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Office of the City Clerk
Taped and Televised

**COMMON COUNCIL
Regular Meeting
Tuesday, February 14, 2023 - 7:30 PM
or Immediately Following the
Mequon Municipal Water Utility Commission Meeting
Christine Nuernberg Hall**

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 7:30 PM.

2) Pledge of Allegiance

3) Roll Call

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, City Attorney Sajdak, City Clerk Fochs, Community Development Director Tollefson, Assistant City Administrator/Human Resources Director Schoenemann, Police Chief Pryor, City Engineer/Public Works Director Lundeen, Assistant City Engineer McGraw, Mequon Water Utility Director of Operations Voight, press and interested public.

4) Report of January 10, 2023 Special Election Results

City Clerk Fochs reported that a Special election was held on January 10, 2023 to elect the next Alderman for District 8. Mr. Bill Gebhardt received the most number of votes and will serve out the remainder of the term until April 2024.

5) City Clerk to Administer Oath of Office to Alderman Bill Gebhardt, District 8

City Clerk Fochs administered the oath of office to newly elected District 8 Alderman Bill Gebhardt.

6) Personal Appearances and Public Comment: None.

7) Public Officials' Reports:

- a) Mayor: Mayor Nerbun wished everyone a Happy Valentine's Day.
- b) City Administrator: City Administrator Jones announced that the Citizen Police Academy application deadline is February 17th. February 17th is also the deadline for anyone interested in becoming a full-time firefighter or paramedic with the Southern Ozaukee Fire & EMS Department. Application materials and more information for both these events can be found on the city website. He further announced that early absentee voting for the Spring Primary will end on Friday, February 17th at 5:00 pm. On Saturday, February 18th, the Sunrise Rotary Club and Mequon's Public Works Department, will hold the Candlelight Walk in the Woods at Pukaite Woods at Rotary Park. The free event will run from 5:30 pm to 8:30 pm and is open to the public.

Police Chief Pryor provided an update on the Emergency Notification System that is available to all residents of Ozaukee County. Residents should still dial 911 for police, fire or emergency medical assistance. Additionally, the County Sheriff's Department participates in a Mass Alert Notification System called Alert-Sense. County dispatch can send voice and text messages that alert the community to emergency and non-emergency circumstances, i.e. crimes, missing persons, hazardous materials alerts, local emergencies or severe weather. More information can be found on the City's website under Police News or on the County's website under Alert-Sense.

8) Consent Agenda:

- a) Common Council meeting minutes of January 10, 2023.
- b) Architectural Board meeting minutes of December 12, 2022.
- c) Economic Development Board meeting minutes of November 29, 2022.
- d) Festivals Committee meeting minutes of November 16, 2022.
- e) Finance-Personnel Committee meeting minutes of December 13, 2022.
- f) Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes December 15, 2022 and January 5, 2023.
- g) Park and Open Space Board meeting minutes of November 16, 2022.
- h) Planning Commission meeting minutes of December 12, 2022.
- i) Public Welfare Committee meeting minutes of December 13, 2022.
- j) Sewer Utility District Commission meeting minutes of December 13, 2022.
- k) Zoning Enforcement and Site Compliance Report Through February 1, 2023.
- l) **RESOLUTION 4010** - A Resolution Approving a Development Agreement for the Highland Meadows Subdivision Consisting of 37 Single-Family Lots Located at 1310 West Highland Road.
- m) **RESOLUTION 4011** - A Resolution Designating Mequon, Wisconsin as a Bee City USA.
- n) **RESOLUTION 4012** - A Resolution Authorizing Renewal of an Application with Bird City Wisconsin and Observing World Migratory Bird Day in Conjunction with Arbor Day.

RESOLUTION 4010 was removed from the Consent Agenda.

Motion to approve Consent Agenda items A-K, which are the monthly list of reports and minutes and **RESOLUTION 4011** and **RESOLUTION 4012**.

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

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

Motion to approve **RESOLUTION 4010**.

Discussion ensued on the sanitary sewer capacity and storage facility. Director Lundeen explained that the goal is to serve this property but since the projects are not complete yet there is concern about exacerbating the downstream capacity issues. The proposed storage facility would gather the flow during high flow times to ensure it neither backed up the new properties that are connected nor caused any further issues to those downstream.

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

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

9) Ordinances:

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

City Attorney Sajdak identified a couple friendly amendments to the ordinance that were made last minute. In Section IV the section is corrected to be 2-430(g) and in Section V paragraph h should read "Notwithstanding the above, city staff and consultants may be allowed to virtually attend any meeting of a committee with the approval of the city administrator or presiding officer".

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

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

10) 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.

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

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

- b) **RESOLUTION 4014** - A Resolution Authorizing the Purchase and Implementation of Electronic Poll Books, Supplies and Training in an Amount Not-to-Exceed \$90,000.

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

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

- c) **RESOLUTION 4015** - A Resolution Approving a Town Center Business Loan Between Bank Five Nine and Tamatito in the Amount of \$25,000, for a Restaurant Located at 6300 West Mequon Road.

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

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

- d) **RESOLUTION 4016** - A Resolution Amending the Template Memorandum of Understanding for Private Water Trusts Operating in the Public Right-of-Way, to Reference the City's Standard Specifications for Land Development.

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

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

- e) **RESOLUTION 4017** - A Resolution Authorizing Installation of Widened Paved Shoulders Along Highland Road from Wauwatosa Road to the Railroad Crossing West of Cedarburg Road.

Discussion ensued on the need of this widened shoulder, future maintenance needs, feasibility of putting in wider shoulders, coordination with Mequon-Thiensville Bikeway Commission future master plan, bike/pedestrian safety, connection to Ozaukee Interurban Trail, another option of just a 2-foot shoulder at this location for a lesser cost, increased

traffic, coordination with planned road construction, and the need to see the Mequon-Thiensville Bikeway Commission's 2010-2030 plan. Public Works Director Lundeen stated that this recommendation is based on the existing 2010-2030 Master Plan that was adopted by the Common Council in 2011.

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

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

- f) **RESOLUTION 4018** - A Resolution Rejecting a Bid for the City Hall Roof Replacement Project from Noffke Roofing of Mequon, Wisconsin, Due to a Bidder's Error.

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

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider, Gebhardt
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- g) **RESOLUTION 4019** - A Resolution Awarding the 2023 City Hall Roof Replacement Contract to Alois Roofing and Sheet Metal, of West Allis, Wisconsin, in an Amount Not-to-Exceed \$335,995.

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

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider, Gebhardt
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- h) **RESOLUTION 4020** - A Resolution Authorizing Supplemental Inspection Services in Excess of \$25,000 During the 2023 Construction Season with the Following Engineering Firms: GRAEF, Kapur & Associates, R.A. Smith, Ruekert-Mielke and SEH.

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

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider, Gebhardt
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- i) **RESOLUTION 4021** - A Resolution Authorizing Execution of an Intergovernmental Agreement with the Village of River Hills for Municipal Water Service.

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

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

11) Specified Unfinished Business From Prior Meetings: None.

12) Specified New Business: None.

13) Potential Closed Session:

- a) 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 date 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 City Administrator's Evaluation.

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

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

14) Adjourn

Hearing no objection, Mayor Nerbun adjourned the meeting at 8:45 PM.

Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk
Approved 03-14-23