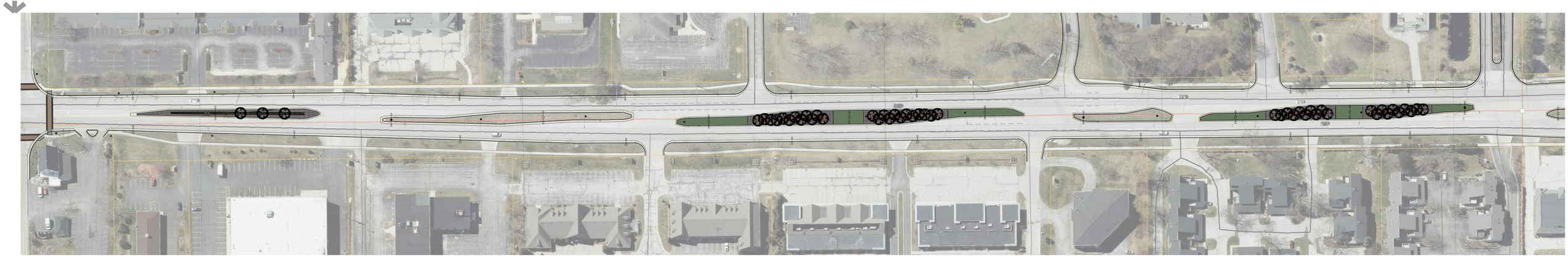
is also of interest. Based on feedback from the Council, a final concept plan will be developed and submitted for approval at an upcoming meeting.

Attachments:
Exhibit A: Concept Plan (PDF)
Exhibit B: Sign Location (PDF)
TID 4 Annual Report (PDF)
TID 5 Annual Report (PDF)
Annual Maintenance Cost Details (PDF)
Median Change Exhibits (PDF)



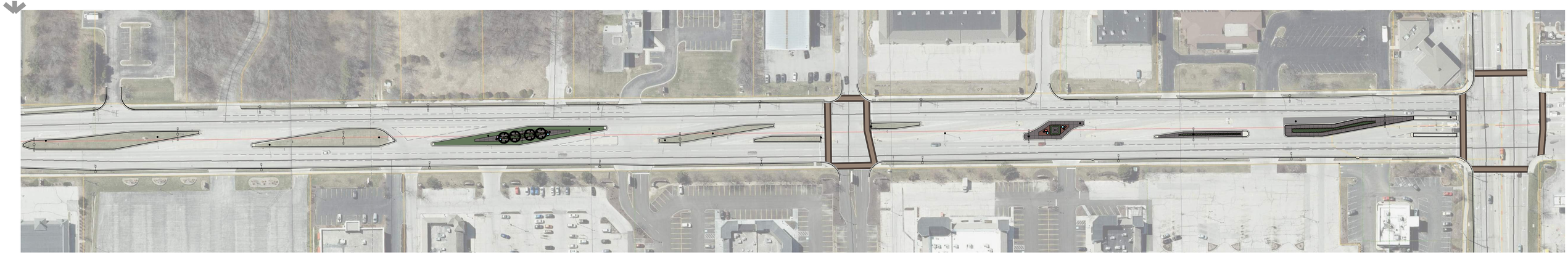
Overall Plan - South

Scale: 1" = 80'



Overall Plan - Mid

Scale: 1" = 80'



Overall Plan - North

Scale: 1" = 80'

Harwood Engineering Consultants

255 North 21st Street Milwaukee Wisconsin 53233
414.475.5554 414.773.9299 fax harwood@hecl.com

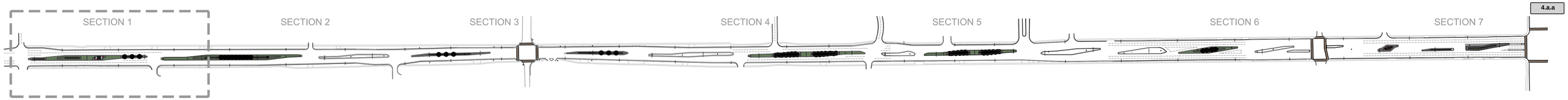
Port Washington Road, Mequon

Concept Design

2023-02-07

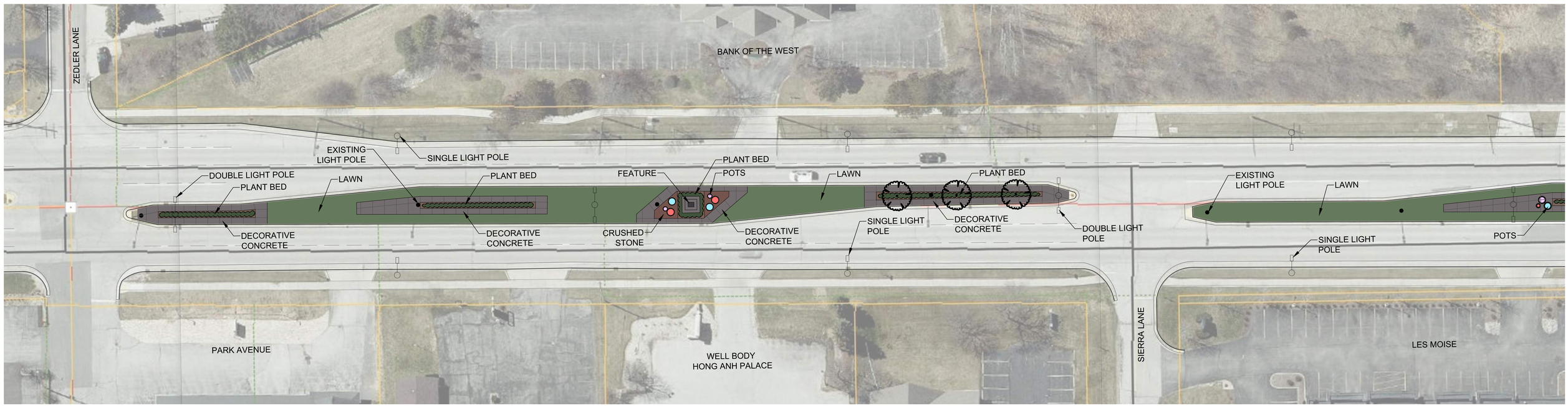
North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)



Key Plan

Scale: NTS



Detailed Plan - Section 1

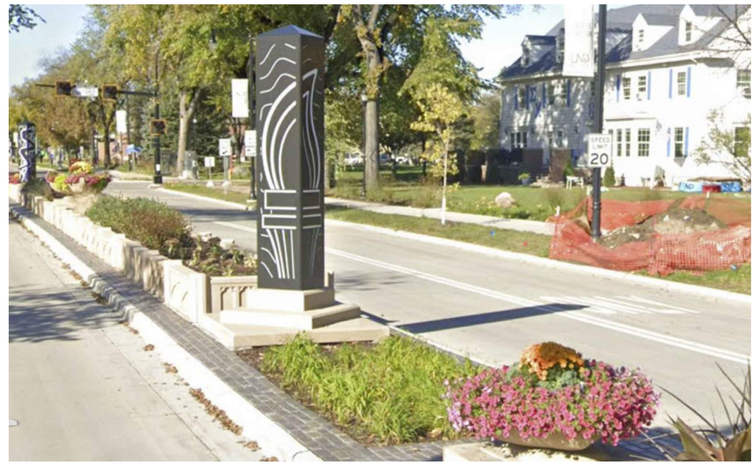
Scale: 1" = 30'

Rendering

Scale: NTS

Rendering

Scale: NTS



Design Image

Scale: NTS

Harwood Engineering Consultants
255 North 21st Street Milwaukee Wisconsin 53233
414.475.5554 414.773.9299 fax harwood@hecl.com

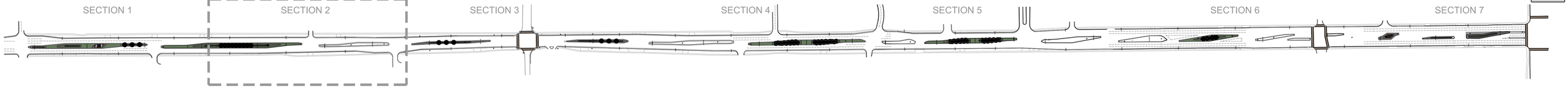
Port Washington Road, Mequon

Concept Design

2023-02-07

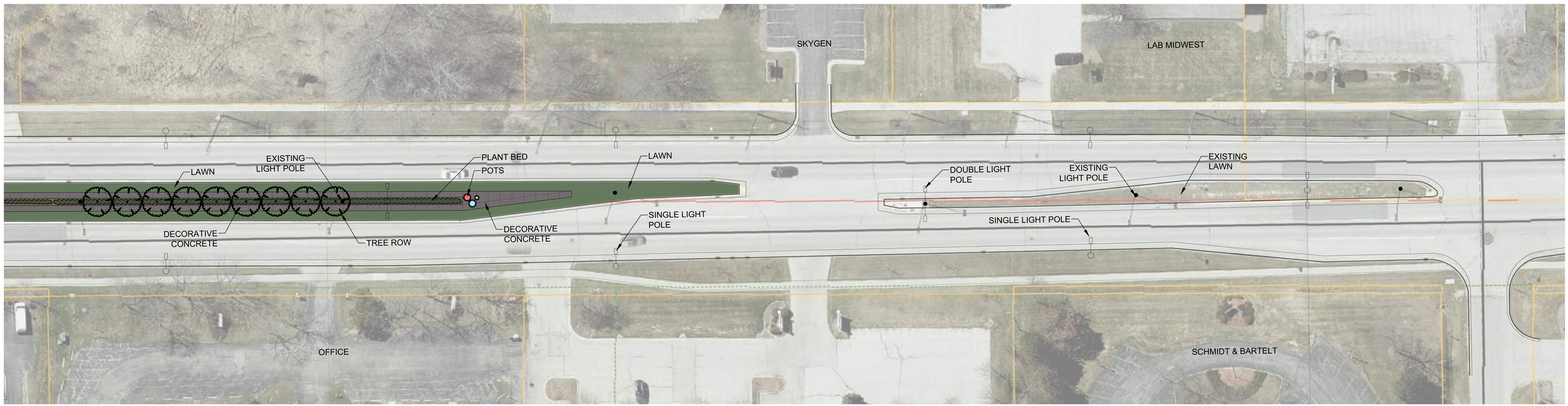
North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)



Key Plan

Scale: NTS



Detailed Plan - Section 2

Scale: 1" = 30'

Rendering

Scale: NTS

Rendering

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Rendering

Scale: NTS

Harwood Engineering Consultants
255 North 21st Street Milwaukee Wisconsin 53233
414.475.5554 414.773.9299 fax harwood@hecl.com

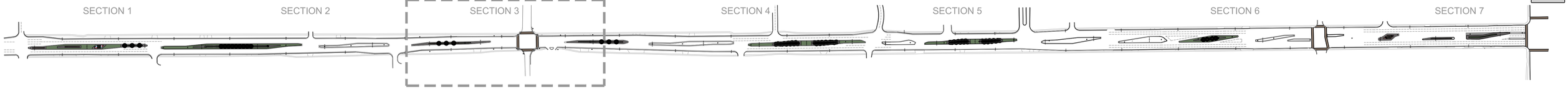
Port Washington Road, Mequon

Concept Design

2023-02-07

North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)



Key Plan

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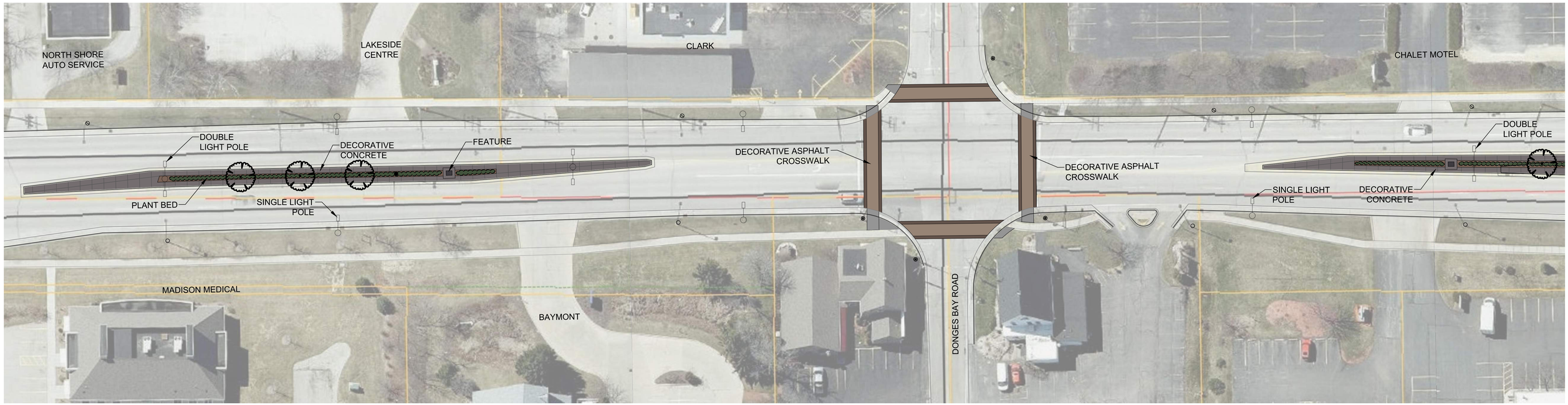

Detailed Plan - Section 3

Scale: 1" = 30'

Rendering

Scale: NTS

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Scale: NTS

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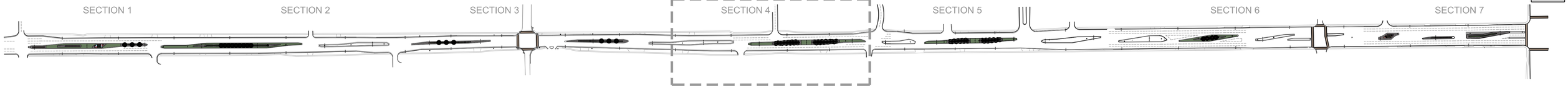
Port Washington Road, Mequon

Concept Design

2023-02-07

North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)



Key Plan

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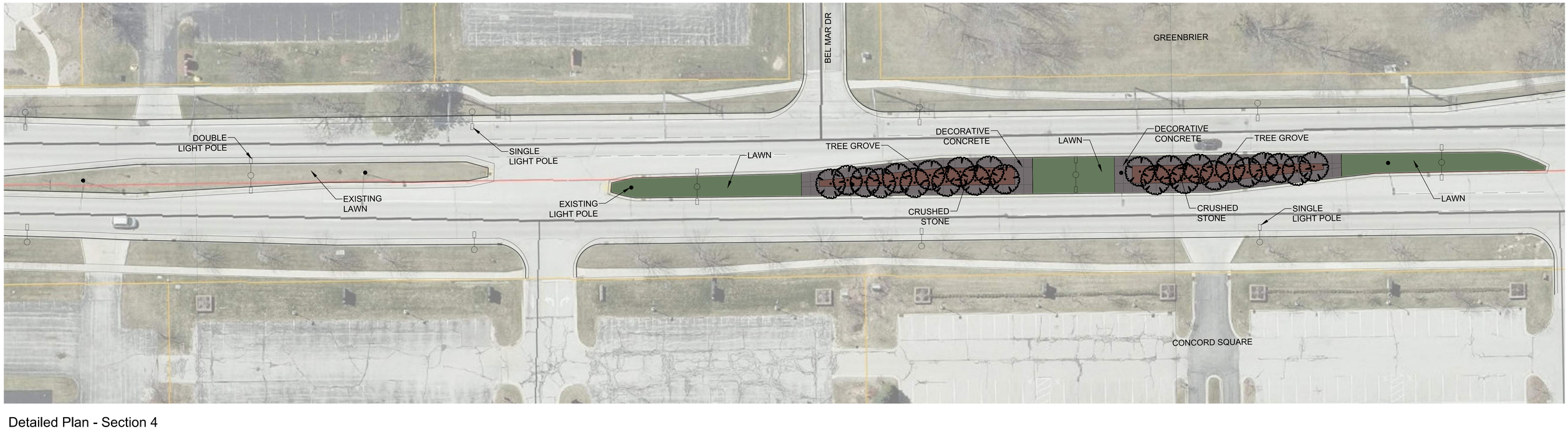

Detailed Plan - Section 4

Scale: 1" = 30'

Rendering

Scale: NTS

Rendering

Scale: NTS

Rendering

Scale: NTS

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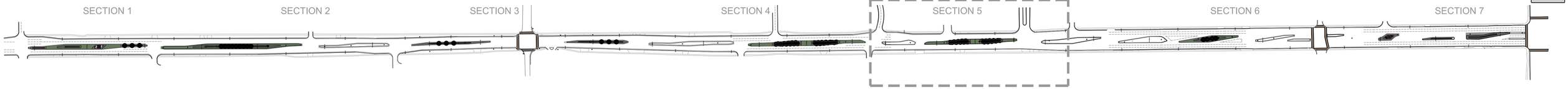
Port Washington Road, Mequon

Concept Design

2023-02-07

North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)



Key Plan

Scale: NTS

Detailed Plan - Section 5

Scale: 1" = 30'

Rendering

Scale: NTS

Rendering

Scale: NTS

Rendering

Scale: NTS

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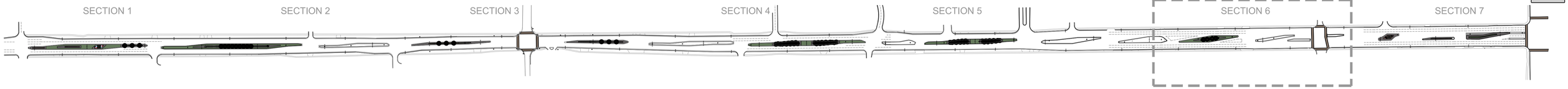
Port Washington Road, Mequon

Concept Design

2023-02-07

North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)



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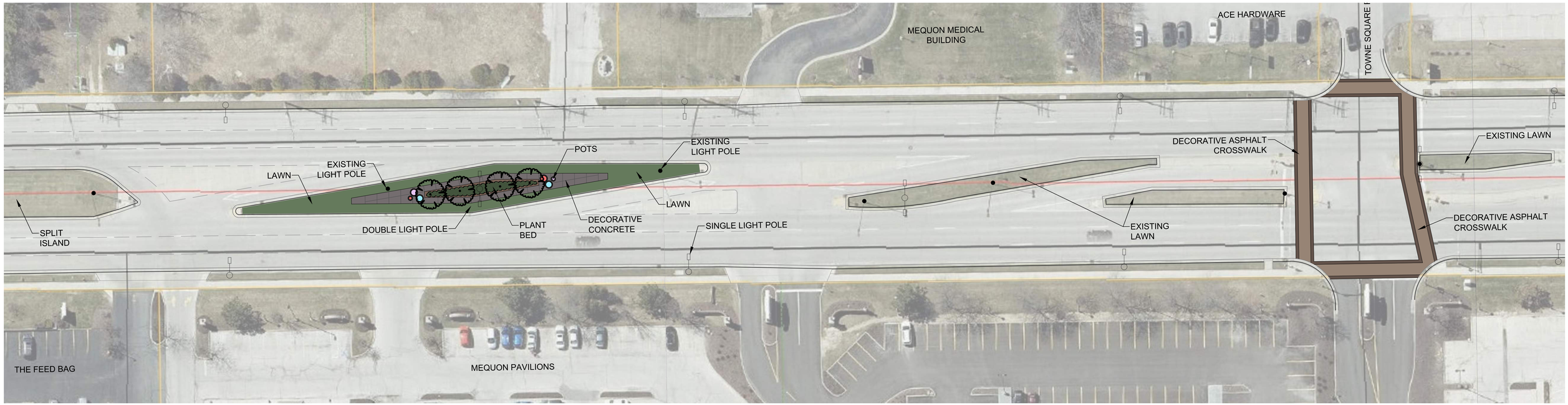

Detailed Plan - Section 6

Scale: 1" = 30'

Rendering

Scale: NTS

Rendering

Scale: NTS

Rendering

Scale: NTS

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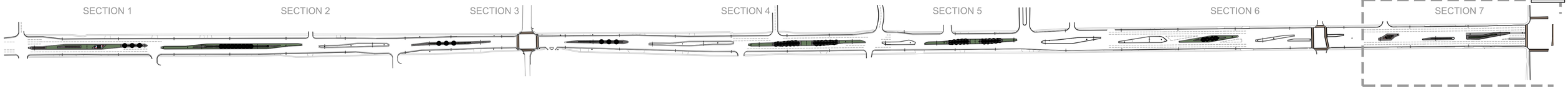
Port Washington Road, Mequon

Concept Design

2023-02-07

North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)



Key Plan

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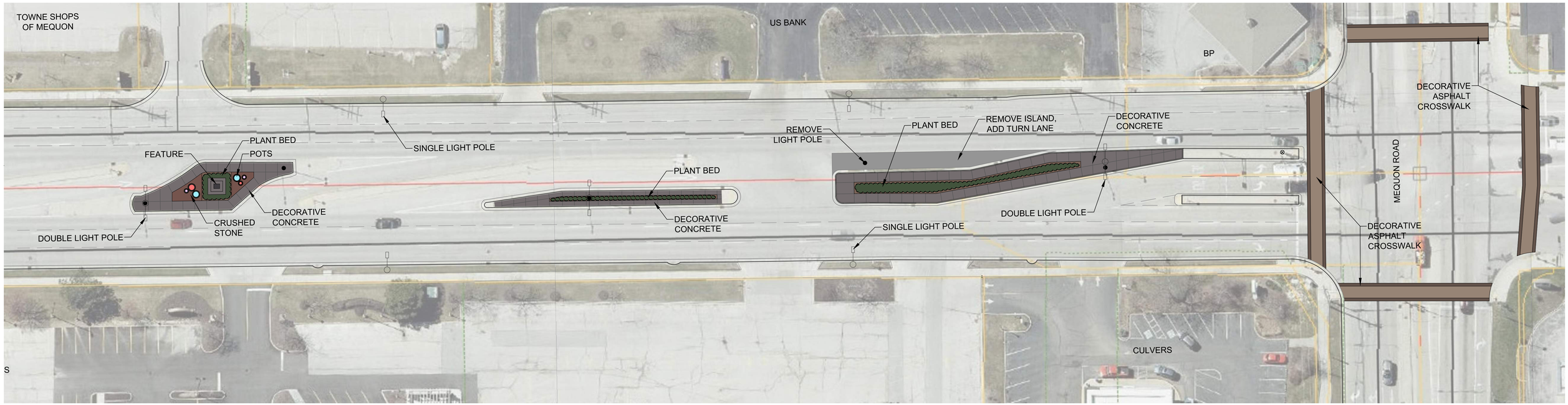

Detailed Plan - Section 7

Scale: 1" = 30'

Rendering

Scale: NTS

Rendering

Scale: NTS

Rendering

Scale: NTS

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414.475.5554 414.773.9299 fax harwood@hecl.com

Port Washington Road, Mequon

Concept Design

2023-02-07

North

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)

TENON MOUNTED ARM

XWB

PROJECT NAME:

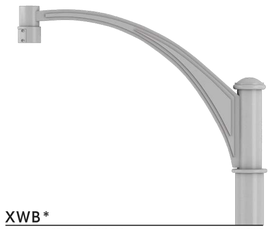
PROJECT TYPE: ARM OPT1

FEATURES

Arm
Heavy cast aluminum (A356 alloy, <0.2% copper) swept arm welded to an extruded aluminum hub with a domed pole cap. The mounting hub is designed for a 2 7/8" x 6" tenon and has 8 (4 x 2) recessed socket head leveling screws. All welds are blended to create a one-piece, unified appearance. Fixture mounting uses the pendant Trulevel mounting to allow for luminaire leveling in the field. A wiring harness is provided through the arm assembly terminating in the Trulevel hub with quick-connects. All hardware is stainless steel.

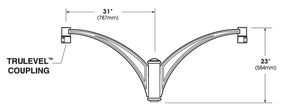
Finish
Electrostatically applied TGIC Polyester Powder Coat on substrate prepared with 20 PSI power wash at 140°F. Four step media blast and iron phosphate pretreatment for protection and paint adhesion. 400°F bake for maximum hardness and durability.

Black

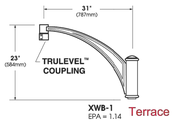


XWB*

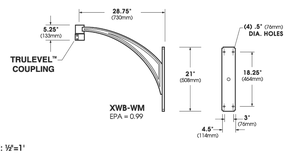
SHOWN WITH OPTIONAL DOME CAP — PATENT PENDING



XWB-2-180
EPA = 2.00 Median



XWB-1
EPA = 1.14 Terrace



XWB-WM
EPA = 0.99

SCALE: ½"=1'

U.S. Pole Co Inc. | 660 West Avenue O, Palmdale, CA 93551 Phone (661) 233-0000 Fax (661) 233-0001 www.uspolllg.com

2021301

U.S. ARCHITECTURAL LIGHTING

Light Pole Arms

Scale: NTS

SOLID STATE AREA LIGHTING

DSS SERIES-PLED

PROJECT NAME:

FIXTURE TYPE: POLE FIXTURE OPT2

FEATURES

Luminaire
Upper housing is heavy gauge cast aluminum (min. .125" wall; alloy >0.2% Cu for DSS30) or spun aluminum with reveal (.125" min. wall for DSS20). Lower housing is 0.080" thick spun aluminum with integrated LED module seat. Lower housing is vented at top and bottom for convective cooling of LED module. Top Driver chamber is barriered from LED Module chamber. Trulevel ball coupling mount is welded to housing and facilitates quick leveling and installation.

PLED™ Optics
Emitters (LED's) are arrayed on a metal core PCB panel with each emitter located on a copper thermal transfer pad and enclosed by an LED refractor. LED optics completely seal each individual emitter to meet an IP66 rating. In asymmetric distributions, a micro-reflector inside the refractor re-directs the house side emitter output towards the street side and functions as a house side shielding element. Refractors are injection molded H12 acrylic. Each LED refractor is sealed to the PCB over an emitter and all refractors are retained by an aluminum frame. Any one Panel, or group of Panels in a luminaire, have the same optical pattern. LED refractors produce standard site/area distributions. Panels are field replaceable and field rotatable in 90° increments.

LED Emitters
High output LED's are utilized with drive currents ranging from 350mA to 875mA. 70CRI Minimum. LED's are available in standard Neutral White (4000K), or optional Cool White (5000K) or Warm White (3000K). Consult Factory for other LED options.

LED Driver
Constant current electronic with a power factor of >.90 and a minimum operating temperature of -40°F/-40°C. Driver(s) is/are UL and cUL recognized. In-line terminal blocks facilitate wiring between the driver and optical arrays. Drivers accept an input of 120-277V, 50/60Hz or 347V-480V, 50.60Hz. (0 - 10V dimmable driver is standard. Driver has a minimum of 3KV internal surge protection. Luminaire supplied with 20KV surge protector for field installation.)

Amber LED's
PCA (Phosphor Converted Amber) LED's utilize phosphors to create color output similar to LPS lamps and have a slight output in the blue spectral bandwidth. TRA (True Amber) LED's utilize material that emits light in the amber spectral bandwidth only without the use of phosphors.

Finish
Polyester powder coat incorporates four step iron phosphate process to pretreat metal surface for maximum adhesion. Top coat is baked at 400°F for maximum hardness and exterior durability.

Black

DSS30 Median
(Formerly DSS1) — Patent pending

DSS20 Terrace
(Formerly DSS2) — Patent pending

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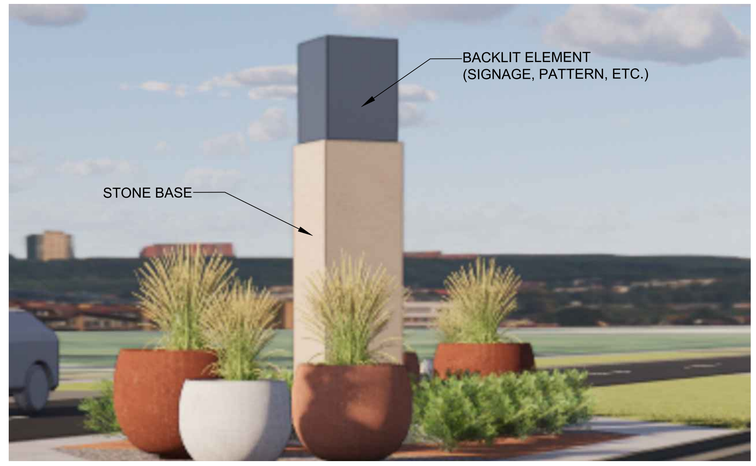
2021091

U.S. ARCHITECTURAL LIGHTING

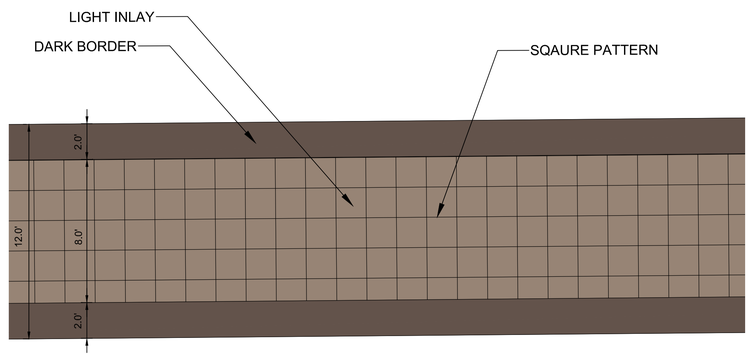
Light Pole Fixtures

Scale: NTS



Design Element Concept

Scale: NTS



Decorative Cross Walk - STAMPED ASPHALT

Scale: NTS

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Port Washington Road, Mequon

Concept Design

2023-02-07

Attachment: Exhibit A: Concept Plan (8176 : TID 4 & 5 Streetscape Plans - Concept)

and Mequon Road Diamond Interchange

Attachment: Exhibit B: Sign Location (8176 : TID 4 & 5 Streetscape Plans - Concept)

Attachment: Maps (8098 : Port Washington Road Streetscape: Final Concept Plans)

November 11, 2022

ANNUAL TAX INCREMENT DISTRICT REPORT FOR:

City of Mequon, WI

Tax Increment District No. 4

Prepared by:

Ehlers
N21W23350 Ridgeview Parkway
West, Suite 100
Waukesha, WI 53188

Phil Cosson, Senior Municipal Advisor
Brian Roemer, Municipal Advisor

BUILDING COMMUNITIES. IT'S WHAT WE DO.

Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Annual Tax Increment District Report

City of Mequon, Wisconsin
Tax Increment District No. 4

Purpose:

State law requires municipalities with an active Tax Incremental District (TID) to electronically file an Annual Report for each TID by July 1 of each calendar year. This is a summary of that filing to be used at the annually required meeting of the standing Joint Review Board.

District Summary:

Tax Increment District No. 4 ("District") was created on February 21, 2012 as a Rehabilitation or Conservation District. The District has not been amended.

The TID has an expenditure period that ends on February 21, 2034 and has a mandatory termination date of February 21, 2039.

Background Data:

Base Value	$41,872,200
Incremental Value (as of January 1, 2021)	$10,135,200
Incremental Value (as of January 1, 2022)	$14,703,500
Year End Fund Balance (2021)	$572,201
Projected Closure (based on current cash flow*)	Not projected

* The City expects to make additional projects costs through the end of the District's expenditure period. The projected closure year has not been identified in the cash flow projections.

Notes:

No future development is projected.

Joint Review Board Action:

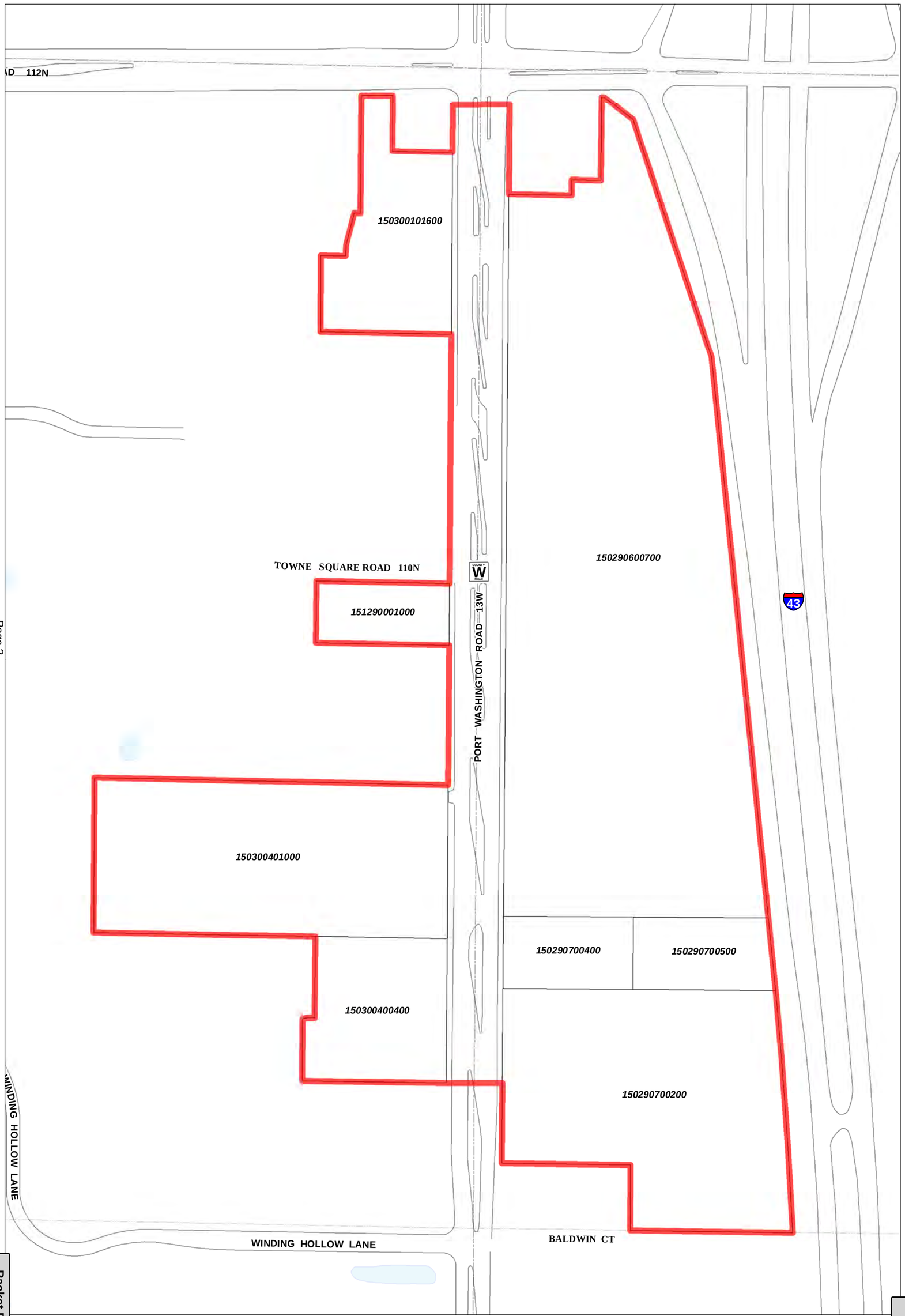
Resolution acknowledging filing of Annual TID Report and compliance with annual meeting requirements.

Attachments:

- TID Boundary Map
- TID Increment Projection
- TID Cash Flow Projection (Detail)
- State Submittal (DOR Form PE-300)

Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Proposed TIF District #4
Parcel Identification



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Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

City of Mequon, Wisconsin

Tax Increment District #4

Tax Increment Projection Worksheet

Type of District	Rehabilitation	
District Creation Date	February 21, 2012	
Valuation Date	Jan 1,	2012
Max Life (Years)	27	
Expenditure Period/Termination	22	2/21/2034
Revenue Periods/Final Year	26	2039
Extension Eligibility/Years	Yes	6
Eligible Recipient District	Yes	

Base Value	41,872,200
Appreciation Factor	0.25%
Base Tax Rate	$14.77
Rate Adjustment Factor	
Tax Exempt Discount Rate	
Taxable Discount Rate	1.50%

	Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment
8	2019	2,662,700	2020		10,059,200	2021	$15.50	**155,696**
9	2020	76,000	2021		10,135,200	2022	**$14.77**	**149,731**
10	2021	4,568,300	2022		**14,703,500**	2023	$14.77	**217,220**
11	2022	0	2023	36,759	14,740,259	2024	$14.77	**217,763**
12	2023	0	2024	36,851	14,777,109	2025	$14.77	**218,307**
13	2024	0	2025	36,943	14,814,052	2026	$14.77	**218,853**
14	2025	0	2026	37,035	14,851,087	2027	$14.77	**219,400**
15	2026	0	2027	37,128	14,888,215	2028	$14.77	**219,948**
16	2027	0	2028	37,221	14,925,436	2029	$14.77	**220,498**
17	2028	0	2029	37,314	14,962,749	2030	$14.77	**221,050**
18	2029	0	2030	37,407	15,000,156	2031	$14.77	**221,602**
19	2030	0	2031	37,500	15,037,656	2032	$14.77	**222,156**
20	2031	0	2032	37,594	15,075,251	2033	$14.77	**222,712**
21	2032	0	2033	37,688	15,112,939	2034	$14.77	**223,268**
22	2033	0	2034	37,782	15,150,721	2035	$14.77	**223,827**
23	2034	0	2035	37,877	15,188,598	2036	$14.77	**224,386**
24	2035	0	2036	37,971	15,226,569	2037	$14.77	**224,947**
25	2036	0	2037	38,066	15,264,636	2038	$14.77	**225,509**
26	2037	0	2038	38,162	15,302,797	2039	$14.77	**226,073**
	Totals						**Future Value of Increment**	**3,767,520**

Notes:

Actual results will vary depending on development, inflation of overall tax rates.

NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

City of Mequon, Wisconsin

Tax Increment District #4

Cash Flow Projection

Year	Projected Revenues			Expenditures			Balances			
	Tax Increments	Computer Aid	Total Revenues	Admin	Professional Services	Total Expenditures	Annual	Cumulative	Principal Outstanding	Year
2021	155,696	6,091	161,787	150	1,750	1,900	159,887	572,201		2021
2022	149,731	5,786	155,517	15,000		15,000	140,517	712,718		2022
2023	217,220	5,497	222,717			0	222,717	935,435		2023
2024	217,763	5,222	222,985			0	222,985	1,158,420		2024
2025	218,307	4,961	223,268			0	223,268	1,381,688		2025
2026	218,853	4,713	223,566			0	223,566	1,605,254		2026
2027	219,400	4,477	223,877			0	223,877	1,829,131		2027
2028	219,948	4,254	224,202			0	224,202	2,053,333		2028
2029	220,498	4,041	224,539			0	224,539	2,277,873		2029
2030	221,050	3,839	224,888			0	224,888	2,502,761		2030
2031	221,602	3,647	225,249			0	225,249	2,728,010		2031
2032	222,156	3,465	225,621			0	225,621	2,953,631		2032
2033	222,712	3,291	226,003			0	226,003	3,179,634		2033
2034	223,268	3,127	226,395			0	226,395	3,406,029		2034
2035	223,827	2,970	226,797			0	226,797	3,632,826		2035
2036	224,386	2,822	227,208			0	227,208	3,860,034		2036
2037	224,947	2,681	227,628			0	227,628	4,087,662		2037
2038	225,509	2,547	228,056			0	228,056	4,315,718		2038
2039	226,073	2,419	228,493			0	228,493	4,544,211		2039
Total	4,072,946	75,851	4,148,797	15,150	1,750	16,900				Total

Notes:

Projected TID Closure

Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Form PE-300	TID Annual Report	2021 WI Dept of Revenue

Section 1 - Municipality and TID					
Co-muni code	Municipality		County	Due date	Report type
45255	MEQUON		OZAUKEE	07/01/2022	ORIGINAL
TID number	TID type	TID name	Creation date	Mandatory termination date	Expected termination date
004	3	N/A	02/21/2012	02/21/2039	N/A

Section 2 - Beginning Balance	Amount
TID fund balance at beginning of year	$412,314

Section 3 - Revenue	Amount
Tax increment	$155,696
Investment income	$0
Debt proceeds	$0
Special assessments	$0
Shared revenue	$6,091
Sale of property	$0
Allocation from another TID	
Developer guarantees	
Transfer from other funds	
Grants	
Other revenue	
Total Revenue (deposits)	$161,787

Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Form PE-300	TID Annual Report	2021 WI Dept of Revenue

Section 4 - Expenditures	Amount
Capital expenditures	$0
Administration	$0
Professional services	$1,750
Interest and fiscal charges	$0
DOR fees	$150
Discount on long-term debt	$0
Debt issuance costs	$0
Principal on long-term debt	$0
Environmental costs	$0
Real property assembly costs	$0
Allocation to another TID	
Developer grants	
Developer name N/A	$0
Transfer to other funds	
Other expenditures	
Total Expenditures	**$1,900**

Section 5 - Ending Balance	Amount
TID fund balance at end of year	**$572,201**
Future costs	**$515,000**
Future revenue	**$3,431,259**
Surplus or deficit	**$3,488,460**

Section 6 - Preparer/Contact Information	
Preparer name **Jennifer Engroff**	Preparer title **Finance Director**
Preparer email **jengroff@ci.mequon.wi.us**	Preparer phone **(262) 236-2955**
Contact name **Jennifer Engroff**	Contact title **Finance Director**
Contact email **jengroff@ci.mequon.wi.us**	Contact phone **(262) 236-2955**

Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Form PE-300	TID Annual Report	2021 WI Dept of Revenue

Submission Information	
Co-muni code	45255
TID number	004
Submission date	06-27-2022 09:32 AM
Confirmation	TIDAR20211225O1653497897195
Submission type	ORIGINAL

Attachment: TID 4 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

November 11, 2022

ANNUAL TAX INCREMENT DISTRICT REPORT FOR:

City of Mequon, WI

Tax Increment District No. 5

EHLERS
PUBLIC FINANCE ADVISORS

Prepared by:

Ehlers
N21W23350 Ridgeview Parkway
West, Suite 100
Waukesha, WI 53188

Phil Cosson, Senior Municipal Advisor
Brian Roemer, Municipal Advisor

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Attachment: TID 5 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Annual Tax Increment District Report

City of Mequon, Wisconsin
Tax Increment District No. 5

Purpose:

State law requires municipalities with an active Tax Incremental District (TID) to electronically file an Annual Report for each TID by July 1 of each calendar year. This is a summary of that filing to be used at the annually required meeting of the standing Joint Review Board.

District Summary:

Tax Increment District No. 5 ("District") was created on February 21, 2012 as a Rehabilitation or Conservation District. The District has not been amended.

The TID has an expenditure period that ends on February 21, 2034 and has a mandatory termination of 2.21.39.

Background Data:

Base Value	$51,186,900
Incremental Value (as of January 1, 2021)	$14,507,300
Incremental Value (as of January 1, 2022)	$13,889,300
Year End Fund Balance (2021)	$775,722
Projected Closure (based on current cash flow*)	Not projected

* The City expects to make additional projects costs through the end of the District's expenditure period. The projected closure year has not been identified in the cash flow projections.

Notes:

Minimal future development projected.

Joint Review Board Action:

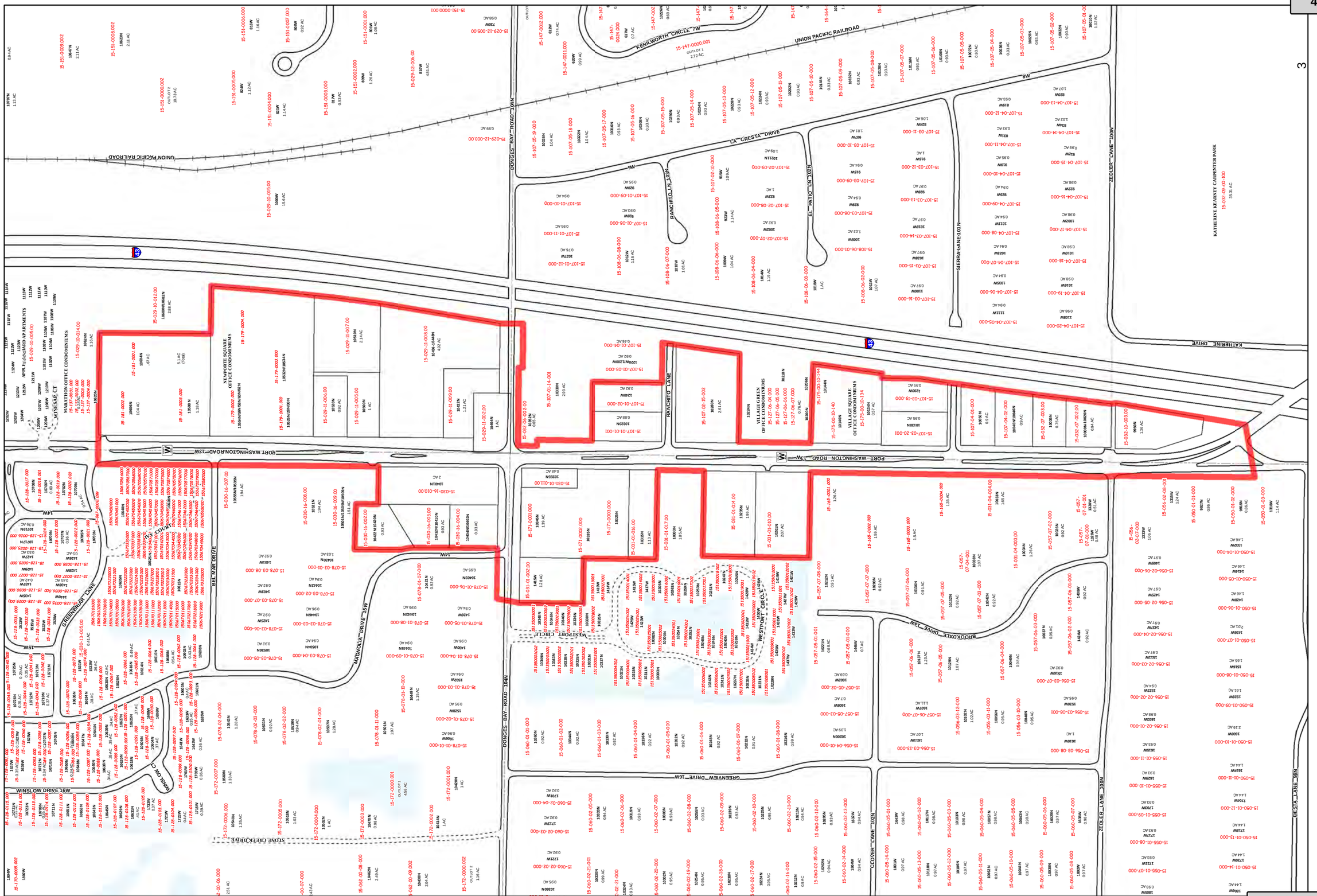
Resolution acknowledging filing of Annual TID Report and compliance with annual meeting requirements.

Attachments:

- TID Boundary Map
- TID Increment Projection
- TID Cash Flow Projection (Detail)
- State Submittal (DOR Form PE-300)

Attachment: TID 5 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Proposed TIF District #5
Parcel Identification


UNION PACIFIC RAILROAD
KENILWORTH CIRCLE 7W
DONGES BAY ROAD 10N
LA CRESTA DRIVE
RANCHITO LN 10N
EL PATIO LN 10N
SIERRA LANE 10N
ZEDLER LANE 10N
KATHERINE DRIVE
KATHERINE KEARNEY CARPENTER PARK
PORT WASHINGTON ROAD 13W
GREENVIEW DRIVE 14W
BROOKDALE DRIVE 13W
WESTPORT CIRCLE
WESTPORT CIR
MAGNOLIA DRIVE 15W
GREENBRIER LANE
WINSLOW DRIVE 16W
STONE CHEEK DRIVE
CLOVER LANE 10N
GESTA LANE 9BN
NEWPORT SQUARE OFFICE CONDOMINIUMS
MARATHON OFFICE CONDOMINIUMS
VILLAGE GREEN OFFICE CONDOMINIUMS
VILLAGE SQUARE OFFICE CONDOMINIUMS
APARTMENTS
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KATHERINE KEARNEY CARPENTER PARK
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35.31 AC
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15-107-10-40.000

City of Mequon, Wisconsin

Tax Increment District #5

Tax Increment Projection Worksheet

Type of District	Rehabilitation	
District Creation Date	February 21, 2012	
Valuation Date	Jan 1,	2012
Max Life (Years)	27	
Expenditure Period/Termination	22	2/21/2034
Revenue Periods/Final Year	26	2039
Extension Eligibility/Years	Yes	6
Eligible Recipient District	Yes	

Base Value	51,186,900
Appreciation Factor	0.25%
Base Tax Rate	$14.77
Rate Adjustment Factor	
Tax Exempt Discount Rate	
Taxable Discount Rate	1.50%

	Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment
8	2019	2,935,500	2020	0	13,442,300	2021	$15.50	**222,876**
9	2020	1,065,000	2021	0	14,507,300	2022	**$14.77**	**214,321**
10	2021	-618,000	2022	0	**13,889,300**	2023	$14.77	**205,191**
11	2022	0	2023	34,723	13,924,023	2024	$14.77	**205,704**
12	2023	0	2024	34,810	13,958,833	2025	$14.77	**206,218**
13	2024	0	2025	34,897	13,993,730	2026	$14.77	**206,734**
14	2025	0	2026	34,984	14,028,715	2027	$14.77	**207,251**
15	2026	0	2027	35,072	14,063,787	2028	$14.77	**207,769**
16	2027	0	2028	35,159	14,098,946	2029	$14.77	**208,288**
17	2028	0	2029	35,247	14,134,193	2030	$14.77	**208,809**
18	2029	0	2030	35,335	14,169,529	2031	$14.77	**209,331**
19	2030	0	2031	35,424	14,204,953	2032	$14.77	**209,854**
20	2031	0	2032	35,512	14,240,465	2033	$14.77	**210,379**
21	2032	0	2033	35,601	14,276,066	2034	$14.77	**210,905**
22	2033	0	2034	35,690	14,311,756	2035	$14.77	**211,432**
23	2034	0	2035	35,779	14,347,536	2036	$14.77	**211,961**
24	2035	0	2036	35,869	14,383,405	2037	$14.77	**212,491**
25	2036	0	2037	35,959	14,419,363	2038	$14.77	**213,022**
26	2037	0	2038	36,048	14,455,411	2039	$14.77	**213,555**
	Totals						**Future Value of Increment**	**3,558,895**

Notes:

Actual results will vary depending on development, inflation of overall tax rates.

NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

Attachment: TID 5 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

City of Mequon, Wisconsin

Tax Increment District #5

Cash Flow Projection

Year	Projected Revenues				Expenditures					Balances			
	Tax Increments	Interest Earnings/ (Cost)	Computer Aid	Total Revenues	Concord Development 39	Concord Development 40	Capital Expenditures & Prof. Services	Admin.	Total Expenditures	Annual	Cumulative	Remaining Incentives	Year
2021	222,876		44,375	267,251	29,634	31,451	12,074	150	61,235	206,016	775,722	127,572	2021
2022	214,321		42,156	256,477	29,634	9,036		15,000	53,670	202,808	978,530		2022
2023	205,191		40,048	245,240	29,634				29,634	215,606	1,194,135		2023
2024	205,704		38,046	243,750	29,634				29,634	214,116	1,408,251		2024
2025	206,218		36,144	242,362	29,634				29,634	212,728	1,620,980		2025
2026	206,734		34,337	241,071					0	241,071	1,862,050		2026
2027	207,251		32,620	239,871					0	239,871	2,101,921		2027
2028	207,769		30,989	238,758					0	238,758	2,340,678		2028
2029	208,288		29,439	237,728					0	237,728	2,578,406		2029
2030	208,809		27,967	236,776					0	236,776	2,815,182		2030
2031	209,331		26,569	235,900					0	235,900	3,051,082		2031
2032	209,854		25,241	235,095					0	235,095	3,286,177		2032
2033	210,379		23,978	234,358					0	234,358	3,520,535		2033
2034	210,905		22,780	233,685					0	233,685	3,754,219		2034
2035	211,432		21,641	233,073					0	233,073	3,987,292		2035
2036	211,961		20,559	232,519					0	232,519	4,219,812		2036
2037	212,491		19,531	232,021					0	232,021	4,451,833		2037
2038	213,022		18,554	231,576					0	231,576	4,683,409		2038
2039	213,555		17,626	231,181					0	231,181	4,914,590		2039
Total	3,996,092	0	552,599	4,548,691	148,170	40,487	12,074	15,150	203,807				Total

Notes:

Projections for computer aid projected to decline by 5% annually
No assumptions for additional development included

Projected TID Closure

Attachment: TID 5 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Form PE-300	TID Annual Report	2021 WI Dept of Revenue

Section 1 - Municipality and TID					
Co-muni code	Municipality		County	Due date	Report type
45255	**MEQUON**		**OZAUKEE**	**07/01/2022**	**ORIGINAL**
TID number	TID type	TID name	Creation date	Mandatory termination date	Expected termination date
005	**3**	**N/A**	**02/21/2012**	**02/21/2039**	**N/A**

Section 2 - Beginning Balance	Amount
TID fund balance at beginning of year	**$581,830**

Section 3 - Revenue	Amount
Tax increment	$222,876
Investment income	$0
Debt proceeds	$0
Special assessments	$0
Shared revenue	$44,375
Sale of property	$0
Allocation from another TID	
Developer guarantees	
Transfer from other funds	
Grants	
Other revenue	
Total Revenue (deposits)	**$267,251**

Attachment: TID 5 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Form PE-300	TID Annual Report	2021 WI Dept of Revenue

Section 4 - Expenditures	Amount
Capital expenditures	$10,324
Administration	$0
Professional services	$1,750
Interest and fiscal charges	
DOR fees	$150
Discount on long-term debt	
Debt issuance costs	
Principal on long-term debt	
Environmental costs	
Real property assembly costs	
Allocation to another TID	
Developer grants	
Developer name Concord 39	$29,634
Developer name Concord 40	$31,451
Transfer to other funds	
Other expenditures	
Total Expenditures	**$73,309**

Section 5 - Ending Balance	Amount
TID fund balance at end of year	**$775,772**
Future costs	**$1,108,313**
Future revenue	**$4,662,349**
Surplus or deficit	**$4,329,808**

Section 6 - Preparer/Contact Information	
Preparer name **Jennifer Engroff**	Preparer title **Finance Director**
Preparer email **jengroff@ci.mequon.wi.us**	Preparer phone **(262) 236-2955**
Contact name **Jennifer Engroff**	Contact title **Finance Director**
Contact email **jengroff@ci.mequon.wi.us**	Contact phone **(262) 236-2955**

Attachment: TID 5 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Form PE-300	TID Annual Report	2021 WI Dept of Revenue

Submission Information	
Co-muni code	45255
TID number	005
Submission date	06-27-2022 09:37 AM
Confirmation	TIDAR20211225O1653497904027
Submission type	ORIGINAL

Attachment: TID 5 Annual Report (8176 : TID 4 & 5 Streetscape Plans - Concept)

Section	Design Element	Maintenance Requirement	Budget Impact	Budget Alternative	Considerations
1,7	Decorative stone mulch	Bi-annual top-dress 1-inch	Contracted- 2 ton of material **$600 every two years** Contracted Service Maintenance Account 110474-683202	DPW does not have the specialized equipment required to perform this maintenance	
1,2,6,7	Features (4)	• Tuckpointing • Pressure washing • Life Cycle Replacement	20–30-year life cycle • **$1,000**/year to Right-of-Way capital account for replacement		DPW Staff: 8 hours/year for pressure washing
1,2,6,7	Decorative Pots (24)	• Annual plant material replacement • Watering - three times per week • Life Cycle Replacement	• Contracted: Potting mix replacement and plantings annually $600/pot x (24) = **$14,400/year** • Contracted: **$7,000** annually for watering and pot maintenance – 23 weeks/year x 3 visits per week Contracted Service Maintenance Account 110474-683202 • 15-year life cycle **$2,400/year** to the Right-of-Way capital account for replacement after 15 years	DPW Staff: • Potting mix replacement and plantings annually $400/pot x 24 pots= **$9,600/year** • Planting (24) pots- 2 hours/pot x 24 = 48 hours WORK SUPPLIES-Boulevard 110474-680340 • Plant material replacement: 4 hours x 2/year = 8 hours • Watering: 23 weeks/year x 3 visits per week x 23 weeks = 276 hours	Run dripline irrigation to all pots included in Port Road corridor, mitigating the need for yearly watering contract. Further operational funding needed for maintenance of irrigation system Existing staff levels do not support an additional 332 hours of maintenance; additional staff required.

Attachment: Annual Maintenance Cost Details (8176 : TID 4 & 5 Streetscape Plans - Concept)

All	Mowing and String Trimming - (18) Medians	24 mowing's annually	Contracted: **$17,000/year** Contracted Service Maintenance Account 110474-683202	DPW Staff: • 18 hours/week x 24 weeks = 432 hours • Additional mower- **$18,000** to the Equipment Replacement capital account	Mowing, treatment, string trimming, and garbage picking; comparable to Mequon Road treatment. Existing staff levels do not support an additional 432 hours of mowing; additional staff required.
		Garbage picking		DPW Staff: 2 hours/week x 30 weeks = 60 hours/year	Existing staff levels do not support an additional 60 hours of maintenance; additional staff required.
	Weed Control - (18) Medians	Broadleaf treatment once in fall	Contracted- **$2,500**/year Contracted Service Maintenance Account 110474-683202	DPW does not have the specialized equipment required to perform this maintenance	
		Bi-weekly-herbicide application as needed and manual removal	Contracted- $750 x 11 visits/ year= **$8,250**/year Contracted Service Maintenance Account 110474-683202	DPW does not have the specialized equipment required to perform this maintenance	

Attachment: Annual Maintenance Cost Details (8176 : TID 4 & 5 Streetscape Plans - Concept)

Trees (62) and Shrubs (362)	• Pruning • Watering (once a week, only until establishment) • Staking (upon planting) • Replacement- 3/year (trees) Replacement- 10/year (shrubs)	Contracted- **$3,000**/year pruning and replacement • Watering contract for one season, twice weekly (trees and shrubs) and three times weekly for (pots), May-September, Monday and Thursdays (for trees and shrubs)- 22 weeks = **$6,000-$7,000** Contracted Service Maintenance Account 110474-683202	DPW Staff: • Pruning – 16 hours annually • Tree replacement: 10 hours and 3x$300/tree or $900 annually to the Urban Forestry Capital Account • Shrub replacement: 3 hours and 10x$36/shrub = $360 annually to the Urban Forestry Capital Account • Watering: 2/week x 23 weeks x 5 hours = 230 hours	Existing staff levels do not support an additional 259 hours of maintenance; additional staff required.
Planting Beds with mulch (14)	Annual mulching 1” top-dress (spring)	Contracted- 15-20yds of mulch **$3,500-$4,000**	DPW Staff: • Mulch: 20 yds x $32/yard = $640 WORK SUPPLIES - Boulevard 110474-680340	
Streetlight	• Bulb/ballast replacement • Life Cycle Replacement	• $10/fixture/month in electrical charges; to account: 110359-686115 • $1,000/year to Right-of-Way capital account for replacement		City owned or We Energies owned? We Energies would be responsible for maintenance and repairs, if selection of a standard fixture was an option, similar to the Mequon Business Park.

Attachment: Annual Maintenance Cost Details (8176 : TID 4 & 5 Streetscape Plans - Concept)

Goodyear- Access change due to new median

Current Access

New Access

Goodyear

Crave and Chalet Motel- Access change due to new median

Current Access

New Access

Chalet and Crave

Baymont- Access change due to new median

Current Access

New Access

Baymont

Clark - Access change due to new median
Current Access
New Access
Clark

Culvers
Culvers - Access change due to new median
Current Access
New Access

11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-242-3100
Fax: 262-242-9655

www.ci.mequon.wi.us **Office of Engineering**

TO: **Committee of the Whole**
FROM: **Kristen Lundeen, Director of Public Works/City Engineer**
DATE: **March 14, 2023**
SUBJECT: **Status Update Concerning the MT Trails Foundation's Proposal to Install an Off-Road Bicycle and Pedestrian Path Along Highland Road Between Rotary Park and the Ozaukee Interurban Trail**

Background

In March 2022, MT Trails Foundation, Inc. appeared before the Common Council requesting that the City of Mequon provide a resolution in support of an application for a Transportation Alternatives Program (TAP) grant for construction of an off-road bicycle path connecting the Ozaukee Interurban Trail (OIT) to Rotary Park on Highland Road. The resolution of support was approved.

MT Trails Foundation, Inc. was awarded the TAP grant and is preparing to move forward with the project. The next steps for the foundation are to select a design consultant and execute the State/Municipal Agreement for the project. As noted in the attached packet, construction is planned for August 2024.

This item is intended to provide a project status update and outline how the project will proceed, as well as outlining the requirements for constructing the off-road path within the City's right-of-way.

At the time of application, City staff outlined a number of concerns with the project, but ultimately supported the application. Those concerns included:

- Execution of an agreement outlining the terms and conditions for constructing the path within the City's right-of-way.
- Long-term financial obligations for the City to maintain the 1.5-mile off-road path.
- City administration of the TAP grant.
- The off-road path was not identified by the Joint Mequon-Thiensville Bike and Pedestrian Way Commission. Further, the Commission's request for bicycle facilities was met with the installation of paved shoulders when Highland Road was reconstructed.
- An off-road path would be redundant infrastructure where other corridors are still lacking any bicycle/pedestrian accommodations.
- The need for such a path has not been identified through data gathering or provided through analysis.
- Numerous concerns with the feasibility of construction.
- The Common Council would need to address the operation, maintenance and future replacement of the path. Unless funding was increased, the project would also result in a competing request for bicycle/pedestrian funding.

In the year since the resolution of support was approved, the foundation has worked with adjacent property owners, an engineer and the Wisconsin Department of Transportation

(WisDOT) to refine the project scope and vet through some of the initial design considerations. The following information was provided to address some of the concerns outlined by staff. Please see the attached package and note:

- WisDOT will allow MT Trails Foundation, Inc. to be the local sponsor for the project. Therefore, the City has no financial participation in the project, and MT Trails Foundation, Inc. will be the executor of all grants and contracts.
- MT Trails Foundation, Inc. has committed to being the long-term financial support for the operation and maintenance of the path.
- One of the visions for the foundation includes: Aligning with the goals of the Joint Mequon-Thiensville Bike and Pedestrian Way Commission and working with the Commission to support its plans for off road paths.
- The foundation committed to entering into an agreement with the City for the off-road path.

Analysis

MT Trails Foundation, Inc. is appearing before the Committee of the Whole (COTW) with a project status update. While no formal action is requested for this agenda item, City staff requests that the COTW identify any additional terms and conditions that should be included in the future agreement. At a minimum, staff recommends consideration of the following terms and conditions:

- Reiteration of the requirement for the improvements to meet the City's Standard Specifications for Land Development.
- Specification of no financial commitment from the City for design, construction, operation and maintenance, or future replacement.
- Requirement that if a signalized beacon is approved for the crossing, it be installed to be self-sustaining, including the energy source (i.e., solar powered) and that MT Trails Foundation, Inc. is financially responsible for repair and replacement of the beacon, consistent with other requirements for private infrastructure within the right-of-way.
- Right-of-way waiver, indemnifying the City for any damage to the path and requiring that the MT Trails Foundation, Inc. be responsible for any repair or replacement costs. This is consistent with requirements for other private infrastructure within the right-of-way, such as subdivision monument signs, irrigation systems, dog fencing, etc.
- That MT Trails Foundation, Inc. does not enter into construction contracts or execute the State/Municipal Agreement until the agreement with the City is approved.

Staff also requests that the foundation truly consider the best way to support the Joint Mequon-Thiensville Bike and Pedestrian Way Commission, or at least ensure that the two entities are not competing with respect to similarly or separately identified projects. The purpose of the commission is to complete much of what is outlined in the goals and vision statement for MT Trails Foundation, Inc. Staff is concerned that some of the foundation's initiatives may distract from the momentum of the Commission and confuse the public as to who is representing the goals and objectives for bicycle and pedestrian advocacy within Mequon and Thiensville.

If both groups are claiming to represent "Mequon and Thiensville", it may be difficult for the public to understand which group is supported by the goals and objectives of the City and the Village, especially as it relates to infrastructure within the public realm. While the Commission may appreciate financial support towards completing the vision outlined in the upcoming update to its 2030 Master Plan, having two groups working apart from other for funding opportunities

and/or duplicating or negating either group's vision for the future defeats the ultimate goal of providing safe bicycle and pedestrian facilities. MT Trails Foundation, Inc. is representing an intent to construct a 20+ mile loop around the community with "spokes" connecting to the loop. However, this vision has neither been presented to the Mequon-Thiensville Bike and Pedestrian Way Commission nor the Common Council/City for approval.

Fiscal Impact

In accordance with the City's financial policies, the M-T Trails Foundation, Inc. would be subject to an agreement which would identify and define the terms and conditions associated with the infrastructure.

As outlined in the attached packet, MT Trails Foundation, Inc. will be financially responsible for the design, construction and operation and maintenance of the path. Staff recommends that the terms and conditions also address reconstruction.

Recommendation

Staff recommends that the COTW provide feedback on the terms and conditions for such a proposed agreement, prior to it being placed on a future agenda for consideration.

Attachments:
MT Trails Foundation Highland Road Bike Spur Informational Packet (PDF)

MT Trails Foundation, Inc.
Highland Road Bike Spur
Informational Packet

March 14, 2023

MT Trails Foundation, Inc Background and Vision

MT Trails Foundation, Inc (MT Trails) is a 501(c)(3) non-profit organization formed in 2022 after initially being conceived in 2021 by a group of citizens in the Mequon-Thiensville community. MT Trails is an all-volunteer group led by our current board of directors.

Two key goals in the MT Trails Foundation by-laws are:

- To develop and support a system of family-friendly bicycling and walking connecting off road trails throughout the Mequon and Thiensville communities.
- To provide non-motorized alternatives for transportation, recreation, personal health and well-being.

To achieve these goals, MT Trails Foundation vision is:

1. Focusing on creation of specifically off-road shared-use trails for health, recreation and safety, including securing contractors for surveys, feasibility and cost estimates, solicitation of bids, and through ultimately breaking ground and the creation, completion and maintenance of the trails themselves.
2. Connecting more of the community to the Ozaukee Interurban Trail.
3. Working toward a vision of a 20+ mile loop around the community with "spokes" connecting to the loop.
4. Creating pedestrian and bicycle friendly connections between green spaces in the community.
5. Creating pedestrian and bicycle access between subdivisions and businesses in the community.
6. Aligning with the goals of the Joint Mequon-Thiensville Bike and Pedestrian Way Commission and working with the Commission to support their plans for off road paths.
7. Ensuring that each portion of the project has utility in and of itself, serving a specific purpose.
8. Funding bike racks so that bikes can be securely locked while riders take to the pedestrian only trails, frequent local businesses and enjoy the many area parks.
9. Maintaining a fund for maintenance involving our projects that is not funded through other means, to ensure proper upkeep.

Attachment: MT Trails Foundation Highland Road Bike Spur Informational Packet (8238 : MT Trails Foundation, Inc. Highland Road Bike Spur)

Efforts to date include:

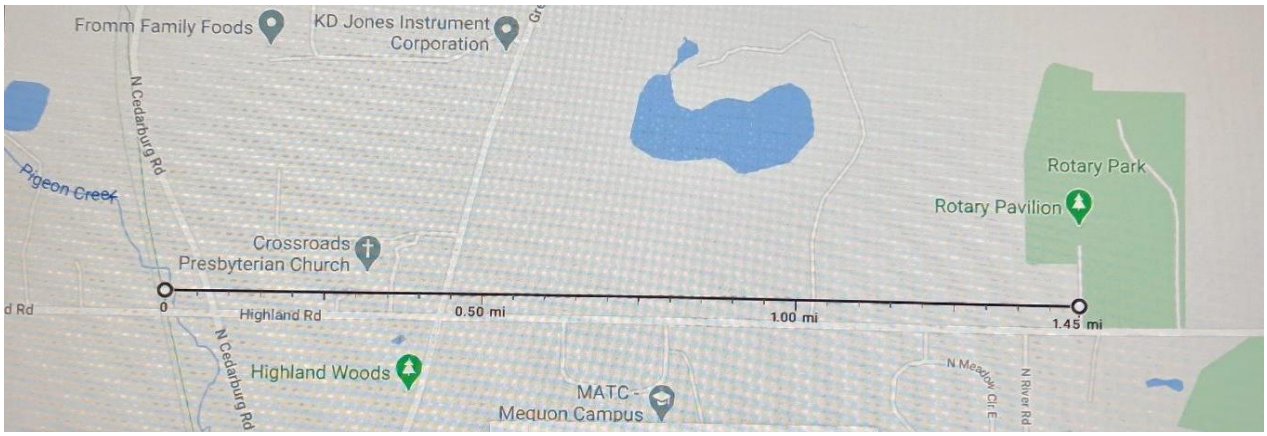
1. Created community awareness and support with our MT Trails Foundation pop-up tent/table staffed by committee members and volunteers. In 2021 the committee obtained letters of support from all facets of the community (Exhibit B). In 2022, MT Trails volunteers interfaced with the community at 12 community events utilizing 80 volunteer hours.

2. Sought input from the community regarding desires for trail placement. This work was begun with questionnaires distributed at our informative pop-up tables throughout 2022, and plans are being discussed to involve the presidents of the Home Owner's Associations (HOA's) of the numerous subdivisions in the community.
3. Sought funding for the creation of the Highland Road Bike Spur through grants and donations, including receiving a Federal Transportation Alternatives Program grant on 8/30/22 for $988,000 as supported by the City of Mequon per resolution #3926 on March 8, 2022 (Exhibit C).

4. Developed an informational website for transparency. See www.mcfgives.org/bikepath/
5. Established our relationship with the Mequon-Thiensville Community Foundation (MTCF) to fund raise and collect donations in a Bike Path Restricted Fund and to hold related endowment maintenance funds. MTCF has been in the community since 1999 and is a significant supporter of enhancing the quality of life in Mequon and Thiensville, including the City of Mequon Police Department, Fire Department, K-9 Unit, Library, Parks and Recreation and Historical sites.
6. Formed a mutually supportive relationship with city and village government, community, business and citizen stakeholders as well as the Joint Mequon-Thiensville Bike and Pedestrian Way Commission.
7. Initiated Phase 1 of our Highland Road Bike/Pedestrian spur, including hiring an architectural firm to complete topographical surveys, wetland delineations, and path alignments for both sides of Highland Road, talking with significant landowners and the city of Mequon as to the best location and to raise significant funds through government grants and private donations.

Attachment: MT Trails Foundation Highland Road Bike Spur Informational Packet (8238 : MT Trails Foundation, Inc. Highland Road Bike Spur)

Highland Road Bike/Pedestrian Spur



MT Trails' first project is to create a safe, off road two directional shared use 10 ft wide paved bike/pedestrian spur for approximately 1.5 miles on the north side of Highland Road from Rotary Park going west to Cedarburg Road. This will connect families and children on the Ozaukee Interurban Trail (OIT) to Rotary Park, one of our most active City parks. This also allows safer access for bikers and pedestrians to the Town Centers of Mequon and Thiensville. The paved spur is to be designed to be top quality, lasting 20 years, and 10 feet wide minimum to meet two directional standards. A 60% CADD design has been designed and revised after discussions with significant landowners. It is attached as Exhibit A. A final 100% design will be completed in conjunction with the Federal TAP grant, with design contract to be consummated by June 30th, 2023. Construction is to be consummated by August 30, 2024.

Following are the anticipated costs and funding of the project:

HIGHLAND BIKE/PEDESTRIAN SPUR COSTS*		
Design	$	155,000
Construction		1,233,000
WisDot review		25,000
Endowment**		100,000
Total Anticipated Costs	$	1,513,000
FUNDING		
Federal TAP Grant ***		988,000
Private donations to date		100,000
Planned fundraisers in 2023		425,000
Total Planned Funding	$	1,513,000

*Estimated Costs as of July 2022 60% Plan design

**Endowment held in a Mequon-Thiensville Community Foundation restricted fund to cover maintenance and snow removal for minimum of 10 years or longer

***Federal Government Transportation Alternative Program Grant received 8/30/22

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Per the WisDOT State Municipal Agreement, which governs the TAP grant for this project, the project is the sole responsibility of the MT Trails Foundation and will not need the services of the City of Mequon. As such, MT Trails Foundation, Inc. will send out the request for proposal (RFP) for design architects per the TAP grant guidelines in March 2023 to consummate final design work by June 30, 2023. Once a 100% plan is received, MT Trails will come to the City for approval before proceeding to the construction phase, to be consummated by August 30, 2024.

Things to note:

- This spur will be a private path within the City of Mequon's right of way which will be completely funded at no cost to the City of Mequon, as will be outlined in a dedication agreement between MT Trails Foundation, Inc and the City of Mequon.
- MT Trails will be responsible for maintenance and snow removal of the spur through a designated endowment for a minimum of 10 years, at which time the Endowment will be assessed and future funding determined.
- This spur is in alignment with the Joint Mequon/Thiensville Bike Pedestrian Way Commission plans.

Sincerely,

Board of Directors on Behalf of MT Trails Foundation

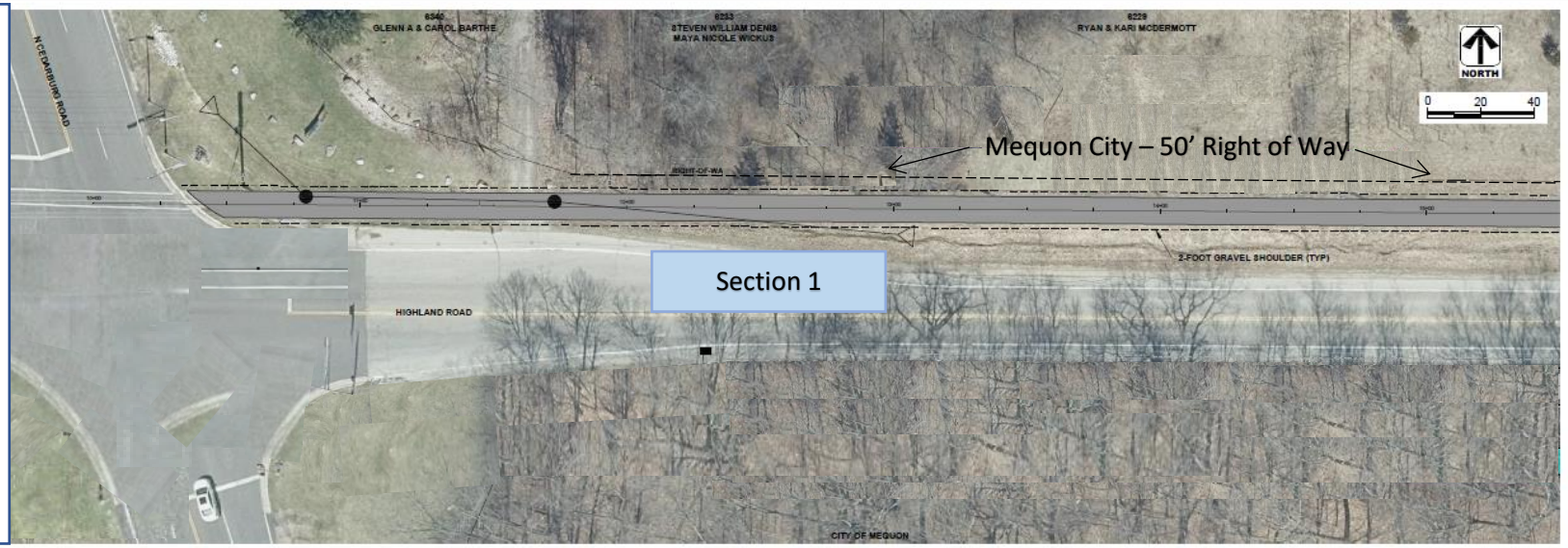
Christopher Doughty, President
Sam Azinger, Vice President
Lori Lorenz, Sect/Treasurer

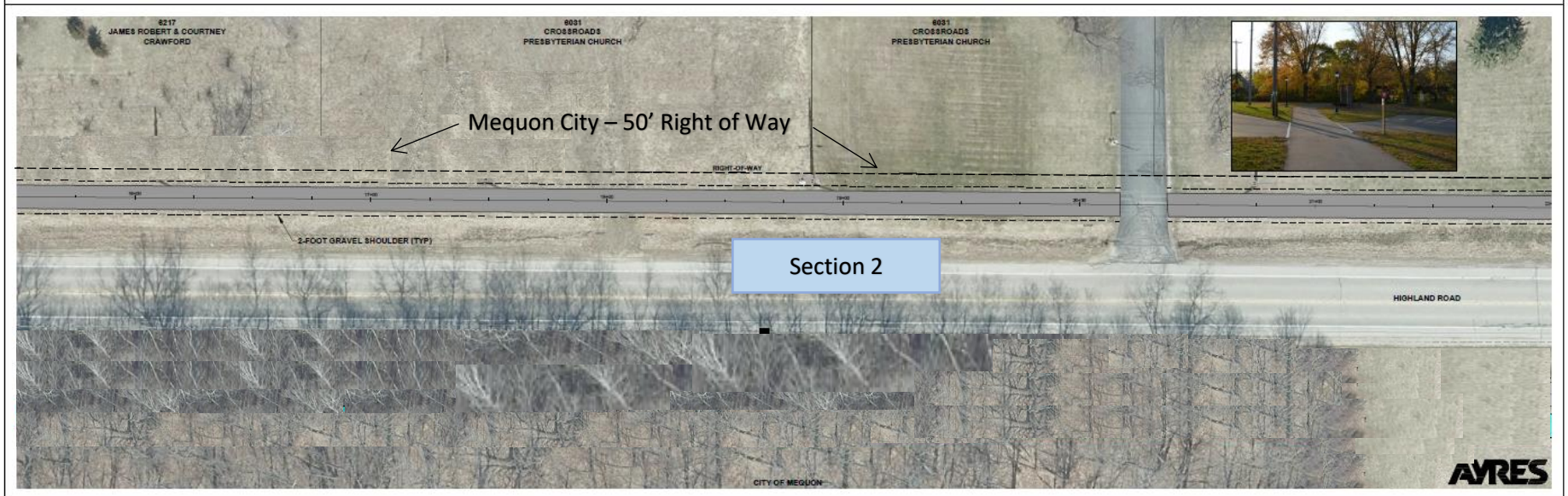
"Not every community has trails for people to easily and safely access—yet. According to the CDC, however, this is a priority: "access to safe places to play and walk, such as parks, safe streets, trails, and greenways, is important for physical activity. It is also important to be able to safely and easily walk, bike, or take transit to everyday destinations such as homes, workplaces, schools, parks, health care, and food outlets." By getting outside and using the trails where you live, you can help demonstrate the value of trails and grow appreciation for them, signaling the need to create and connect more trails in more communities."

--Rails to Trails Conservancy February 2023

Attachment: MT Trails Foundation Highland Road Bike Spur Informational Packet (8238 : MT Trails Foundation, Inc. Highland Road Bike Spur)

MT Trails – North Side Highland Pedestrian/Bike Path





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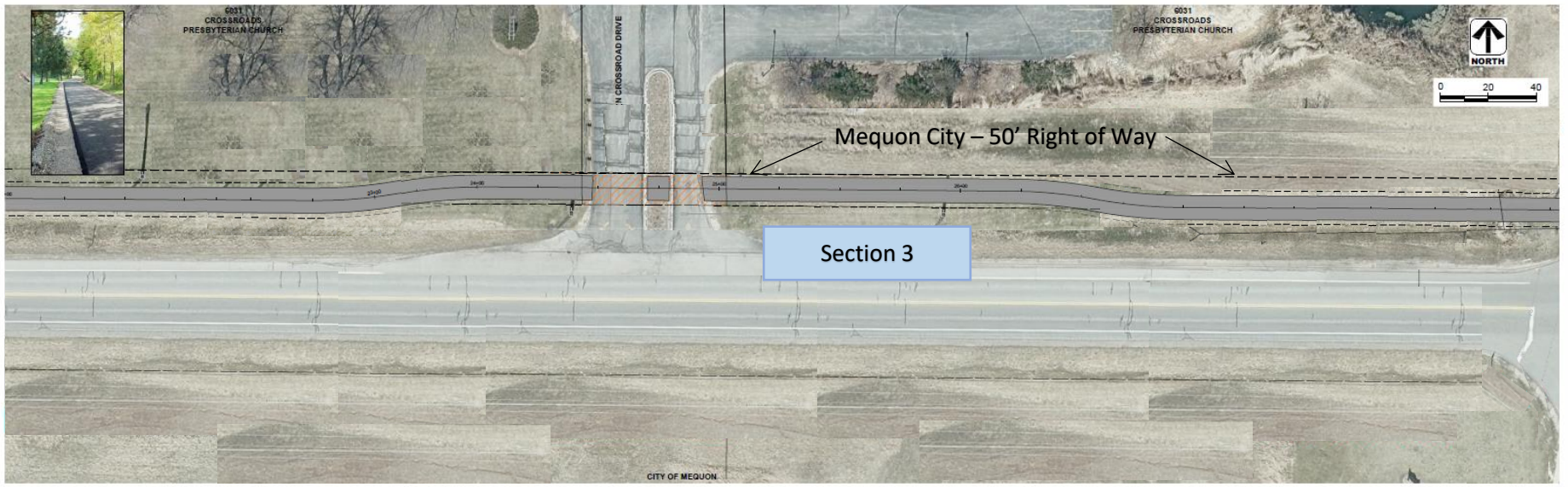

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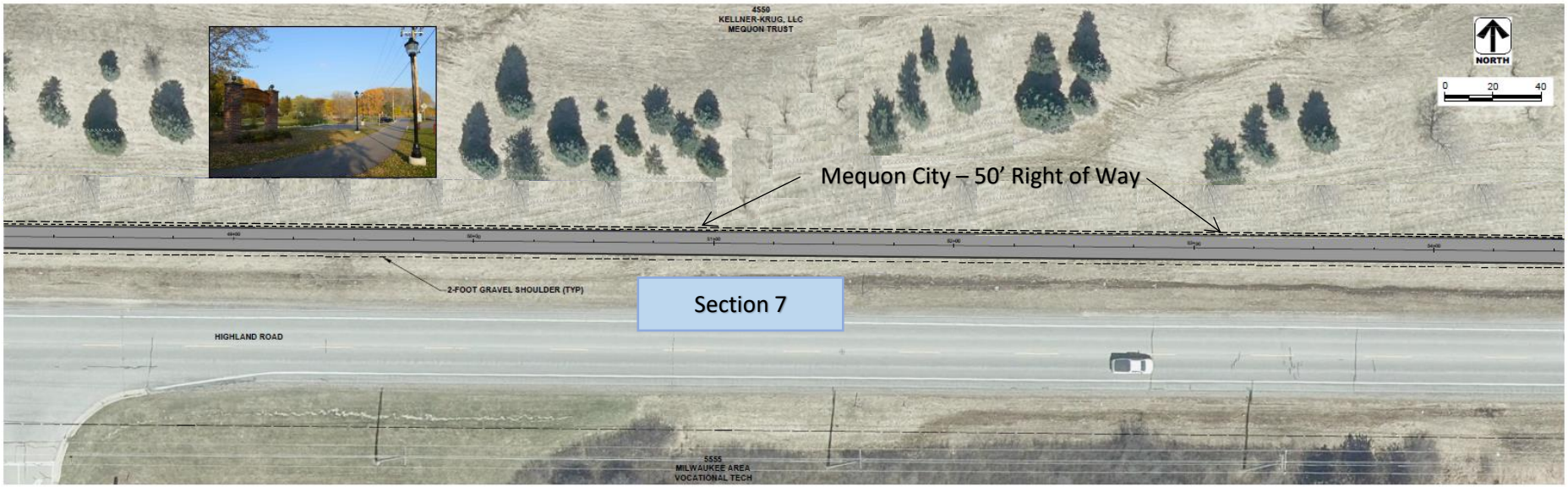

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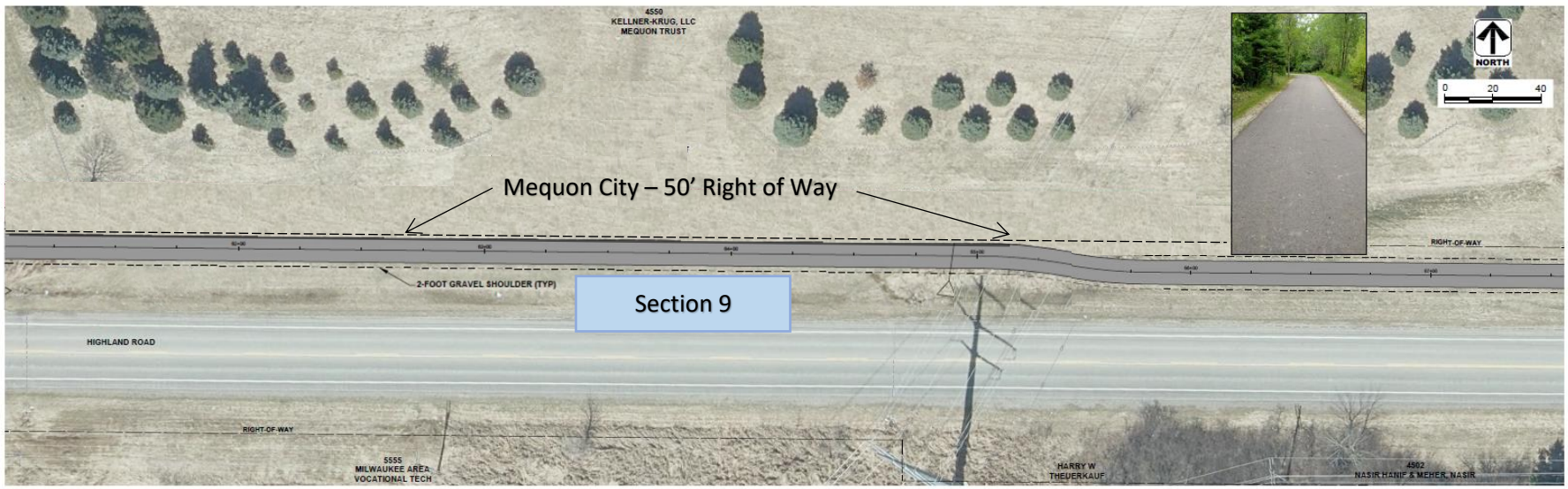

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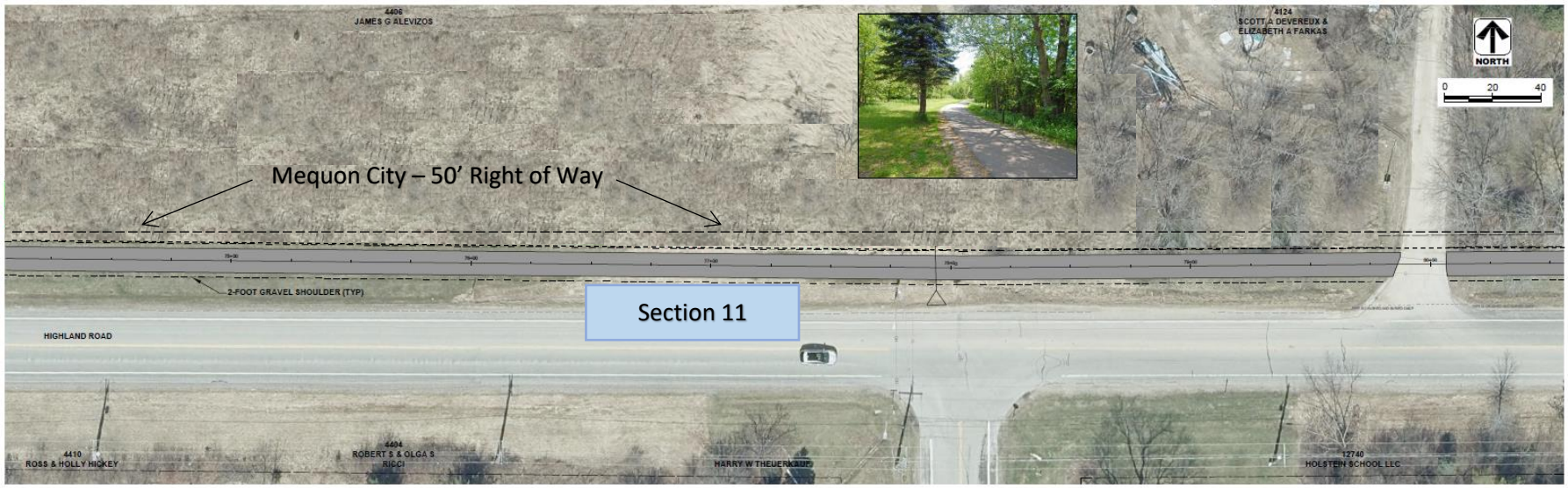

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Attachment: MT Trails Foundation Highland Road Bike Spur Informational Packet (8238 : MT Trails

M-T Trails Foundation, Inc.
Highland Road Bike/Pedestrian Spur
Quotes and Letters of Support for the project

Chair of Mequon/Thiensville Bike/Pedestrian Way Committee, resident and Rotarian: Sam Azinger -- *"Rotary Park is one of the many gems in our community. As a parent of small children, accessing our community on foot or on bicycles is important to keep our kids safe and to encourage healthy lifestyles for generations to come. An off road path connecting the Ozaukee Interurban Trail and Rotary Park would not only provide a safe route for families to access Rotary Park, but would also connect people in North Mequon to the Town Center District and Thiensville businesses."*

Employee who walks Rotary park and rides OIT: Lisa Sheridan, Director of Client Operations, Gentian Financial *"I walk almost daily during my lunch hour from the Gentian Building over to Rotary Park and the Wooded trail. In fact, my total walk is 3 miles in 55 mins and part of that I have to walk on the side of the road on Highland Rd to get there. The path would be such a major improvement as I would not feel like I am about to get killed or have to be on constant alert for cars from both ways not seeing me. I also bike after work sometimes too and use the Interurban bike trail path but do NOT feel at all comfortable riding a bike on Highland Rd to get to the path. Having the path would be such an added benefit."*

Gathering on the Green Executive Director: Rob Kos: *"For decades Gathering on the Green has put on our flagship event in Rotary Park. The park is a jewel in our community and we love showing it off to those who come to our events. The possibility of a bike path that would connect Rotary Park to the Ozaukee Interurban Trail is a dream come true. It would enable many more people to safely discover and explore the fantastic asset of our park."*

Principal of Christ Alone Lutheran School in Thiensville, Paul Berger: "*Christ Alone Lutheran School sees the Ozaukee Interurban Trail as an asset for teaching our students about healthy living. Because it is located on the western edge of our property, we have easy access to it. We use the trail annually for our Run/Walk benefiting Juvenile Diabetes Research Foundation. We see the potential of using the trail for teaching about biking. Having the trail connect to Rotary Park would give a great destination and turn around point for our trips"*

Mequon Police Chief, Patrick Pryor: *"The Police Dept supports the creation of defining a space for bicyclists to ride and pedestrians to walk, to foster a safer environment for the traveling motorists and bicycles."*

Head coach of Homestead Highlanders Cross Country, Jay Fuller: *"Something additional like this path would definitely lure our cross country runners over there!"*

Project Manager for Route of the Badger and Rails to Trails Conservancy, Willie Karidis: *"The Rotary Park connection to the Ozaukee Interurban Trail along the north side of Highland Road is a game changing project for the City of Mequon. This forward thinking trail project will provide a seamless connection for all ages and abilities providing safe access where none had existed before to both of these important landmarks."*

17 year resident of Mequon, Founder of Gentian Financial (on Highland Road), Chris Doughty—"*While living in the Ville Du Parc Subdivison, we have experienced several unfortunate incidents in which pedestrians have been hurt or worse yet lost their lives traveling on Highland road. I often hear families with small children tell us that they do not walk or bike on or near Highland Road due to the high rate of speed and distracted driving that occurs today. One such instance occurred while I was driving along a busy artery near Freistadt and Green Bay Road in Thiensville Wisconsin and we noticed a family of 3 trying to get to the Ozaukee Interurban Trail on their bikes to go to the Mequon Public Market. While driving behind the family, the child lost control of his bicycle and ended up in the MIDDLE of the road. If I had proceeded to pass them (as other vehicles had) that child would be seriously hurt or dead. In another instance there was a father of a resident standing in front of his mailbox on Highland Road to get the mail. It was late in the afternoon and the car did not see him and, in front of his granddaughter, he was killed instantly. I own the building on the corner of Highland and River Road (Gentian Financial) and can see the traffic that speeds along the road. Often much faster than the limit. In a growing, younger suburb, a trail that connects the parks and the existing infrastructure (IUT) would be a very valuable community resource."*

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City of Mequon

11333 N. Cedarburg Road
Mequon, WI 53092
262-242-3100

www.ci.mequon.wi.us

Mayor John M. Wirth
mayor@ci.mequon.wi.us
2632-236-2944

January 28, 2022

Ladies and Gentlemen:

I am writing in support of the grant request of M-T Trails Foundation.

Mequon has a unique interest in bike paths and pedestrian ways. Paths are good in all communities. However, with over 46 square miles and a population of only about 25,000 people, people in Mequon are unusually spread out. Paths create connections and help build community.

Moreover, as a result of our low density, we have far fewer neighborhood streets that connect areas. Instead, bicyclists and pedestrians use arterial streets and highways to get from place to place. These higher traffic streets are often unsafe for bicyclists and pedestrians, including families with children. Paths resolve the safety concerns of those streets.

The M-T Trails Foundation hopes to first build a path along Highland Road, connecting the Ozaukee Interurban Trail with Rotary Park, Mequon's largest active park. Considering that the Ozaukee Interurban Trail bisects Mequon and Thiensville, much of the community will be able to take advantage of this connection to get to Rotary Park. Further, the 30-mile Ozaukee Interurban Trail connects Mequon and Thiensville to the rest of Ozaukee County. Therefore, the proposed Rotary Park/Highland Road connection will benefit bicyclists from multiple communities. There are a number of hurdles to get this path built, but a grant would go a long way to assist to make this happen.

I respectfully request that you give the M-T Trails Foundation request your greatest consideration.

Sincerely,

John M. Wirth
Mayor, City of Mequon

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January 27, 2022

Travis Houle
Statewide Local Program Manager
WI Department of Transportation
4822 Madison Yards Way
Madison WI 53705

WISCONSIN BIKE FED

To Whom it May Concern:

I am pleased to write this letter in support of the Highland Bike and Pedestrian Path project. While bicyclists will undoubtedly enjoy the increased trail-riding opportunities this project would bring to Wisconsin's Lake Michigan coast, the far-reaching enhancements this connection will bring to the area's local economies, tourism industries, and residential health and well-being make this a worthwhile project for our state to invest in.

The Highland Bike and Pedestrian Path would connect the Mequon Rotary Park with the Ozaukee Interurban Trail via a 1.5 mile long paved path. The interconnectivity between Mequon/Thiensville area trails this project would bring is well-supported by community members, law enforcement, local advocates, and affected homeowners. I have been impressed by the dedication these motivated stakeholders have to getting this project completed and am confident that with proper funding, the project will be a success.

The importance of trails for our Wisconsin communities cannot be understated. While the obvious impacts of increased community recreation opportunities are clear, trails do so much more for the communities they serve, including bettering public health, increasing economic and transportation benefits, enhancing environmental and conservation efforts, and even establishing a sense of identity within the community. By investing in trails, we invest in our residents, our communities, and our state.

The Highland Bike and Pedestrian Path will serve as a great opportunity for interconnectivity throughout southeast Wisconsin. I offer my full support for the project and will happily work to advocate on behalf of this important community connection.

Sincerely,

Kirsten Finn

Kirsten Finn, Executive Director
Wisconsin Bike Federation
187 E. Becher St.
Milwaukee, WI 53207

EXHIBIT C

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3926

A Resolution Supporting the M-T Trails Foundation, Inc. Application for a Wisconsin Department of Transportation (WisDOT)Transportation Alternatives Program (TAP) Grant and Pending Memorandum of Understanding/Donation Agreement for an Off Road Path on Highland Road from the Ozaukee Interurban Trail to Rotary Park

RECITALS

A. M-T Trails Foundation, Inc. applied for a Wisconsin Department of Transportation (WisDOT) Transportation Alternatives Program (TAP) Project grant (Grant).

B. The Grant requires the City to pass a local resolution of support for the proposed project, executed by a governing body that has the authority to make financial commitment on behalf of the project sponsor.

C. The Grant application terms requires a resolution will be required for an application to be eligible, which means a copy of the resolution should be submitted to the Region Local Program Manager no later than 5:00 PM April 18, 2022.

D. The City has no financial responsibility for the project.

E. If the Grant is awarded, M-T Trails Foundation, Inc. and the City of Mequon will enter into a Memorandum of Understanding (MOU) and/or Donation Agreement to provide a framework for administrating the Grant and to provide an understanding about M-T Trails Foundation, Inc.'s commitment to provide matching funds for the Grant.

F. M-T Trails Foundation, Inc. will provide all required project sponsor match funds and any additional project costs not covered under the Grant agreement and the MOU/Donation Agreement.

G. If intended to be dedicated to the City as a public off road path, the design must adhere to the Standard Specifications for Land Development, current edition and meet ADA requirements.

H. If ultimately dedicated to the City, the M-T Trails Foundation, Inc. acknowledges that the City will establish the terms and conditions for the operation and maintenance of the path, including snow removal and future replacement, as defined in the Donation Agreement.

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin, that:

1. This resolution shall serve as the resolution required for the application to be eligible for the WisDOT TAP grant.

Attachment: MT Trails Foundation Highland Road Bike Spur Informational Packet (8238 : MT Trails Foundation, Inc. Highland Road Bike Spur)

2. Following the grant award, the M-T Trails Foundation, Inc. shall populate the Donation Agreement template document and work with staff for a recommendation for further Common Council consideration and approval.

3. The Common Council will act on the Donation Agreement, including review and approval of the terms and conditions, at a future meeting in accordance with the City's Financial Policies.

4. The Mayor and City Clerk are authorized and directed to execute any necessary documentation to effectuate the purposes of this resolution subject to review and approval of the City Attorney.

Approved by: John Wirth, Mayor

Date Approved: March 8, 2022

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 8, 2022.

Caroline Fochs, City Clerk

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