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Office of the City Clerk
Taped and Televised

**COMMON COUNCIL
Regular Meeting
Tuesday, January 10, 2023 - 7:30 PM
or Immediately Following the
Sewer Utility District Commission Meeting
Christine Nuernberg Hall**

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 7:41 PM.

2) Pledge of Allegiance

3) Roll Call

Present:

Mayor Andrew Nerbun
Alderman Robert Strzelczyk
Alderman Glenn Bushee
Alderman Dale Mayr
Alderman Jeffrey Hansher
Alderman Mark Gierl
Alderman Brian Parrish
Alderman Kathleen Schneider
Alderman Vacant Seat - **Absent**

Also present: City Administrator Jones, City Attorney Sajdak, Community Development Assistant Director Zader, Assistant City Administrator/Human Resources Director Schoenemann, Police Chief Pryor, Fire Chief Bialk, Executive Assistant of Communication Enea, press and interested public.

4) Public Hearing:

- a) **ORDINANCE 2022-1636** - An Ordinance Amending a Planned Unit Development (PUD) to Allow a Total of 10 Units for the Property Located Directly West of 11649 N. Port Washington Road; Recommended by Planning Commission November 21, 2022; First Reading at Common Council December 13, 2022.

1) Public hearing

Motion to open the public hearing for **ORDINANCE 2022-1636**.

RESULT: **Approved by Voice Acclamation [7-1]**
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Parrish

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Vacant Seat

Motion to close the public hearing for **ORDINANCE 2022-1636**.

RESULT: **Approved by Voice Acclamation [7-1]**
MOVED BY: Alderman Mayr
SECONDED BY: Alderman Gierl

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Vacant Seat

2) Consideration of Ordinance

ORDINANCE 2022-1636 - An Ordinance Amending a Planned Unit Development (PUD) to Allow a Total of 10 Units for the Property Located Directly West of 11649 N. Port Washington Road.

Assistant Community Development Director Zader provided an overview. In 2018 the development was approved for 8 units, comprised of two three-unit buildings and a two-unit building. The current request is to change the request to five two-unit buildings and have a building separation of 15 feet. This increases the density by two. It still complies with the R-6 zoning district in terms of density and open space requirements. A small frontage road will be added to ease congestion near the Aster Woods access point.

RESULT: **Approved by Voice Acclamation [7-1]**
MOVED BY: Alderman Parrish
SECONDED BY: Alderman Gierl

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Vacant Seat

5) **Personal Appearances and Public Comment:** None.

6) **Public Officials' Reports:**

a) Mayor: None.

b) City Administrator

City Administrator Jones announced the District 8 Special Election is nearly over and the new Alderperson will be sworn in at next month's Common Council meeting. In addition, the

County Line Road overpass was closed today and is estimated to remain closed until mid-2023. Updates can be found at the Department of Transportation 511 website.

Police Chief Pryor provided an update on the dispatch services. On January 1, 2023 all dispatch services are now operated by Ozaukee County, 24 hours a day. This established a single answering point for all 911 calls, should reduce call transfers and should improve call response times. Calls to the non-emergency phone line are now answered by a phone tree between the hours of 7:30 am - 7:30 pm. The lobby still remains open 24/7 to the public. The lobby window will be staffed between 7:30 am - 7:30 pm, Monday through Friday, and from 8:00 am - 4:30 pm on Saturdays and Sundays. A direct line phone to Ozaukee County dispatch is also located in the lobby. A lockable safe room is also available inside the lobby with phone access to Ozaukee County.

Fire Chief Bialk provided an update on Josh Lipp, one of our Firefighter/Paramedics that was severely injured while helping motorists after a traffic accident on December 23rd. He continues to recuperate at home and thanks everyone for their prayers, concerns, and donations.

7) Consent Agenda:

- a) Common Council meeting minutes of December 13, 2022
- b) Architectural Board meeting minutes of November 14, 2022.
- c) Board of Appeals meeting minutes of June 2, 2022.
- d) Finance-Personnel Committee meeting minutes of November 9, 2022.
- e) Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes of November 10, 2022.
- f) Mequon Municipal Water Utility Commission meeting minutes of October 27, 2022.
- g) Public Safety Committee meeting minutes of October 11, 2022.
- h) Public Welfare Committee meeting minutes of November 9, 2022.
- i) Public Works Committee meeting minutes of October 26, 2022.
- j) Sewer Utility District Commission meeting minutes of November 9, 2022.
- k) Zoning Enforcement and Site Compliance Report through January 1, 2023.
- l) **RESOLUTION 4007** - A Resolution Approving a Development Agreement for an 11-Lot Subdivision Upon the Property Located at 10766 North Torrey Drive.
- m) Ordinance First Readings

NOTE: First reading of Ordinances will not be acted upon unless a suspension of the rules is approved by a recorded vote of two-thirds majority of all aldermen.

- 1) **ORDINANCE 2023-1638** - An Ordinance Amending Chapter 2 of the Mequon Municipal Code Related to Electronic Attendance at City Meetings.

RESULT: First Reading

- 2) **ORDINANCE 2023-1639** - An Ordinance Amending Chapter 50 and Section 46-133 of the Mequon Municipal Code, Relating to Nuisances Within the City Including Noise.

The Public Welfare Committee tabled this ordinance at their meeting.

RESULT: First Reading

Motion to approve Consent Agenda items A-L which are the monthly list of reports and minutes and **RESOLUTION 4007**.

RESULT: Approved by Voice Acclamation [7-1]

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Mayr

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

DEEMED NO: Vacant Seat

8) Ordinances:

- a) **ORDINANCE 2022-1633** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Establishing Banquet Facilities as Conditional Uses in the B-2 (Community Commercial), TC (Town Center) Districts, and Conference Centers as Conditional Uses in the B-2 (Community Commercial), B4 (Business Park) Zoning Districts.

Motion to remove **ORDINANCE 2022-1633** from the table.

RESULT: Approved by Voice Acclamation [7-1]

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Schneider

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

DEEMED NO: Vacant Seat

The Committee of the Whole recommended **ORDINANCE 2022-1633** for approval after removing the AC (Arrival Corridor) and the Ulao Creek zoning districts.

Motion to approve **ORDINANCE 2022-1633**, as amended by Committee of the Whole.

RESULT: Approved by Voice Acclamation [7-1]

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Parrish

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

DEEMED NO: Vacant Seat

- b) **ORDINANCE 2022-1637** - An Ordinance Amending Chapter 2 of the Mequon Municipal Code, in Connection with Eliminating the Position of Emergency Dispatcher.

RESULT: Approved by Voice Acclamation [7-1]
MOVED BY: Alderman Schneider
SECONDED BY: Alderman Strzelczyk

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Vacant Seat

9) Resolutions:

- a) **RESOLUTION 4008** - A Resolution Authorizing a Transfer of \$36,661 from the Information Technology Division's 2022 Budget to the Division's Capital Account, in Connection with the Completion of Planned City Network Upgrades in 2023.

RESULT: Approved by Roll Call Vote [7-1]
MOVED BY: Alderman Mayr
SECONDED BY: Alderman Strzelczyk

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Vacant Seat

- b) **RESOLUTION 4009** - A Resolution Approving the Purchase of Two Portable Back-Up Pumps and Appurtenances from Wisconsin Pump Works of Green Bay, Wisconsin, in the Amount of \$149,319.

RESULT: Approved by Roll Call Vote [7-1]
MOVED BY: Alderman Schneider
SECONDED BY: Alderman Strzelczyk

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Vacant Seat

10) Specified Unfinished Business From Prior Meetings: None.

11) Specified New Business: None.

12) Potential Closed Sessions:

- a) Potential Claim Against the Mequon Police Department: 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 potential claim against the Mequon Police Department.

RESULT: **Approved by Roll Call Vote [8-1]**
MOVED BY: Alderman Hansher
SECONDED BY: Alderman Gierl

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider, Nerbun
DEEMED NO:	Vacant Seat

- b) Battalion Chief Vacancy: The Common Council may convene into closed session pursuant to Wis. Stat. § 19.85(1)(c) for the purpose of considering the 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.

The Common Council did not seek action on the item and therefore did not discuss in Closed Session.

RESULT: **No Vote**

13) Adjourn

Mayor Nerbun adjourned the Common Council at 8:10 PM.

Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk
Approved 02-14-23