



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, December 12, 2023
6:30 PM
Christine Nuernberg Hall

Agenda

1. Call to Order, Roll Call
2. Approval of Meeting Minutes
 - a. November 14, 2023
3. Discussion
 - a. City of Mequon Community Survey
 - b. Statutory Law Changes with Potential Impacts on City Ordinances or Policies — 2023-24 Legislative Session
4. Informational Items
 - a. Committee of the Whole Calendar
5. Adjourn

Dated: December 12, 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.



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, November 14, 2023
6:45 PM
Christine Nuernberg Hall

Minutes

1. Call to Order, Roll Call

Present:

Mayor Andrew Nerbun
Alderman Robert Strzelczyk - Virtually
Alderman Kelly Tolocko
Alderman Dale Mayr
Alderman Jeffrey Hansher
Alderman Gregg Bach
Alderman Brian Parrish
Alderman Kathleen Schneider
Alderman William Gebhardt

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

2. Approval of Meeting Minutes

a. October 10, 2023

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

AYES: Nerbun, Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt

Attachment: 11.14.23 (8991 : November 14, 2023)

3. Discussion

a. Town Center TID #3 Public Project Update

Director Tollefson summarized the completed streetscape elements along Mequon Road and throughout the Town Center, and outlined those that will be completed next spring mainly the median lights, utility pole removal, gateway signage and landscaping. Expenses were discussed and the project is on budget. Committee discussion commenced.

4. Resolution

a. **RESOLUTION 4084** A Resolution Adopting an Incentive Policy for Tax Increment Financing Districts #4 and #5

Assistant Director Zader presented the returning policy item and welcomed questions and comments from the Committee. The proposed policy remains a high priority for the Economic Development Board.

RESULT: **Approved by Voice Acclamation [7 to 2]**
MOVED BY: Alderman Hansher
SECONDED BY: Alderman Schneider

AYES: Nerbun, Tolocko, Mayr, Hansher, Bach, Schneider, Gebhardt
NAYS: Strzelczyk, Parrish

5. Discussion

a. City of Mequon 2022-2025 IT Strategic Plan Update

Assistant City Administrator Schoenemann provided a brief background of the IT Strategic Plan, including accomplishments, current status, and steps moving forward. Staff has been focused on fundamental work that the City can build on in the future by replacing aged equipment and redesigning the City's network. Currently in progress is the installation of credit card capabilities at City Hall and at the Police and Public Works facilities, implementing digital business licensing, E-signature capabilities, an employee/human-resources self-serve module, new service providers, new Police Department server, land management migration, among others.

6. Informational Items

a. Committee of the Whole Planning Calendar

7. Adjourn

Motion to Adjourn at 7:32 PM.

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

AYES: Nerbun, Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt

Respectfully Submitted,

Janet Meyer
Deputy Clerk

Attachment: 11.14.23 (8991 : November 14, 2023)



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

www.ci.mequon.wi.us

Office of Administration

TO: Committee of the Whole
FROM: Justin Schoenemann, Assistant City Administrator
DATE: December 4, 2023
SUBJECT: City of Mequon Community Survey

Background

The City of Mequon has a tradition of assessing community opinion by conducting surveys in which residents can voluntarily participate. Within the last two decades, the City has conducted community-wide surveys every five to seven years. The 1999 and 2005 surveys were done in connection with a community visioning process. A third community survey focusing on economic development was completed in 2013. The most recent survey was completed in 2019. This survey sought input from residents on a variety of topics, including land use, development, quality of life, and satisfaction with City services. The survey contained 30 questions. If a household contained more than one adult member, an additional copy could have been completed by requesting an additional paper copy.

For the 2019 survey, the City contracted with the Strategic Research Institute (SRI) of St. Norbert College for assistance to ensure confidentiality and accurate data analysis of the results. SRI worked in partnership with Neighborhood Analytics, a small company comprised of researchers. The cost of SRI's services was approximately \$40,000. The City also expended funds on signs, ads, mailers, and similar items to publicize the survey. In addition to the stated cost centers, there was a significant amount of staff time dedicated to the survey from all Departments. Further information about the 2019 survey, including results, is available on the City's website via the below link.

Link: www.ci.mequon.wi.us/community/page/community-survey

To follow the same historical survey interval, a community-wide survey would need to be completed between 2024 and 2027. The primary questions now before the Common Council tonight are when should the next survey be completed and what topics would the members like to see surveyed?

Analysis

During the 2019 vendor selection process, it was learned that very few organizations still provide a paper-based community survey. Before utilizing SRI in 2019, the City partnered with a research department at UW-Milwaukee. That research department is no longer in existence. Additionally, after reflecting on the 2019 survey process, SRI ran into logistical difficulties, mailing address database limitations, and service limits that made the survey process challenging.

Based on staff's review to date, The National Community Survey developed and administered Polco, is an example of a potential instrument for the City's next community-wide survey. In addition to allowing the City to include custom questions, the survey contains a benchmarking component that would enable the City to compare its livability against state and national communities. Livability is benchmarked by comparing the following ten factors.

- | | |
|------------------------|-----------------------------|
| 1. Safety | 6. Economy |
| 2. Mobility | 7. Parks and Recreation |
| 3. Natural environment | 8. Health and Wellness |
| 4. Built environment | 9. Education and Enrichment |
| 5. Utilities | 10. Community Engagement |

To conduct the survey, Polco will assign two dedicated researchers and statisticians for the entirety of the project, from question development to the final presentation of results before the Common Council. Polco's team guarantees the use of rigorous and statistically valid survey methods. To ensure statistically significant results, Polco would first distribute the survey to a randomly selected sample of households and then open the survey to the entire community to participate. Polco can conduct surveys electronically or in a hybrid paper and digital fashion. Polco is typically able to complete a community survey in 16 weeks. Also, by using Polco for the community-wide survey, the City could use its services to conduct micro-surveys to follow up on specific topics between community-wide surveys. Community-wide surveys should only be completed once every 4-7 years to avoid seeing reduced response rates due to an inundation of surveys to respondents.

If Members of the Council would like to learn more about Polco, or another organization, staff can arrange for a representative to attend a future Committee of the Whole session or Public Welfare meeting. For instance, Polco has employees located in Madison who can attend a future evening meeting and provide a presentation.

Additionally, staff would propose aligning the City's next community-wide survey with the next update of the organization's five-year strategic plan. Bringing public opinion into the development of the next strategic plan would be an insightful element, providing the City with the latest data from residents and benchmarking statistics that can be used to refine projects and goals of the new plan. The Strategic Plan, which was adopted last year, is anticipated to be updated in late 2025/early 2026. Furthermore, by starting the process in the 4th quarter of 2024 and conducting the next community-wide survey in 2025, the organization can focus staff efforts on priorities identified by the Common Council in 2024, such as the Land Management System acquisition, Brush Site automation, IT Strategic Plan objectives, and more.

Appended to this memo is a proposed timeline for the next survey that would have the final report completed by June 2025. The timeline suggests the community be surveyed during May to avoid the spring elections in April and the prime summer vacation months. Alternatively, the City could work to have the community surveyed in September or October of 2025 before a portion of residents depart for the winter.

Fiscal Impact

If the organization goes with another fully paper-driven survey, it would be safe to assume that the next survey would cost at least \$40,000, which was the base cost for consultant services in 2019. A fully digital survey would have a lesser price tag and a quicker turnaround time from the contracted consultants. For instance, Polco's average community survey cost range is \$17,000 to \$25,000.

Recommendation

Staff will be ready to gather the Council's feedback on the proposed timeline and vendor at the Committee of the Whole meeting on December 12. Staff can take notes on survey topic suggestions for inclusion in future phases of the next community-wide survey project.

Attachments:

Proposed Community Survey Timeline (PDF)

Proposed Community Survey Timeline

2024	Action Step	Timing
Q4	Solicit Quotes	October
	Compare Pricing	November
	Interview Vendors	November
	Select Firm	December
2025	Action Step	Timing
Q1	Survey Vendor Contract Award	January
	Develop Custom Questions with Consultants	February - March
Q2	Council Approval of Final Survey Questions	April
	Conduct the Community-Wide Survey	May
	Data Collection and Analysis by Consultants	May
	Review and Audit of Draft Report	June
	Presentation of Results to the Common Council	June
	Finalization of Community-Wide Survey Report	June



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

www.ci.mequon.wi.us

Office of City Attorney

TO: Committee of the Whole
FROM: Brian Sajdak, City Attorney
DATE: December 7, 2023
SUBJECT: Statutory Law Changes with Potential Impacts on City Ordinances or Policies — 2023-24 Legislative Session

The 2023-24 Legislative Session is now effectively halfway complete. Perhaps unsurprisingly given the split control of the executive and legislative branches of government, things have started slowly with 86 Acts being enacted as of the writing of this memo - although 48 of these Acts were signed by the Governor on December 6. This memo will cover all of the Acts which may impact City ordinances, rules or policies.

- Act 1 Authorizes a political subdivision to enact an ordinance authorizing law enforcement officers to impound vehicles used in reckless driving offenses when the person cited for reckless driving is the owner of the vehicle and has a prior reckless driving conviction for which a forfeiture was imposed that has not been fully paid.
- Act 9 Increases the penalties for reckless driving and as the severity of the reckless driving increases so do the penalties that can be assessed.
- Act 12 Shared Revenue Bill. Well-publicized increases to shared revenue to communities throughout the state. Additional changes include the elimination of personal property tax, a requirement for public safety “maintenance of effort” certification, various changes to the various levy limit adjustments, the prohibition of advisory referendums (with a few exceptions), changes to local authority to regulate quarries, and allowing additional flexibility in ambulance staffing.
- Act 13 Creates an agricultural roads improvement grant program - while the City may not be the highest qualified applicant for funds, at first blush it likely meets the minimum qualifications for consideration.
- Act 16 Local Regulation of Property Development. The Act makes a number of changes which will need to be addressed. First, it broadens the scope of judicial review for certain land use approvals for residential development. Second, it mandates approval of permits and administrative approvals required for residential housing development if it meets all standards for approval. Third, it provides that zoning amendments require a simple majority of the full council to be approved, and it prohibits the use of protest petitions. Finally, the Act eliminates the requirement that a planned development district contain mixed compatible uses.

- Act 19 The Biennial Budget. In a twist, there are no apparent policy changes impacting local governments slid into the budget. The budget does, however, continue to finalize some of the shared revenue concepts from Act 12.

- Act 34 The Act looks to overturn a ruling from the Wisconsin Employment Relations Commission which held that public safety unions are not allowed to bargain over the “design” of the health plan, which includes who is and is not covered. The Act clarifies that “design” does not include the decision as to who is covered by a health care coverage plan selected by the municipal employer.

- Act 46 The Act addresses damages claims relating to delayed relocation of utilities in a highway right-of-way in certain circumstances.

- Act 53 The Act requires any municipality that broadcasts (including live streams) proceedings on election night to retain a copy of that video for 22 months.

- Act 54 This Act addresses and clarifies the discrepancy between military and overseas voters and all other voters for the purpose of absentee ballots in the presidential primary election.

- Act 57 While not directly related to the City, the Act creates the ability for a driver’s license applicant to identify an emergency contact who’s information would be on file with the DOT and available to local law enforcement in the event of an emergency.

- Act 63 Requires the DNR contract with snowmobile clubs to allow the erection of signs along snowmobile trails on state land that advertise nearby businesses.

- Act 73 The Act makes sweeping changes to the regulation of alcohol production and sales within the State.

- Act 78 Allows an employer to consent to having communications related to group health insurance plans, employer-sponsored plans, and other ancillary coverage be provided electronically to plan holders if certain criteria are met.

- Act 79 Authorizes hospitals, fire and police departments to install a “newborn infant safety device” (e.g., “baby box”) under certain standards to create an additional method by which a parent may relinquish their newborn under the Safe Haven law.

In addition to signing 48 bills into law, the Governor also vetoed a number of bills on December 6. Most of the bills that received a veto were related to changes to various aspects of elections: Assembly Bill 396 relating to capping the fee for obtaining copies of certain voting records; Assembly Bill 494 changing the rules related to indefinitely confined voters; and Senate Bill 98 requiring the DOT to place “not valid for voting purposes” on the driver’s license of non-U.S. citizens.

While undoubtedly political lip service, I note that in his veto of Assembly Bill 146 (prohibiting local governments from using funds for guaranteed income programs) the Governor provided the following as the basis for his veto:

I am vetoing this bill in its entirety because I object to the Legislature's continued efforts to arbitrarily restrict and preempt local government partners across our state. The Legislature should focus its efforts and energy on supporting our local partners and building upon our bipartisan work this session to ensure our local communities have the resources they need to meet basic and unique needs alike. I trust our local partners to know best how to meet local needs, and the state should be a partner in-not an obstacle to-the work of our local partners to address their unique challenges and meet those needs, whatever they may be.

Given some of the other pending legislation, holding true to this belief will be critical to prevent significant limitations on the City's powers. Two of the more troubling pending bills are:

Assembly Bill 594 - Prohibits a municipality from enforcing contractual provisions requiring a design professional (engineer, architect, surveyor, landscape architects, etc.) to indemnify the municipality for damages resulting from their work.

Senate Bill 691 - Allowing certain towns to designate themselves as an "urban town" which excludes them from extraterritorial zoning and plat review as well as requires sewer and water connection from an adjoining municipality upon request. Neither of the towns adjoining Mequon appeared to qualify as an urban town at this time.

Both of these bills had a public hearing in the legislature on Tuesday the 5th. Initial reports are that both appear to be likely to pass.

Some of these items do not need to be directly addressed by the Council. For example, the increased penalties on reckless driving under Act 9 are implemented as an additional component to the citation amount through municipal court. Of the changes discussed, the most critical are the zoning changes in Act 16 and the alcohol changes in Act 73. Both of these will be discussed in more depth at the Committee of the Whole meeting to address the game plan moving forward.

BCS

COMMITTEE OF THE WHOLE PLANNING CALENDAR - 2024

ITEM	PRINCIPAL	TIME
January 9		
Park Master Plan Update	Lundeen	30
Community Development Operational Analysis	Tollefson	30
February 13		
Facilities Study Update	Lundeen	45
Floodway Zoning (Section 58-800)	Sajdak/Tollefson	45
Strategic Planning Workshop (Date & Time TBD)	Jones	All Day
March 12		
Fleet Study Update	Lundeen	45
Lakeshore Bluff Construction	Tollefson	30
April 9		
Sanitary Sewer Study Update	Lundeen	60
May 14		
Right-of-Way Asset Management Study Update	Lundeen	60
Electronic Poll Books Implementation	Fochs	15
June 11		
Brush Site Project Overview	Lundeen	30
SOFD Update	Bialk	30
ITEM	PRINCIPAL	TIME

COMMITTEE OF THE WHOLE PLANNING CALENDAR - 2024

July 9		
August 13		
September 10		
October 8		
November 12		
December 10		
Future Policy Items for Discussion/Consideration/Analysis		

Attachment: COTW PLANNING CALENDAR (9033 : COTW)