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Office of the City Clerk
Taped and Televised

COMMON COUNCIL
Regular Meeting
Tuesday, January 9, 2024 - 7:30 PM
Christine Nuernberg Hall

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 7:35 PM.

2) Pledge of Allegiance

3) Roll Call

Present:

Mayor Andrew Nerbun
Alderman Robert Strzelczyk
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, City Attorney Sajdak, City Clerk Fochs, Community Development Director Tollefson, Assistant Community Development Director Zader, City Engineer/Public Works Director Lundeen, Assistant City Administrator/HR Director Schoenemann, press and interested public.

4) Public Hearing:

- a) **ORDINANCE 2023-1657** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code to Rezone the Property Located at 11743 N. Port Washington Road from R3 (Single-Family 1-Acre) to R5 (Single-Family 1/2 Acre) with a PUD (Planned Unit Development) Overlay and Amend the City's Land Use Plan Map from Residential (1-1.5 Acre) to Residential Plex, in Connection with the Development of a 19-Lot Cluster Subdivision.

1) Public Hearing

Motion to open the public hearing for **ORDINANCE 2023-1657**.

Mr. Charles Bley spoke in favor of **ORDINANCE 2023-1657** but questioned how this development will impact his property and requests that interested parties work together to minimize this impact both environmentally and financially.

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

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

Motion to close the public hearing for **ORDINANCE 2023-1657**.

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

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

2) Consideration of Ordinance

Assistant Community Development Director Zader stated that multiple commercial and multi-family residential developers have expressed interest in this property. Lakeside Development Company is requesting rezoning and concept plan approval for a 19-single unit condo pads with a conservation design to preserve the woods on the 9.8-acre property. There will be a 15-foot minimum distance between building pads and a 10-foot setback from the new public road. Planning Commission recommended 40 percent of the residential buildings have side-loading garages due to the narrowness of the development area. Many specimen trees will be saved and landscape buffers are planned.

Council discussion ensued on the side-loading garage requirement and how it affects aesthetics of the neighborhood, density, traffic impacts and access from Port Washington Road, the developer's communication with the residents, the preservation of the woods, and the need for homes of this type for our aging population.

Scott Humber of Lakeside Development, explained that side-loading garages need approximately 30 feet or more of a turned garage entry. The Aster Woods Development, which is similar to this proposal, only has 4 side-loading garages out of 36 units. Mr. Zader stated that Aster Woods predated the City's current policy of having at least 50 percent side-loading garages. With requiring 50 percent, the development would lose 4-5 homes and would have more concrete and asphalt.

Motion to amend **ORDINANCE 2023-1657** by increasing the side-loading garage requirement to 50 percent.

RESULT: **Approved by Roll Call Vote [6 to 2]**
MOVED BY: Alderman Schneider
SECONDED BY: Alderman Parrish

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

Motion to approve **ORDINANCE 2023-1657** as amended.

RESULT: **Approved by Roll Call Vote [7 to 1]**
MOVED BY: Alderman Schneider
SECONDED BY: Alderman Parrish

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

5) Personal Appearances and Public Comment: None.

6) Public Officials' Reports:

- a) Mayor: No report.
- b) City Administrator: City Administrator Jones announced that an update on the Republican National Convention to be held in July 2024 in Milwaukee, will be provided at the February Common Council meeting.

Also, January 31st will be the deadline for 1st installment tax payments as well as the last day for Christmas tree curbside pickup in Mequon.

7) Consent Agenda:

- a) Common Council meeting minutes of December 12, 2023.
- b) Architectural Board meeting minutes of October 9, 2023.
- c) Finance-Personnel Committee meeting minutes of November 14, 2023.
- d) Public Works Committee meeting minutes of November 14, 2023.
- e) Zoning Enforcement and Site Compliance Report Through January 1, 2024.

Motion to approve the Consent Agenda, Items A - E.

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

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
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8) Ordinances: None.

9) Resolutions: None.

10) Specified Unfinished Business From Prior Meetings: None.

11) Specified New Business:

- a) Aldermanic Appointment District 3- Ethics Board Member, Matthew Frise

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

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

12) Potential Closed Sessions:

- a) Venture Properties Claim: The Common Council may convene into closed session pursuant to Wis. Stat. §19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and then may reconvene into open session to take such action as deemed appropriate.

Motion to go into Closed Session to discuss the Venture Properties Claim.

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

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

- b) Personnel Evaluation of City Administrator: The Common Council may convene into closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and then may reconvene into open session to take such action as deemed appropriate.

Motion to go into Closed Session to discuss the Personnel Evaluation of the City Administrator.

RESULT: Approved by Roll Call Vote [Unanimous]
MOVED BY: Alderman Bach
SECONDED BY: Alderman Gebhardt

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

The Common Council convened into Closed Session at 8:17 PM.

13) Adjourn

Hearing no objection, the Common Council adjourned at 9:10 PM.

Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk
Approved 02/13/24