



Virtual Meeting
Mequon, WI 53092
Phone: 262-236-2914
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of the City Clerk
Taped and Televised

**COMMON COUNCIL
Regular Meeting
Tuesday, March 9, 2021 - 7:30 PM
or Immediately Following the
Mequon Municipal Water Utility Commission Meeting
Virtual Meeting**

Agenda

ELECTRONIC MEETING NOTICE: Pursuant to the current recommendation of the CDC limiting the size of public gatherings and the various federal and state orders implementing that recommendation, and to help protect our community from the Coronavirus (COVID-19) pandemic, this meeting will be held virtually through the GoToMeeting platform with each member accessing the meeting remotely. Citizens wishing to attend the meeting are encouraged to watch the live broadcast of the meeting on the City's YouTube Account (<https://www.youtube.com/channel/UCZDJETJla2M-KQgIcEDiyMQ>), or on the City's Agenda Management Website (<http://mequoncitywi.iqm2.com/Citizens/default.aspx>). Citizens may also join the meeting online or by phone. Please go to <https://www.gotomeet.me/Mequon/cc> to join the meeting online or call into the meeting by dialing 1-866-899-4679 and enter access code 298-967-317.

WRITTEN PUBLIC COMMENTS may be submitted in advance of the meeting. Written comments should be directed to the City Clerk's Office at least 2 hours prior to the meeting by email at cfochs@ci.mequon.wi.us addressed to the intended committee. Written public comments may also be deposited in the drop box at City Hall at 11333 N. Cedarburg Road, Mequon, at least 2 hours prior to the meeting. Comments received timely will be forwarded to all members of the body for their consideration.

VERBAL PUBLIC COMMENTS and PUBLIC HEARING APPEARANCES will be accepted only from members of the public who register in advance. Registration shall be made by sending an email to City Clerk Caroline Fochs at cfochs@ci.mequon.wi.us or by leaving a message at 262-236-2912 no later than 2 hours prior to the meeting.

Reasonable accommodations will be made for those citizens who are unable to attend the meeting in the methods identified above upon at least 2 hours' notice. Notice can be given to the City Clerk's Office at 262-236-2914.

1) Call to Order, Pledge of Allegiance Led by Alderman Bushee, Roll Call

2) Public Hearing:

ORDINANCE 2021-1585 - An Ordinance Amending Chapter 58 of the Mequon Municipal Code to Rezone 15.3 Acres of the Property (Donges Bay School) Located at 2401 W. Donges Bay Road from R-2 (Single-Family 2-Acre) to IPS (Institutional); **Recommended by Planning Commission January 25, 2021; First Reading at Common Council February 9, 2021.**

3) Ordinance:

ORDINANCE 2021-1585 - An Ordinance Amending Chapter 58 of the Mequon Municipal Code to Rezone 15.3 Acres of the Property (Donges Bay School) Located at 2401 W. Donges Bay Road from R-2 (Single-Family 2-Acre) to IPS (Institutional); **Recommended by Planning Commission January 25, 2021; First Reading at Common Council February 9, 2021.**

4) Public Officials' Reports:

- a) Mayor
- b) City Administrator

5) Consent Agenda:

- a) Common Council meeting minutes of February 9, 2021
- b) Architectural Board meeting minutes of December 14, 2020
- c) Festivals Committee meeting minutes of January 14, 2021
- d) Finance-Personnel Committee meeting minutes of January 12, 2021
- e) Park and Open Space Board meeting minutes of January 20, 2021
- f) Planning Commission meeting minutes of January 25, 2021
- g) Public Safety Committee meeting minutes of December 8, 2020
- h) Public Welfare Committee meeting minutes of January 12, 2021
- i) Public Works Committee meeting minutes of January 12, 2021
- j) 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.

ORDINANCE 2021-1586 - An Ordinance Amending Chapter 82 of the Mequon Municipal Code to Reflect Current Roadway Names and Posted Speed Restrictions within the City; **Recommendation Forthcoming by Public Safety Committee March 9, 2021.**

6) Resolutions:

- a) **RESOLUTION 3812** - A Resolution Clearing the Personal Property Tax Roll of Delinquent Accounts Deemed Uncollectible for Tax Roll Years 2018 and 2019; **Recommendation Forthcoming by Finance-Personnel Committee March 9, 2021.**

- b) **RESOLUTION 3813** - A Resolution Authorizing a Transfer of Funds from the Fire Department's Full-Time Personnel Accounts to the Public Safety Building Repairs Account in the Amount of \$90,000; **Recommendation Forthcoming by Finance-Personnel Committee March 9, 2021.**
- c) **RESOLUTION 3814** - A Resolution Extending the City of Mequon's Declared Public Health Emergency in Response to COVID-19 from March 15, 2021 to September 15, 2021; **Recommendation Forthcoming by Public Welfare Committee March 9, 2021.**
- d) **RESOLUTION 3815** - A Resolution Amending the City of Mequon's COVID-19 Emergency Medical Leave Benefits to Address the Availability of the COVID-19 Vaccine; **Recommendation Forthcoming by Finance-Personnel Committee March 9, 2021.**
- e) **RESOLUTION 3811** - A Resolution Approving an Annual Special Event Agreement for the Jewish Food Festival in August at Rotary Park; **Recommended by Park and Open Space Board February 17, 2021; Further Recommendation Forthcoming by Public Works Committee March 9, 2021.**
- f) **RESOLUTION 3816** - A Resolution Notifying the Wisconsin Department of Transportation (WisDOT) of the City's Intent to Install an Eastbound Turn Lane on Mequon Road at its Intersection with Weston Drive, in Connection with the Ozaukee Inter-Urban Trail Crossing Improvement Project in the Town Center Neighborhood; **Recommendation Forthcoming by Public Works Committee March 9, 2021.**
- g) **RESOLUTION 3817** - A Resolution Awarding the Reuter Pavilion Roof and Gutter Replacement Contract to Larson's Building Services of Mequon, Wisconsin in the Amount of \$28,660; **Recommendation Forthcoming by Public Works Committee March 9, 2021.**

7) **Specified Unfinished Business:** None.

8) **Presentation of Petitions, Memorials, and/or Remonstrances and Communications:** None.

9) **Specified Miscellaneous New Business:**

Mayoral Appointment: Joint Mequon-Thiensville Bike and Pedestrian Way Commission, Kathryn Beiser, Member

10) **Adjourn**

Dated: March 4, 2021

/s/ John Wirth, 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 Clerk's Office at 262-236-2914, Monday through Friday, 8:00 AM – 4:30 PM.



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: Common Council
FROM: Kim Tollefson, Director of Community Development
DATE: February 9, 2021
SUBJECT: ORDINANCE 2021-1585 An Ordinance Amending Chapter 58 of the Mequon Municipal Code to Rezone 15.3 Acres of the Property (Donges Bay School) Located at 2401 W. Donges Bay Road from R-2 (Single-Family 2-Acre) to IPS (Institutional)

Background

In connection with improvements that are being undertaken at a number of the Mequon-Thiensville School District's school buildings following the successful passage of a \$55 million facilities referendum last April, the School District is requesting rezoning approval from R-2 (Single-Family 2-Acre) to IPS (Institutional) for Donges Bay Elementary School located at 2401 W. Donges Bay Road.

Analysis

The change in zoning to IPS will allow the school to operate under the same parameters as all other public schools in the City. The Donges Bay school is currently the only public school that is not zoned IPS. The site is currently zoned R-2 (Single-Family 2-Acre). Religious institutions, schools and childcare facilities are listed as conditional uses in R-2 zoning districts. The rationale for requiring schools to be listed as a conditional use is to protect any adjacent single-family dwellings that are likely to be found in the R-2 District from development impacts. In this case, the school has been located at the site since the 1960's and predates many of the homes in the area. The rezoning to IPS (Institutional) will categorize the school as a permitted use. The IPS district has more detailed and prescriptive requirements that allow the development to expand based on clear and concise criteria.

In addition, staff has been working with the Planning Commission to change the conditional use sections within all the City's residential zoning districts. Accordingly, it is contemplated that schools will be removed as conditional uses in all zoning districts, which would then require a zoning change for Donges Bay School to remain a conforming use.

Fiscal Impact

The fiscal impact is neutral.

Recommendation

The Planning Commission recommended approval by a vote of 8-0 at its January 25, 2021 meeting.

Attachments:

Exhibit A: Zoning Map (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2021-1585

An Ordinance Amending Chapter 58 of the Mequon Municipal Code to Rezone 15.3 Acres of the Property (Donges Bay School) Located at 2401 W. Donges Bay Road from R-2 (Single-Family 2-Acre) to IPS (Institutional)

RECITALS

A. Pursuant to section 62.23(3) of the Wisconsin Statutes, the City of Mequon is required to prepare, adopt, and amend as may be necessary a comprehensive plan, as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2).

B. Pursuant to this authority, the City of Mequon's Comprehensive Plan includes a Land Use Plan Map which illustrates the planned uses for all lands within the City.

C. The Planning Commission of the City of Mequon, by majority vote of the Commission on January 25, 2021, has recommended approval of a rezoning to designate the property illustrated in Exhibit A as IPS (Institutional).

D. The City of Mequon Common Council held a public hearing on this proposed rezoning at its March 9, 2021 meeting, in accordance with Sections 66.1001(4)(d) and 62.23(7)(d) of the Wisconsin Statutes.

E. Following the recommendation of the Planning Commission and the public hearing, the Common Council finds that the proposed amendment promotes the health, safety, morals, and general welfare of the City.

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

SECTION I

Following recommendation of the Planning Commission on January 25, 2021, and after due notice and hearing by the Common Council of the City of Mequon on March 9, 2021, the existing and official City of Mequon District Zoning Maps are hereby amended so as to change the zoning classification of certain properties, as described and illustrated in Exhibit A, to IPS (Institutional).

SECTION II

The terms and provisions 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 repealed.

SECTION IV

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

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk

Published: _____

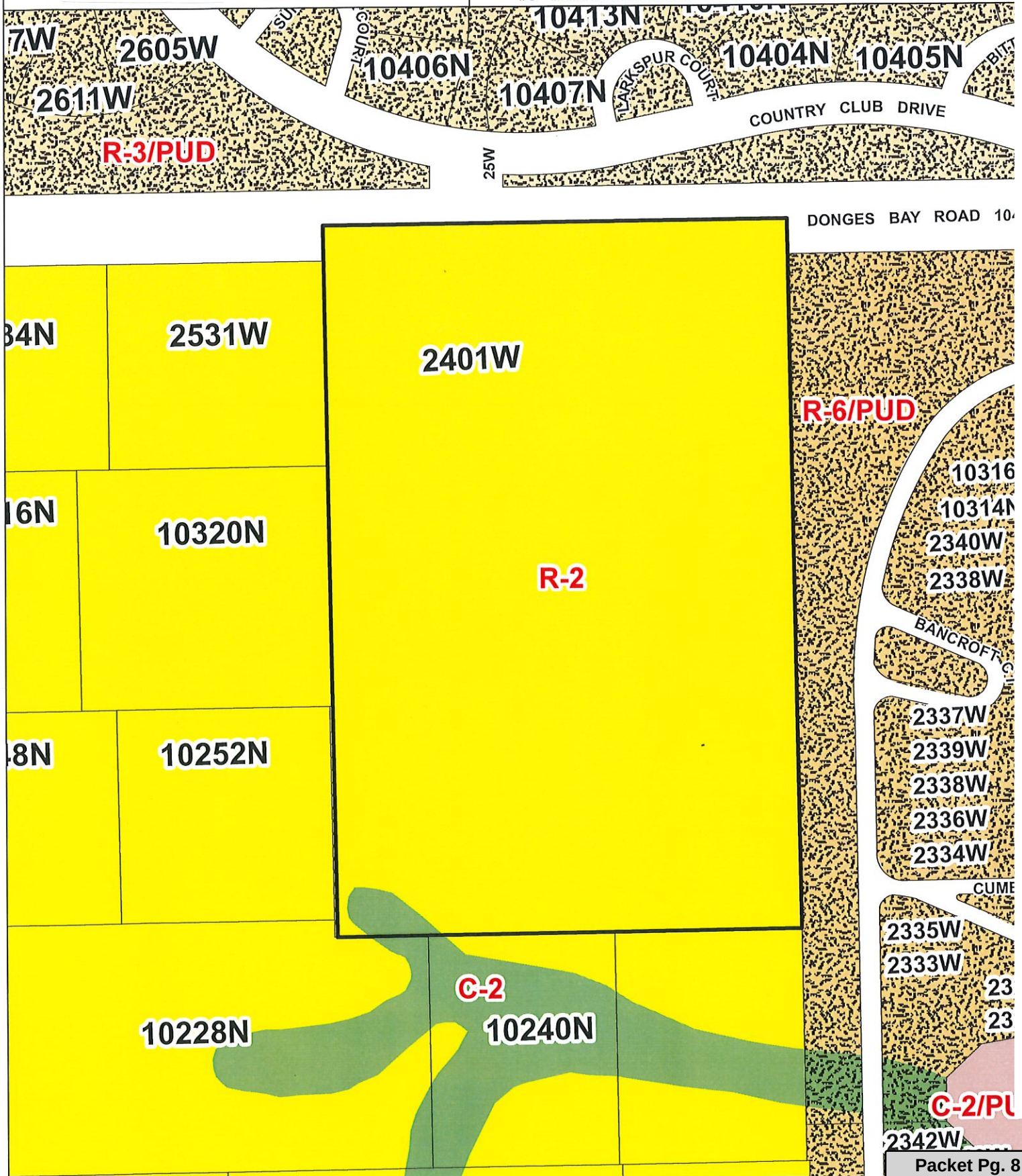
Donges Bay School

Exhibit A

AC Arrival Corridor
 A-1 Agricultural Preserve
 A-2 General Agricultural
 B-1 Neighborhood Business
 B-2 Community Business
 B-3 Office & Service Business
 B-4 Business Park
 B-5 Light Industrial
 B-6 Rural Industrial
 B-7 Rural Business
 C-1 Shoreland/Wetland Conservancy
 C-2 General Conservancy
 CGO Central Growth Overlay
 FFO Flood Fringe Overlay
 FW Floodway
 IPS Institutional & Public Service

LTD Limited Use
 OA Agricultural Overlay
 PUD Planned Unit Development Overlay
 P-1 Park & Recreation
 R-1 Single-Family Residential (5 Ac. Min.)
 R-1B Single-Family Residential (2.5 Ac. Min.)
 R-2 Single-Family Residential (2.0 Ac. Min.)
 R-2B Single-Family Residential (1.5 Ac. Min.)
 R-3 Single-Family Residential (1.0 Ac. Min.)
 R-4 Single-Family Residential (3/4 Ac. Min.)
 R-5 Single-Family Residential (1/2 Ac. Min.)
 R-6 Single-Family Residential (4 du/Ac)
 RM Multi-Family Residential
 TC Town Center
 TDR Transfer of Development Rights

3.a.a



Attachment: Exhibit A: Zoning Map (ORDINANCE 2021-1585 : Donges Bay School Rezoning)



draft

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**COMMON COUNCIL
Regular Meeting
Tuesday, February 9, 2021 - 7:30 PM
Virtual Meeting**

Minutes

1) Call to Order, Pledge of Allegiance led by Alderman Strzelczyk, Roll Call

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

Present:

Mayor John Wirth
Alderman Robert Strzelczyk
Alderman Glenn Bushee
Alderman Dale Mayr
Alderman Jeffrey Hansher
Alderman Mark Gierl
Alderman Brian Parrish
Alderman Kathleen Schneider
Alderman Andrew Nerbun

Also present: City Administrator Jones, Assistant City Administrator Schoenemann, City Attorney Sajdak, City Clerk Fochs, Community Development Director Tollefson, Finance Director Krueger, City Engineer/Public Works Director Lundeen, Police Chief Pryor, Parks and Forestry Superintendent Geis, Fire Chief Bialk, Deputy Fire Chief Zellman, press and interested public.

2) Public Hearings: None.

3) Public Officials' Reports:

- a) Mayor: Mayor Wirth complimented the City's EMS, Fire and Public Works Departments on their professionalism during events of recent weeks.
- b) City Administrator: City Administrator Jones restated that information about vaccine distribution can be found on either the Wisconsin Department of Health Services or the Washington-Ozaukee County Health Department websites. In addition, the Spring Primary election will be held on Tuesday, February 16, 2021. All in-person voters on February 16, 2021 will vote at Mequon City Hall. Polls are open from 7:00 AM to 8:00 PM.

Attachment: 02-09-21_CC Draft minutes (5948 : Common Council meeting minutes of February 9, 2021)

4) Consent Agenda:

Alderman Mayr requested the removal of Item M - **RESOLUTION 3801** from the Consent Agenda.

- a) Common Council meeting minutes of January 12, 2021.
- b) Architectural Board meeting minutes of November 9, 2020.
- c) Board of Fire and Police Commissioners meeting minutes of January 5, 2021.
- d) Economic Development Board meeting minutes of November 17, 2020.
- e) Festivals Committee meeting minutes of November 19 and December 1, 2020.
- f) Finance-Personnel Committee meeting minutes of December 8, 2020.
- g) Fire Department Reports for September, October, November and December 2020.
- h) Park and Open Space Board meeting minutes of December 16, 2020.
- i) Planning Commission meeting minutes of December 14, 2020.
- j) Planning Commission Policy Subcommittee meeting minutes of December 7, 2020.
- k) Public Welfare Committee meeting minutes of December 8, 2020.
- l) Public Works Committee meeting minutes of December 8, 2020.
- m) **RESOLUTION 3801** - A Resolution Authorizing a Development Agreement with Mequon Medical LLC for the Construction of a 30,000 Square Foot Medical Office Building at 12791 N. Port Washington Road.

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

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

n) 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 2021-1585** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code to Rezone 15.3 Acres of the Property (Donges Bay School) Located at 2401 W. Donges Bay Road from R-2 (Single-Family 2-Acre) to IPS (Institutional).

RESULT: **First Reading**

Motion to approve items A - L of the Consent Agenda.

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

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

5) **Ordinances:** None.

6) **Resolutions:**

- a) **RESOLUTION 3802** - A Resolution Authorizing an Amendment to a Revolving Loan Fund Agreement with the Bartolotta Restaurant Group to Extend Existing Loan Terms by Nine Months to December 1, 2021 for the Mr. B's Restaurant Located at 11120 North Cedarburg Road.

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

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

- b) **RESOLUTION 3803** - Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for Copps Industries, Inc. Project. Information with Respect to the Job Impact of the Project will be Available at the time of Consideration of the Initial Resolution.

Alderman Parrish recused himself.

Finance Director Krueger stated that Copps Industries, Inc. is planning to use the Industrial Revenue Bonds to construct a new facility in the Mequon Business Park. The bonds are not a financial obligation of the City of Mequon in any way. This resolution expresses the intent of the City to issue the bonds and allows Copps Industries, Inc. to continue working with the State and the lender towards final approval.

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

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

- c) **RESOLUTION 3804** - A Resolution Designating Mequon, Wisconsin as a Bee City USA.

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

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

- d) **RESOLUTION 3805** - A Resolution Authorizing Renewal of an Application with Bird City Wisconsin and Observing International Migratory Bird Day in Conjunction with Arbor Day.

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

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

- e) **RESOLUTION 3806** - A Resolution Temporarily Extending the 2020 Policy for Mequon Community Pool and Parks Operations Due to COVID-19.

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

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

- f) **RESOLUTION 3807** - A Resolution Approving the Acquisition of a Drainage Easement and the Award of a Contract to Replace a Failed Storm Sewer Culvert Across the Property at 9731 N. Courtland Drive for a Total Cost of \$34,625.

RESULT: **Tabled [Unanimous]**
MOVED BY: Alderman Parrish
SECONDED BY: Alderman Strzelczyk

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

- g) **RESOLUTION 3809** - A Resolution Establishing a Template Memorandum of Understanding for Private Water Trusts Operating in the Public Right-of-Way.

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

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

- h) **RESOLUTION 3800** - A Resolution Approving a Special Event Agreement for Annual Gathering on the Green Festivities Held During the Third Week of July in Rotary Park.

Alderman Parrish stated that the Public Works Committee recommended approval of

RESOLUTION 3800 with the following amendment: The cost is not-to-exceed \$7,320. Further discussion ensued.

Motion to amend Section 8a, Event Fee to include a 3-day rental fee, holding tank pumping fee and a refundable security deposit for a total of \$3,695. Emergency services are waived.

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

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

Motion to approve **RESOLUTION 3800** as amended.

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

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

- i) **RESOLUTION 3808** - A Resolution Approving the Purchase of a Fire Department First Responder Vehicle from Ewald Automotive Group, Hartford, Wisconsin, Installation of Associated Equipment from General Fire Equipment, Milwaukee, Wisconsin, and Application of Vehicle Graphics from Letters & Signs, Mequon, Wisconsin in the Total Amount of \$42,986.

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

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

- j) **RESOLUTION 3810** - A Resolution Awarding the Following in Connection with Phase 3 Rehabilitation Work on the Mequon-Thiensville Sanitary Sewer Interceptor: A) A Contract for Cured-in-Place Lining to Insituform of Chesterfield, Missouri in the Amount of \$738,575; and B) A Contract for Inspection Services to Kapur and Associates, Inc. of Milwaukee, Wisconsin in the Amount of \$38,052.

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

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

7) **Specified Unfinished Business:** None.

8) **Presentation of Petitions, Memorials, and/or Remonstrances and Communications:** None.

9) **Specified Miscellaneous New Business:**

Mayoral Appointments:

a) Frank L. Weyenberg Library Board of Trustees, Maria C. Gonzalez-Cerra, Trustee

Motion to approve the Mayoral appointment to the Library Board of Trustees.

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

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

b) Mequon Nature Preserve, Inc. Board of Directors, Andrew Nerbun, Director

Motion to approve the Mayoral appointment to the Nature Preserve Board of Directors.

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

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

10) **Adjourn**

Motion to adjourn at 8:06 PM.

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

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

Respectfully Submitted,
Kathy Andrykowski



ARCHITECTURAL BOARD MINUTES
Monday, December 14, 2020
6:30 PM
Via Teleconference GoToMeeting

Minutes

1. Call to Order, Roll Call

Present: Vice-Chairman Scott Reed

Members at Large: Paul Apfelbach, John Mikkelson, Dawn Sederholm

Aldermanic District Members: Jason Dozark, Tom Irvin, Paul Mattingly

Building Inspector: Mike Hadley

2. Meeting Minutes

Minutes from the November 9, 2020 meeting were approved by At-Large Member, Paul Apfelbach and seconded by Vice-Chairman, Scott Reed.

3. Application Submittals:

No.	Alder. District /Time	Type of App	Owner(s) / Project Address	Contractor
1)	Dist. 4 6:30 pm	New Single-Family Residence	Tim O'Brien Homes 10860 N. Tartan Court Subd: Highlander Estates	Cont: Tim O'Brien Homes Arch: Andrew Elder
Moved to Approve: <u>Apfelbach</u> Seconded by: <u>Irvin</u> Approved: <u>Yes</u> Vote: <u>Unanimous</u> Conditions: Plans approved as submitted.				
2)	Dist. 4 6:35 pm	New Single-Family Residence	Veridian Homes LLC Lot 58 – Coneflower Court Subd: The Enclave	Cont: Veridian Homes LLC Arch: Veridian Homes LLC
Moved to Approve: <u>Irvin</u> Seconded by: <u>Apfelbach</u> Approved: <u>Yes</u> Vote: <u>Unanimous</u> Conditions: Plans approved with the following conditions: 1. Addition of a second (single-hung) window on left elevation to match existing window. 2. Addition of grids to slider/patio doors on rear elevation.				
3)	Dist. 3 6:40 pm	New Single-Family Residence	Stephen & Wendy Radtke 10240 W. Farmdale Estates Ct. Subd: Farmdale Estates	Cont: Victory Homes of WI Arch: Victory Homes of WI
Moved to Approve: <u>Apfelbach</u> Seconded by: <u>Irvin</u> Approved: <u>Yes</u> Vote: <u>Unanimous</u> Conditions: Plans approved as submitted.				

Attachment: Arch Brd minutes_12-14-20 (5993 : Architectural Board meeting minutes of December 14, 2020)

4)	Dist. 3 6:45 pm	New Single-Family Residence	Damilola Gbolahan & Comfort Lyabo Oyinloye 10245 W. Farmdale Estates Ct.	Cont: Victory Homes of WI
			Subd: Farmdale Estates	Arch: Victory Homes of WI

Moved to Approve: Irvin
 Seconded by: Mikkelson
 Approved: Yes
 Vote: Unanimous

Conditions: Plans approved as submitted.

5)	Dist. 3 6:50 pm	Shed	John Allenson 4344 W. Madero Drive	Cont: Owner
			Subd: N/A	Arch: Sheds delivered/Owner

Moved to Table: Irvin
 Seconded by: Apfelbach
 Tabled: Yes
 Vote: Unanimous

Conditions: Tabled for re-draw since submitted plans did not meet Architectural Board Guidelines.
 Provide more detail such as siding, doors, windows, etc.. Shed should also match the aesthetics of the home. Roof pitch was ok.

6)	Dist. 4 7:00 pm	Re-Submittal: New Single-Family Residence	Samuel & Laura Mugurdumov 10874 N. Tartan Court	Cont: Angel's Dram Renov.
		Tabled at 11/9//20 Meeting	Subd: Highlander Estates	Arch: David Koscielniak

Moved to Approve: Reed
 Seconded by: Irvin
 Approved: Yes
 Vote: Unanimous

Conditions: Re-submitted plans were approved with the condition that grids on garage door windows be removed to match all other windows on house.

4. Action:

Vice-Chairperson, Scott Reed made a motion to adjourn
 At-Large Member, Paul Apfelbach seconded the motion
 A vote was taken; vote passed unanimously

Meeting adjourned at 7:04 p.m.



Virtual Meeting
Mequon, WI 53092
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Fax: 262-242-9655

www.ci.mequon.wi.us

FESTIVALS COMMITTEE
Thursday, January 14, 2021
6:30 PM
Virtual Meeting

Minutes

1) Call to Order, Roll Call

Present:

Committee Member Kirsten Hildebrand
Committee Member Dynami Al-Anjeri
Committee Member Miranda White
Committee Member Moshe Luchins
Vice Chair Vanessa Nerbun
Committee Member Janet Fussell

Also Present: Alderman Bushee, Assistant City Administrator Schoenemann, Executive Assistant Prosser

2) Introduce New Committee Members

Vice-Chair Vanessa Nerbun welcomed the new committee members Rabbi Moshe Luchins and Miranda White.

3) Approval of Meeting Minutes

a. November 19, 2020 Minutes

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Committee Member Fussell
SECONDED BY: Vice Chair Nerbun

AYES: Hildebrand, Al-Anjeri, White, Luchins, Nerbun, Fussell

b. December 1, 2020 Minutes

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Vice Chair Nerbun
SECONDED BY: Committee Member Hildebrand

Attachment: Festivals Comm minutes_01-14-21 (5953 : Festivals Committee meeting minutes of January 14, 2021)

AYES: Hildebrand, Al-Anjeri, White, Luchins, Nerbun, Fussell

4) Discussion Items

a. Debrief Winter Event

Committee members provided their feedback on the winter event. Given the budget and manpower, committee members attending the event felt it was a success. Vice-Chair Nerbun stated that she received a lot of nice feedback from residents. It was estimated that eighty families participated in the photo opportunity.

b. Approve Final 2020 Budget

A motion was made by member Fussell to approve the final 2020 budget, seconded by Member Hildebrand.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Committee Member Fussell
SECONDED BY: Committee Member Hildebrand

AYES: Hildebrand, Al-Anjeri, White, Luchins, Nerbun, Fussell

c. Community Outreach Initiative

Assistant City Administrator Schoenemann, staff liaison to the Public Welfare Committee, and Alderman Bushee attended the Committee's meeting to discuss the Public Welfare Committee's interest in enhancing the City's community engagement. Mr. Schoenemann informed the Committee that during the discussions at Public Welfare, the idea of forming a volunteer Community Outreach Committee was developed. Mr. Schoenemann went on to say, through the discussions it was pointed out that a lot of the proposed committee's work relates to the purpose defined in the Festivals Committee's ordinance. Mr. Schoenemann stated the purpose of attending the Festivals Committee meeting is to see if there is any interest by the members in becoming involved with the community outreach initiatives.

Mr. Schoenemann reviewed the ideas discussed at the Public Welfare Committee which included: work with the Festivals Committee to see if there is any interest in reimagining both committees into one; find out if there is any interest of the Festivals Committee to have the proposed Community Outreach Committee be a sub-group of the Festivals Committee with new members who could work on the community outreach initiatives and potentially support the Festivals Committee's larger events; explore having the Festivals Committee and Community Outreach Committee as separate entities that could endeavor to collaborate when opportunities arise.

Members of the Festivals Committee provided their feedback which included: concern for taking on too much with the small number of committee members; struggle with the idea of repurposing or reinventing the Festivals Committee in a COVID year; members of the

Festivals Committee will be challenged again in 2021 to organize events due to COVID; concerned that the mission of the proposed Community Outreach Committee is not the same as the Festivals Committee; would consider collaborating if an opportunity arises.

Mr. Schoenemann will provide the Committee's feedback to the Public Welfare Committee.

d. 2021 Meeting Schedule

Committee members agreed to hold monthly meetings on the second Thursday of each month starting at 6:30 P.M. A 2021 meeting schedule will be presented to the committee for approval at their next meeting.

The next meeting of the Festivals Committee will take place on Thursday, February 11 at 6:30 P.M.

5) Information Items

a. 2021 Work Plan

Vice-Chair Nerbun requested that two of the items listed in the work plan; set date for Taste of Mequon 2021 and 2021 fee schedule be placed on the February agenda.

6) Motion to adjourn the meeting at 7:20 P.M.

RESULT:	Approved by Voice Acclamation [Unanimous]
MOVED BY:	Committee Member Hildebrand
SECONDED BY:	Committee Member Al-Anjeri

AYES:	Hildebrand, Al-Anjeri, White, Luchins, Nerbun, Fussell
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Respectfully Submitted,

Lina Prosser
Executive Assistant



Virtual Meeting
Mequon, WI 53092
Phone: 262-236-2941
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www.ci.mequon.wi.us

Office of the City Administrator

FINANCE-PERSONNEL COMMITTEE

Tuesday, January 12, 2021

7:00 PM

Virtual Meeting

Minutes

1) Call to Order, Roll Call

Present:

Alderman Glenn Bushee
Alderman Andrew Nerbun
Alderman Robert Strzelczyk
Mayor John Wirth

The meeting was called to order at 7:10 PM. Also present: William Jones, City Administrator; Justin Schoenemann, Assistant City Administrator; Kaitlyn Krueger, Finance Director; Marie Keyser, Assistant to the Finance Director; Caroline Fochs, City Clerk; Brian Sajdak, City Attorney; Kevin Miller, M3 Insurance and Kristin Gies, Mequon Nature Preserve Director.

2) Approve Meeting Minutes

a. December 8, 2020 Minutes

No comments or discussion from the Committee.

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Nerbun

AYES: Bushee, Nerbun, Strzelczyk

3) License Applications

a. January 2021 Licenses

No comments or discussion from the Committee.

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Bushee

AYES: Bushee, Nerbun, Strzelczyk

Attachment: 011221 draft (5940 : Finance-Personnel Committee meeting minutes of January 12, 2021)

4) Vouchers for Payment

a. December 2020 Voucher Approval List

No comments or discussion from the Committee.

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Bushee

AYES: Bushee, Nerbun, Strzelczyk

5) Resolutions

- a. **RESOLUTION 3794** RESOLUTION 3794 : Resolution Approving the Following in Connection with the City of Mequon's Insurance Program for Fiscal Year 2021: A) A Contract with Chubb Insurance, Warren, New Jersey, for Property Casualty and Storage Tank Liability Insurance in the Amount of \$48,606; B) A Contract with Employers Mutual Casualty Company, Des Moines, Iowa, for Auto, General, Law Enforcement, Workers' Compensation, Commercial Crime, Public Officials Legal and Umbrella Liability Coverage in the Amount of \$399,

Finance Director Krueger spoke about the annual insurance policies for Fiscal Year 2021 explaining the two major factors driving the premium increase are the property and automobile policies. Ms. Krueger explained that City staff conducted an automobile audit in late 2020 to make sure all city owned vehicles are properly insured and held a series of meetings with Kevin Miller from M3 Insurance to be sure all City owned property was insured to its replacement value. Director Krueger stated some of the property was found to be under insured, and thus is now corrected to be fully insured.

Mayor Wirth commented that over the course of 2021 he would like to see a review of the insurance package due to the significant expense associated and make sure the City is reviewing all opportunities for savings.

Mr. Jones spoke to the Committee that City staff will be doing a full scale review of all insurance in 2021 with M3 Insurance. Administrator Jones stated that anticipated with this review, the City will have everything insured at its appropriate value and City staff will understand our insurance policies better.

Alderman Strzelczyk suggested possibly having some high deductible plans.

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Bushee

SECONDED BY: Alderman Strzelczyk

AYES: Bushee, Nerbun, Strzelczyk

- b. **RESOLUTION 3795** RESOLUTION 3795: A Resolution Approving the Award of a Contract for Completion of an Organizational Analysis of the Community Development Department to Management Partners, Cincinnati, Ohio, in the Amount of \$53,90

No comments or discussion from the Committee.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Nerbun
SECONDED BY: Alderman Bushee

AYES: Bushee, Nerbun, Strzelczyk

- c. **RESOLUTION 3796** RESOLUTION 3796: A Resolution Approving a Conservation Easement Agreement Between the City of Mequon and the Milwaukee Metropolitan Sewerage District for Approximately 66 Acres of Land Located Along Trinity Creek North of County Line Road and East of Wauwatosa Road

No comments or discussion from the Committee.

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

AYES: Bushee, Nerbun, Strzelczyk

6) Ordinance

- a. **ORDINANCE 2020-1584** ORDINANCE 2020-1584: An Ordinance Approving Various Revenue and Expenditure Amendments to the City's General Fund Operating Budget for Fiscal Year 2020

Finance Director Krueger explained the Fiscal Year 2020 Budget experienced revenue shortages due to the COVID-19 pandemic and received grant money from the CARES Act and Wisconsin Election Commission. Ms. Krueger stated that the City's financial policies require staff to bring forward any budget to actual discrepancies of 5% or more to the Committee and this ordinance will right size the budget in preparation for the 2020 audit happening later this year.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Bushee
SECONDED BY: Alderman Nerbun

AYES: Bushee, Nerbun, Strzelczyk

7) Discussion Items

- a. Finance-Personnel Work Plan

No comments or discussion from the Committee.

8) Adjourn

A motion to adjourn was made at 7:25 PM by Alderman Bushee, seconded by Alderman Strzelczyk. All responded in favor, "aye."

Respectfully Submitted,

Marie Keyser

Assistant to the Finance Director

Attachment: 011221 draft (5940 : Finance-Personnel Committee meeting minutes of January 12, 2021)



Virtual Meeting
Mequon, WI 53092
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www.ci.mequon.wi.us

Office of Parks and Operations

PARK AND OPEN SPACE BOARD
Wednesday, January 20, 2021
6:30 PM
Virtual Meeting

Minutes

- 1) Call to Order, Roll Call
Chair Marchese called the meeting to order at 6:30 PM.

Present:

Chair Patrick Marchese
Alderman Brian Parrish
Board Member Kay Amland
Board Member Joseph Branch
Board Member Jason Cain
Board Member Geoffery Hurtado
Board Member John Lhost
Board Member James Lysaught
Board Member Gerald Vite
Board Member Anton Usowski
Board Member Peter Bratt
Board Member Breanne Plier -- **Absent**
Alternate Alderman Kathleen Schneider -- **Excused**

Also present were Parks and Forestry Superintendent Gies, and Administrative Assistant Deuster.

- 2) Approval of Meeting Minutes

a. December 16, 2020 Minutes

Alderman Parrish made a correction to reflect a No/Nay vote for Resolution 3798 on approving LionFest in Rotary Park.

RESULT: **Approved with Amendments [Unanimous]**

MOVED BY: Board Member Lysaught

SECONDED BY: Board Member Vite

AYES:	Bratt, Marchese, Parrish, Amland, Branch, Cain, Hurtado, Lhost, Lysaught, Usowski, Vite
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- 3) Action Item

Discussion and Action

- b. **RESOLUTION 3800** A Resolution Approving a Special Event Agreement for Gathering on the Green at Rotary Park as an Annual Event in July

Parks and Forestry Superintendent Gies provided an overview of Gathering on the Green and their time in Mequon at Rotary park. The event is going into its 26th year and has had a positive impact on the City and Community. The City has assisted in the set-up during the week and has kept in constant contact with the organizers.

Rob Kos, Executive Director of Gathering on the Green and Traci Cain Program Director were in attendance to answer questions from the board.

Rob stated the relationship with the City has been great, they are in communication daily leading up to and during the event and would like to see it continue. He also provided that Gathering on the Green would be held annually on the third weekend of July starting 2022.

Parks and Forestry Superintendent Gies went over the highlighted portions of the Special Event Agreement to clarify items that have already been in place with Gathering on the Green and any corrections Gathering on the Green inquired on. The board discussed cost - emergency services, sitemap, dumpsters, janitorial supplies being applied in the deposit, power inefficiencies. Gathering on the Green suggested changes to 22. b. for Emergency Services and 45 Cancellation with reasonable instead of Sole. The board agreed with the original verbiage and recommended Sole be used and not changed to reasonable.

Chair Marchese made a motion to approve Resolution 3800 with recommendations to waive the fees for emergency services.

During discussion board members felt without a policy in place, this decision should come from the Common Council and not be made at their level. This motion failed.

Chair Marchese made a motion to approve the special event agreement with amendments and recommendations for corrections within the agreement and cost would not be determined by this board.

- a. Motion to approve Resolution 3800 with Recommendation to waive fees for the public safety.

RESULT: **Failed by Voice Acclamation [2 to 9]**

MOVED BY: Board Member Marchese

SECONDED BY: Board Member Lysaught

AYES: Marchese, Lysaught

NAYS: Bratt, Parrish, Amland, Branch, Cain, Hurtado, Lhost, Usowski, Vite

RESULT: **Approved with Amendments [Unanimous]**

MOVED BY: Board Member Marchese

SECONDED BY: Board Member Branch

AYES: Bratt, Marchese, Parrish, Amland, Branch, Cain, Hurtado, Lhost, Lysaught, Usowski, Vite

c. Parks Capital Improvement Projects Wishlist for 2021

Parks and Forestry Superintendent Gies presented the Parks Capital Improvement Projects for 2021. This included items that he would like to see completed in 2021 along with a breakdown of other future CIP projects and ones that were completed in 2020.

4) Parks and Forestry Superintendent Report

a. Parks and Forestry Superintendent Report

Parks and Forestry Superintendent Gies provided the board an update on the Public Works and Common Council approval of Lionfest in Rotary park for June 2021. He also introduced an event the City is a partner in with the OWLT and Rotary Club for a Winter Walk in the Woods through Pukaite Woods. This event will be by reservation, and also will have special luminary lighting, fire pit, and hot chocolate. The idea is to provide events during the winter that families can enjoy.

b. 2021 Work Plan

Parks and Forestry Superintendent Gies updated the board on the 2021 Work Plan.

5) Motion to Adjourn at 8:22 PM.

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Board Member Lysaught
SECONDED BY: Board Member Usowski

AYES: Bratt, Marchese, Parrish, Amland, Branch, Cain, Hurtado, Lhost, Lysaught, Usowski, Vite

Respectfully Submitted,

Casey Deuster
 Administrative Assistant



Virtual Meeting
 Mequon, WI 53092
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www.ci.mequon.wi.us

Department of Community Development
 Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, January 25, 2021
6:00 PM
Virtual Meeting

Minutes

1) Call to Order, Roll Call

Present:

Chair John Wirth
 Alderman Andrew Nerbun
 Commissioner Gregg Bach
 Commissioner Rick Lemke
 Commissioner Rebecca Schaefer
 Commissioner James Schaefer
 Commissioner John Stoker
 Alternate Stephanie Hawley
 Commissioner Martin Choren - **Absent**
 Alternate Dan Gentges - **Absent**

Mayor Wirth called the meeting to order at 6:00 p.m.

He stated the four protocols for the process of the virtual meeting.

a) Approval of Minutes from December 14, 2020

Action

Commissioner Bach made a motion to approve the December 14, 2020 meeting minutes.
 Commissioner Hawley seconded the motion.
A voice vote was taken, vote passed (6-0)

RESULT:	APPROVED [7 TO 0]
MOVER:	Greg Bach, Alternate
SECONDER:	Stephanie Hawley, Alternate
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, R. Schaefer, Stoker
ABSENT:	Choren Gentges, J. Schaefer

2) Consent Agenda

- a) Brian Willbrandt for St. Francis Borgia Cemetery. The applicant is seeking sign waiver approval to allow for an additional sign at the east entrance to the cemetery (to match the west sign) for the property located at 7963 W. Pioneer Road.
- b) Jeffrey Raasch. The applicant is seeking fill permit approval to allow for 1,370 C.Y. of fill for new residential construction for the property located at 9941 N. River Road.
- c) Mequon Medical. The applicant is seeking development agreement and fill permit approval for 5,300 C.Y. of fill for a medical clinic for the property located at the northwest corner of Highland Road and Port Washington Road.
- d) Fast Signs of Waukesha for Athlete Performance. The applicant is seeking master sign plan approval for the 35,090 sq. ft. athletic facility with accessory business tenants located at 10725 N. Executive Court.

Ald. Nerbun requested that agenda items (2b) and (2c) be removed from the Consent Agenda for further discussion.

Action

Commissioner Stoker made a motion to approve Consent Agenda items (2a) and (2d).

Ald. Nerbun seconded to motion.

A voice vote was taken, vote passed (7-0)

Ald. Nerbun stated that language regarding the road bond is inconsistent with other items on the agenda; mainly the school items, and he proposed adopting the language used in those items.

Dir. of Eng. Lundeen stated that she has no objection to this change.

Asst. Dir. Zader stated that there is a word change to condition #1 in the staff report of Consent Agenda item (2b) and the word “floodplain” should be replaced with “floodway”.

Action

Ald. Nerbun made a motion to approve the items (2b and 2c) with the road bond language change discussed above and a friendly acceptance of the staff report condition #1 language correction for item 2b.

Commissioner Stoker seconded to motion

A voice vote was taken, vote passed (7-0)

3) Regular Business

- a) Door Creek Construction, LLC. The applicant is seeking preliminary plat approval to allow for a proposed 9-lot single-family subdivision for the 73-acre property located southwest of Lake Shore Drive and Pioneer Road (Lake Shore Estates).

Planner Vang stated that this is a proposal for a 9-lot subdivision, ranging from 5-5.6 acre lots. The lots are consistent with the Land Use Plan, with a designation of a 5-acre minimum in the R-1 zoning district. The lots will be served by individual driveways off Pioneer Road and Lake Shore Drive; with one lot having access from Shady Lane. There is no opportunity to connect to adjacent developments as there is no road proposed. Staff recommends a 50-foot landscape easement along Pioneer Road and Lake Shore Drive. Within this easement area, staff recommends clusters of 2-3 trees for areas outside of the wetlands. There are several areas of wetlands on the site so there are limited areas for any proposed landscaping. The applicant will need to submit the final landscape plans to the Planning Commission for approval. The majority of the high-quality wetlands should be located in the proposed outlot to the north. Staff recommends a Tree Preservation easement for the outlot and a Wetland Delineation Report from the DNR is required.

Planner Vang noted one correction to condition #15 in the staff report that the lot referenced should be Lot #9 and not Lot #1. Staff is supportive of the proposed preliminary plat and recommends approval subject to the conditions in the staff report.

There was a brief conversation confirming that courtesy cards were sent to the adjacent properties and that feedback from the neighboring residents is supportive given the 5-acre lot minimums.

Action

Commissioner Stoker made a motion to approve the preliminary plat per the conditions in the staff report and with the correction to condition #15 in the staff report as noted.

Commissioner Jim Schaefer seconded the motion.

A voice vote was taken, vote passed (7-0)

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	James Schaefer, Commissioner
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren, Gentges

- b) Design 2 Construct Development for Copps Industries. The applicant is seeking building and site plan approval to allow for construction of a proposed 78,200 sq. ft. office, research and manufacturing facility for the 7.7-acre property located east of Commerce Street and south of Executive Drive in the Business Park.

Planner Vang stated this parcel is part of a land division that the Commission approved in April 2020 that created two lots and an outlot. It is located east of Commerce Street and south of

Executive Drive. The proposed building will be a new building for office use, research and development and a manufacturing facility for Copps Industries. They are currently located in Mequon and they will be relocating all of their operations to this new location. The proposal meets all the requirements of the B-5 zoning district. The plans show an area for a future addition and parking lot expansion which would make this site non-conforming to the open space requirement. The applicant is aware that they would need to utilize open space borrowing to achieve the open space requirement. The applicant does not have an expected time frame for the expansion but understands that all building and site plan amendments require Planning Commission approval.

The proposed plan shows 83 parking stalls which meets the zoning code requirement and the needs of the applicant. The proposed building materials include insulated metal panels, painted precast panels, aluminum canopy elements and storefront glazing systems and entrances. The applicant indicated that there is not any rooftop screening shown on the plans because they do not believe any of the rooftop mechanicals will be visible from the street view. Staff would like to add a condition, which is not included in the staff report, that if rooftop mechanicals are visible from the street view once construction is complete, rooftop screening will be required.

Planner Vang explained that the north elevation (shown on packet page 127); which is the expansion wall for a future addition, is proposed to be entirely composed of insulated metal panels. Staff recommends that if the expansion is not approved by the Planning Commission within five (5) years from the current approval date, the applicant must return to Planning Commission to discuss any intentions for the expansion status and an evaluation of changes to the north façade materials as a result.

Staff also has concerns regarding the east elevation which has metal panels proposed for the entirety of the east elevation which faces the existing stormwater pond. This elevation is heavily screened from view by existing mature landscaping to the east and the existing multi-tenant property and the Go Riteway site to the south. Although the east elevation will be mostly screened from view, the Planning Commission has not approved metal panel as a primary material for other buildings in the Business Park and strives for four-sided architecture. Staff recommends that the insulated metal panel be allowed as a material but only for 50% of the elevation. The rest of the elevation shall be constructed with materials that match the proposed west and south elevations. Staff also recommends additional landscaping at the northwest and southeast corners to better screen the building from view. Staff does recommend approval of the building and site plan subject to the conditions listed in the staff report.

The applicant, Mark Hertzfeld from Design 2 Construct, stated they agree to all of the conditions except for the recommendations regarding the east elevation. Due to that elevation being so heavily screened, and not visible from any of the roadways, they are requesting that the additional costs for the higher-quality materials not be required.

It was commented that although that elevation will not be seen from the roadways, it is visible from the rears of the multi-tenant building and the Go Riteway building.

There was discussion regarding whether there have been any previous approvals by the Commission that do not require consistent 4-sided architecture on buildings. Asst. Dir. Zader explained that typically, there is a recommendation for some design features on all sides of a building as viewsheds can change from all adjacent properties.

Action

Commissioner Jim Schaefer made a motion to approve the building and site plan per the staff report conditions with the added requirement that staff review the east elevation for some added materials to the east elevation as well as the added condition that the rooftop screening be required if mechanicals are visible from the street once construction is complete.

Commission Hawley seconded the motion.

A roll call vote was taken; vote passed (8-0)

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	James Schaefer, Commissioner
SECONDER:	Stephanie Hawley, Alternate
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren, Gentges

- c) Kapur and Associates for Mequon Thiensville School District. The applicant is seeking building and site plan amendment, rezoning recommendation from R-3 to IPS, electronic sign and fill permit approval to allow for 8,000 C.Y. of fill for a 30,300 sq. ft. single-story addition for the property located at 2401 Donges Bay Road (Donges Bay School).

Asst. Dir. Zader stated that an approximately 30,000 sq. ft. addition is being added to the back of the school for a larger gym, larger cafeteria and additional classrooms. Other changes to the site include changes to the parent pick up area in the east parking lot. The most notable change is a bus lane that is being added to the east side of the school to remove the conflict between the buses and the cars. The buses will be parked in the rear of the school. The Commission received a letter of public feedback concern regarding the proposed bus lane.

Asst. Dir. Zader stated that staff is supportive of the proposal but has recommended some requirements in the staff report. One of the conditions is to add additional landscaping as a buffer in the gaps along the area east of the school along Whitman Place to mitigate headlights shining through due to the proximity of the bus lane to some of the residential units. Staff is seeking clarification that the lights along the path in that location are luminated to 2-foot per the code requirement; there was conflicting information in the submitted plans. Additionally, there is an issue regarding some landscape islands that have been removed without approval from the city from the original site approval from 2010 which need to be put back into place to meet the shading requirement. The parking lot does not currently meet the shading requirement or the interior lot landscape requirement.

The applicant is requesting a rezoning recommendation from R-1 to IPS as this property is currently zoned residential, which is the only public school with this zoning. This approval will need to be approved by the Common Council.

The applicant is also proposing an electronic message sign with a matching base, similar to the requests from the two middle schools at the December meeting. Staff supports this approval.

Asst. Dir. Zader stated that the only other issue is the request to paint the mechanical screening as was requested for the two other schools last month. Staff does not support this request on the east elevation and recommends that elevation incorporate a screening device.

Staff does recommend approval in accordance with the conditions in the staff report.

The applicant, represented by Robin Savola from EUA, stated they will comply with the east elevation rooftop screening as well as the parking lot landscape islands. She explained that they would like to remove the requirement for additional landscaping on the east side of the school due to the timing of the buses; the earliest the buses arrive is 8:50 a.m. and the latest the buses leave the school is 4:10 p.m., neither time of day require headlights.

Ms. Savola stated that they would like to discuss condition #9 in the staff report referencing the acceleration, deceleration, and bypass lanes, for all the schools on the agenda. She explained that their understanding of the code is that this requirement relates to new developments and not to existing developments. She added that the ingress lane will remain in its current condition as it is not being modified and that adding a deceleration lane would impact the neighbors to the west. She stated that TADi conducted an analysis study today of the impact of these recommended lanes and concluded that due to this being a school zone with a 20 mph speed restriction, the development does not meet the standard for the lanes to be required. The report was submitted to staff just before the meeting and she knows staff has not had an opportunity to review it yet. The applicant requests that this requirement be removed due to the findings of the TADi report as well as their concerns about the negative impact installing these lanes would have on the neighbors to the east and to the west.

Dir. of Eng. Lundeen stated that if data is provided that supports that the lanes are not deemed to be required, this will be indicated in the staff report conditions and she agreed that this should be added as part of the motion.

There was some discussion regarding the parking lot landscape islands and that the shading requirement will still not be met, but existing developments are not typically required to get in compliance unless a major construction project is done. The implementation of the five islands will at least get them closer to meeting the requirement and will match the originally approved site plan.

There was a question from the Commission regarding the public feedback letter received from Mr. Newell. Asst. Dir. Zader explained that there are very rigid restrictions in place regarding the electronic signs. There is an outlot across from where the sign will be placed, and staff does not believe that the neighbors will be negatively impacted by the sign.

It was discussed that the addition of the bus lane on the east side of the school will be a notable change and that the added trees are necessary as a buffer for the residences at Whitman Place.

Public Comment

Mr. Cohen – resident at Whitman Place – stated that he is concerned about the potential noise factor for the residences that will be impacted by the bus lane.

Action

Mayor Wirth made a motion to approve per the conditions in the staff report and that staff has discretion to waive the requirement of the traffic lanes based on the TADi report.

Commissioner Stoker seconded the motion.

A voice vote was taken; vote passed (8-0)

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	John Wirth, Chair
SECONDER:	John Stoker, Commissioner
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren, Gentges

- d) Kapur and Associates for Mequon Thiensville School District. The applicant is seeking building and site plan amendment, electronic sign and fill permit approval to allow for 13,000 C.Y. of fill for a 29,300 sq. ft. single-story addition for the property located at 12850 Oriole Lane (Oriole Lane School).

Asst. Dir. Zader stated that this request is for three separate additions for the site. Staff supports the design of the buildings. He explained that the new parking lot area for the bus turn around does not show any landscaping on the plan and staff is requesting that the interior landscaping (10%) and shading (30%) requirements be met. Their illumination plan also exceeds the 2-foot candle requirements and that needs to be changed to meet compliance. A chain link fence is proposed around the dumpster area, but staff is requesting that the three side walls match the building materials. The pickup and drop off area is also being changed in accordance with the traffic study and additional lanes to help manage traffic flow are being added to the access from Highland Road. The submittal includes the approval request for an electronic sign similar to the other school requests. Asst. Dir. Zader stated that the only issue of concern is the lighting in the parking lot that needs to be removed or achieve compliance with the lighting code. Staff is supportive of the requests based on the conditions in the staff report.

The applicant, represented by Robin Savola from EAU, stated that there are three items they wish to discuss:

1. Dumpster Enclosure – per the code they understand that the dumpster needs to be enclosed and they are proposing a black vinyl coated slate chain link fence as a visual barrier. For cost reasons, they prefer not to be required to have a brick-based wall as

recommended by staff and their existing fence is a chain link fence that is barely visible as it is 600 feet from the road.

2. New Parking Lot – she stated that there is a clarification to their submittal plan that incorrectly showed vehicle parking spaces in that lot; but there will not be any parking stalls. The purpose of the lot is for bus turnaround and the space will be used for physical education space during the school day. She explained that there will be gates that will close it off so that no cars can enter and park there. Due to safety issues of obstructed views and the desire for open space for the recreation area, they are requesting that the interior islands not be required for this area.
3. Acceleration/Deceleration/Bypass Lanes – they are requesting the same language as the Donges Bay School approval that if the TADI report justifies that these lanes are not warranted that they not be required.

Dir. of Eng. Lundeen confirmed that she supports this modification to the staff report condition.

Asst. Dir. Zader responded that if the parking area is constructed as shown, especially because it is also intended to be used as a physical education area, no interior islands are required. In terms of the dumpster enclosure, he stated that chain link fences are not typically allowed as they tend to get beat up over time. The requirement for the three sides to have matching materials has been in practice for a very long time but the Planning Commission has the authority to allow it. If approved, staff requests some screening south of that enclosure to help block its view from the public right of way.

There was some discussion about the traffic and the concern that it backs up onto Highland Road. Ms. Savola explained that there will be two entrance lanes instead of just one so that cars will stack up on the property as well as two drop off lanes to help with traffic flow.

There was a suggestion that a sensor or timer be used in the parking lot area. Kyle Thompson, representative from MSTD, replied that this is a good idea and that they will look into it. He added that they do want some light as a deterrent there but that the light could be turned down when the area is not being used.

Action

Commissioner Bach made a motion to approve subject to the conditions in the staff report, modification of the language regarding the traffic lanes, interior landscaping islands are not required for the new parking area (bus turnaround) due to no parking spaces there and brick material be used for the dumpster enclosure as recommended by staff.

Commissioner Jim Schaefer seconded the motion.

A voice vote was taken, vote passed (8-0)

Action

Commissioner Stoker made a friendly amendment to give the applicant the option allowing the chain link fence with acceptable screening to be approved by staff or an alternate material to be approved by staff.

Ald. Nerbun seconded the friendly amendment.
A roll call was taken, vote passed (8-0)

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	Greg Bach, Commissioner
SECONDER:	James Schaefer, Commissioner
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren, Gentges

- e) Kapur and Associates for Mequon Thiensville School District. The applicant is seeking building and site plan amendment, electronic sign and fill permit approval to allow for 7,000 C.Y. of fill for a 22,300 sq. ft. single-story addition for the property located at 11001 N. Buntrock Avenue (Wilson School).

Asst. Dir. Zader stated that this request is the most significant change to the site to deal with the ongoing traffic issues as well as a change to the building. He showed a rendering of the proposed addition to the gymnasium and also the bump out mechanical/storage room which is shown in all metal-clad, which staff does not support. Staff would support the bump out building being similar to the gymnasium building with a mixture of materials but does not support an all metal panel building.

Regarding the site, the most significant change is traffic flow for the drop off lane. It will enter from Steffen Drive and follow in two lanes to the front of the building and then exit onto Buntrock Avenue. The TADi report and staff are both support of this design change and believe it will be a tremendous improvement for the traffic flow. A small opening in the northwest parking lot will be required to allow for the buses to enter and exit. The City Forester confirmed that there are no specimen trees present. Lighting will be added to the parking lot and staff is requiring that the 2-foot candle lights be used.

The applicant is requesting the same chain link fence for the dumpster enclosure that was approved for Oriole Lane School and they are requesting approval for an electronic message board to be placed on Buntrock Avenue.

Staff is supportive of the requests according to the conditions listed in the staff report.

The applicant, Robin Savola from EAU, commented that they would like to discuss the following items:

1. Traffic lanes language modification as approved in the other two school items.
2. Permission to have the chain-link fence dumpster enclosure.
3. Exterior Bump Out Building. She explained that there is a precast base on the metal panel portion of the building that goes up to 3' 4". The existing materials for the majority of the building that is being added but the gymnasium is being constructed with precast back up panels which require use with a thin brick. The existing school has a textured brick, that cannot be done on the precast panels. The same color blend is being used. The use of the different material on the addition is to separate the similar but not same exact bricks

on the existing building to the new gymnasium and classroom addition. This was an aesthetic decision and not cost based.

It was commented that condition #8 be deleted from the staff report as it was a carryover from another item.

Dir. of Eng. Lundeen confirmed that she approves the language modification of the traffic lanes like the past two school item approvals.

There was feedback from the Commission architect, Jim Schaefer, that more brick is preferred on the metal clad building. He recommends some masonry on that building; on the corners or around the doors to improve the look of that building.

Action

Commissioner Jim Schaefer made a motion to approve with the requirement for the building plans to be resubmitted showing some masonry on the all metal building, give the applicant the option allowing the chain link fence with acceptable screening to be approved by staff or an alternate material to be approved by staff, modification of the language regarding the traffic lanes and condition #8 to be removed.

Commissioner Becky Schaefer seconded the motion.

A voice vote was taken; vote passed (8-0)

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	James Schaefer, John Stoker
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren, Gentges

- f) Residence at Foxtown. The applicant is seeking development agreement amendment approval for a proposed 23 single-family home development for the property located immediately east of 11050 N. Weston Drive

Dir. of Eng. Lundeen stated that the applicant is requesting further amendment to the development agreement. The changes are outlined in a redlined version included in the packet. The requests relate to the asphalt, trees and the sidewalk and have been previously discussed and recommended for denial. Staff is recommending no further amendments. The only exception for consideration is the grading. This has been done for other developments where an interim grading plan is allowed that would be adjusted as the homes are constructed.

The applicant, Tom Zabjek, stated that they have asked for several amendments because the development agreement (“DA”) they received is a generic DA and this is an unique project that does not apply to some of the requirements in the DA. He explained that he believes the sidewalks will be damaged during construction if they are required to be placed prior to construction of the homes.

Regarding the asphalt, he is willing to put up 150% of the cost as a guaranty that the final layer

of asphalt will be completed once the construction is finished. He believes it will be damaged if it is poured prior to completion of the construction.

Dir. of Eng. Lundeen responded that the proposal to lay a portion of the sidewalk piece by piece may be a safety hazard that people may trip on site as well as it may look different if portions are added at different times.

She explained that it is a standard requirement to require final asphalt prior to final plat. Previous exceptions have been made for certain streets based upon this construction to allow the alley sides to remain just on binder course until the project is completed. The applicant is now requesting that no asphalt be required until 100% completion or the 2-year trigger. Staff is not supported of this request as it is not fair to the residents up to the 100 % not to be on a fully paved road and staff believes construction traffic is much better supported on asphalt than just on a binder course.

Dir. of Eng. added that the stabilization is an ordinance requirement which requires stabilization within 7 days.

Mr. Zabjek stated that the ordinance pertains to existing subdivisions where erosion occurs, and he stated that there will not be erosion at this development. He explained that the current binder course is very stable and he does not consider it an issue. He expressed frustration that this development is not a traditional subdivision and he is asking for some flexibility regarding some of the requirements of the DA. He suggested that the item be tabled and he encouraged the Commissioners to visit the site before making their decision.

Action

Commissioner Stoker made a motion to table the item per the applicant request and the site can be visited by the Commissioners.

Commissioner Bach seconded the motion.

A voice vote was taken; vote passed (8-0)

RESULT:	TABLED [8 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Greg Bach, Commissioner
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren, Gentges

- g) Foxtown Brewery. The applicant is seeking building and site plan amendment and sign waiver approval to allow for a patio expansion for the property located east of 6411 W. Mequon Road..

Asst. Dir. Zader stated this is a request for a patio extension to the west of the existing brewery. He explained that at the time of the original approval for the brewery that area was left as green space. The applicant is now planning for more outdoor seating along with a seat wall which will

accommodate up to 50 outdoor dining spaces. Staff is supportive of the overall seating and the location but has some concerns regarding the aesthetic and the sign.

The concern regarding the seat wall is that this is on a fairly major entry into the Town Center and staff would like to have some of the Town Center features (possibly some wood to match the brewery, black rod iron, etc), including the new Gateway features, incorporated. Staff supports approving the project so they can get started on footings with the condition that staff and the applicant work together on the design features of the seat wall.

The other request is for the sign on the seat wall which is considered a freestanding sign and will require a waiver as it is too close to the property line. Staff is supportive of some signage in that location but because of the location of the sign staff is concerned that the entire area will be viewed as Foxtown instead of Town Center. Staff would like to explore different options with the applicant to possibly incorporating the M-T logo or a different message.

The applicant and staff have worked well together in the past and the applicant has communicated that they are willing to work with staff on the signage. He commented that other requirements are included in the staff report regarding string lighting and landscaping requirements. Staff is recommending approval of the design of the wall and tabling the sign waiver request regarding the sign on the wall.

The applicant, represented by Stephen Smith from Stephen Perry Smith Architects, stated that they are looking to identify the Foxtown brand. They are not opposed to incorporating some Town Center signage, but the main focus is to identify Foxtown. He explained that although staff recommended that the seat wall be curved, they are opposed to this suggestion as nothing else in their project is a curved element. Their intent is to match the walls of building B and to match the festoon lighting in building B and the lighting that is approved for building D. He explained the reason that the seat wall is such a heavy construction is to provide some buffering and physical protection from the street along with some rod iron fencing.

There was some discussion about the different stone and brick that will be used as well as the style and height of the wall.

Asst. Dir. Zader concluded that staff will continue to work with the applicant and will bring this back before the Commission. The applicant confirmed their commitment to work with staff.

Action

Commissioner Stoker made a motion to table the sign waiver request.

Commissioner Lemke seconded the motion.

A voice vote was taken, vote passed (8-0)

Action

Commissioner Stoker made a motion to approve the building and site plan amendment per the conditions in the staff report.

Commissioner Lemke seconded the motion.

A voice vote was taken, vote passed (8-0)

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Rick Lemke, Commissioner
AYES:	Wirth, Nerbun, Bach, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren, Gentges

4) Policy

1) R-1 Zoning District modifications related to conservation subdivisions

Asst. Dir. Zader stated that this has been policy item has worked on by staff and the Policy Subcommittee. This is a change to the ordinance that would allow conservation type subdivisions in the R-1 zoning district without going through the PUD process as a permitted use. Currently any conservation subdivision must go through the rezoning 3-month process.

Notable Changes:

- 0.75 minimum lot size (currently 1.5-acres).
- Minimum of 25 acres.
- Must have at least two road connections.
- Requires a total yield of 60% of the land area as dedicated open space.
- Added bonus lot for every 40-acres in the subdivision.
- 300-foot open space buffer against roadways from the front.
- Connectivity – the road must be brought within 150 feet of the neighboring property where it will connect, and it must be an eyebrow turn around for emergency vehicles. The rest of the area where the road will be in the future will be dedicated right-of-way.

He explained this is an introductory to the proposed changes and this will be brought back next month for approval once it is fully vetted.

There was some discussion regarding the proposed smaller lot size with feedback that smaller lots are desired. Overall, the Commission is supportive of the proposed changes to this ordinance.

5) Announcements

The next meeting is Monday, February 22, 2021 at 6:00 p.m.

6) Adjourn

Action

Commissioner Jim Schaefer made a motion to adjourn the meeting.

Commissioner Stoker seconded the motion.

A voice vote was taken, vote passed (8-0)

Respectfully Submitted,

Jac Zader



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Police and Fire Departments

PUBLIC SAFETY COMMITTEE

Tuesday, December 8, 2020

5:15 PM

Virtual Meeting

Minutes

1) Call to Order

Present:

Chair Kathleen Schneider

Alderman Dale Mayr

Alderman Mark Gierl -- **Absent**

Also Present: Police Chief Pryor, Fire Chief Bialk, Public Works Director Lundeen, Deputy Fire Chief Zellmann

2) Approve Meeting Minutes

a. Public Safety Committee - Regular Meeting - Oct 13, 2020 5:15 PM

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Mayr

SECONDED BY: Alderman Schneider

AYES: Schneider, Mayr

ABSENT: Gierl

3) Resolutions

Action requested: review and recommend approval

- a. **RESOLUTION 3790** A Resolution Approving the Purchase of One Police Vehicle from Ewald Automotive Group, Hartford, Wisconsin, the Installation of Associated Equipment from General Communications, Milwaukee, Wisconsin and the Application of Vehicle Graphics from Letters & Signs, Mequon, Wisconsin at a Total Cost of \$43,920

Alderman Schneider opened this item's discussion stating that the information provided was extensive with the different options reviewed and that the alternate options under consideration would additionally require the expense to put in the police department equipment that is necessary. The committee had no further questions or concerns with this proposed purchase.

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Schneider

SECONDED BY: Alderman Mayr

AYES: Schneider, Mayr
ABSENT: Gierl

- b. **RESOLUTION 3791** A Resolution Approving the Purchase of Police Squad and Officer Body Cameras from Watch Guard, Inc., Allen, Texas and the Installation of Associated Camera Equipment from Belco Vehicle Solutions Emergency Equipment, Poynette, Wisconsin in the Total Amount of \$114,050

Item discussion was started with an introduction of this proposed Resolution to purchase police squad and officer body cameras by Alderman Schneider. Committee members asked for more information regarding the server component, data storage, security and stability.

Chief Pryor explained the proposed for purchase server runs a RAID (data storage virtualization technology) backup system inside of it wherein the hard drives mirror each other, so if one hard drive fails, the alternate can be easily accessed and utilized.

Additionally, the department's current video server will be repurposed and moved to a separate location to serve as an offsite backup system for this data storage. In preparation for this functionality, it will receive a new hard drive and be made to be compatible with the new system.

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

AYES: Schneider, Mayr
ABSENT: Gierl

- b. **RESOLUTION 3785** A Resolution Amending the 2021 Compensation Plan for Non-Represented Employees and Establishing the Position of Battalion Chief at Pay Grade 14 (\$75,225 - \$101,816)

Chief Bialk explained the proposed Resolution to amend the compensation plan and establish the pay grade for the Battalion Chief position(s) adding that said Resolution is also scheduled to go before the Finance-Personnel Committee.

How the Department's current organizational chart will change upon implementation of these new positions was presented with Chief Bialk adding that a retirement at the end of this year makes the adding of these new positions all the more crucial to the stability and progress of this volunteer, paid-on-call department.

It was clarified for committee members that the Battalion Chief(s) would not replace any paid-on-call responders but instead, will fill any vacancies and/or gaps in the schedule. More

importantly, the Battalion Chiefs will do the coaching and mentoring aspect of supervision and be a 2nd paramedic on calls.

The committee further discussed the proposed pay scale against the market for like positions.

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

AYES:	Schneider, Mayr
ABSENT:	Gierl

4) Discussion

a. Traffic Concerns on Green Bay Road between Bonniwell Road and Pioneer Road

A resident complaint and request to consider reducing the speed limit on Green Bay Road was received by Alderman Strzelczyk who then requested that the Police and Engineering Departments look into whether or not any changes should be made.

Committee members indicated that good background information on the situation was provided within the agenda packet but they were disinclined to support reducing the speed limit commenting that it comes down to the driver, some will adhere to the speed limits and some won't unless there is some kind of continual police presence. Accidents in this area were mainly the result of going too fast on a curve or the snow-covered roadway.

Chief Pryor stated the area is not conducive to apprehending drivers because of the curves, so the department is speaking with residents for permission to use some of their access roads and driveways in an effort to develop a little more of a covert operation and maybe correct some driving behaviors.

Public Works Director Lundeen added that there are several supplemental signs that would warn people, especially those unfamiliar with the area, about the area's potential for ice.

Discussion concluded with committee members recommending additional signage that would warn people about the icy roads.

5) Adjourn

a. Motion to adjourn the meeting at 5:35 PM.

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

AYES:	Schneider, Mayr
ABSENT:	Gierl

Respectfully Submitted,

Diane Kowalchuk
Executive Assistant



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Office of the City Administrator

PUBLIC WELFARE COMMITTEE
Tuesday, January 12, 2021
6:00 PM
Virtual Meeting

Minutes

1) Call to Order, Roll Call

Present:

Chair Dale Mayr
Alderman Glenn Bushee
Alderman Robert Strzelczyk

Also Present: Mayor Wirth (left 6:45 PM), City Administrator Jones, Assistant City Administrator Schoenemann, City Clerk Fochs, City Attorney Sajdak, Executive Assistant Prosser, Interested Parties

2) Approval of Meeting Minutes

a. December 8, 2020 Minutes

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

AYES: Mayr, Bushee, Strzelczyk

3) Ordinances

a. Review of Protest Petition Process

City Attorney Sajdak noted that following the Committee's discussion on the protest petition process last month, a draft ordinance has been provided in the Committee's meeting packet for review and approval. Attorney Sajdak reviewed the changes to the proposed ordinance with the members of the Committee. The changes include breaking the ordinance into subsections for clarity; Section (3) clarifies who should sign the protest petition; Section (5) describes how the calculation will be used based upon the whole parcel to ensure sufficient neighbors have an opportunity to potentially protest, clarifies that the ownership list provided by the City may contain errors based upon the data entered into the GIS system and places the burden on the objector to establish their ownership; amends Section 58-64 which

involves protest petitions related to expansions of nonconforming uses to ensure that the two provisions are consistent.

Attorney Sajdak mentioned that if the Committee approves the changes, the recommendation would be to refer the draft ordinance to Planning Commission for consideration before going on to the Common Council.

Mayor Wirth suggested a change to paragraph (k) (1); Land located in or whole in part within 1,320 feet of the property line of the land within the City. Attorney Sajdak will provide the appropriate language to the draft ordinance before going to the Planning Commission.

A suggestion was made to provide clarity to the language in 58-64. Attorney Sajdak suggested a review of Section 58-64 could be placed on the Planning Commission's agenda along with the draft ordinance of the protest petition process.

Alderman Bushee moved to recommend approval of the amendments to Section 58-42 (k), Review of Protest Petitions, to the Common Council for approval with the recommended change, seconded by Alderman Strzelczyk.

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

AYES: Mayr, Bushee, Strzelczyk

4) Resolutions

a. **RESOLUTION 3799 A Resolution Consolidating all City of Mequon Polling Sites into One Location at Mequon City Hall for the February 16, 2021 Primary Election**

City Clerk, Caroline Fochs was present to discuss consolidating all eight of the City of Mequon polling sites into one location at Mequon City Hall for the February 16, 2021 primary election. Ms. Fochs noted that the only race is for the State of Wisconsin Superintendent of Public Instruction. Ms. Fochs stated that by combining the polling locations, the City would save \$6,760. The cost savings would be recognized with the decreased number of poll workers and the labor involved with setting up and taking down the polling sites. Ms. Fochs noted that the savings would be offset by the cost of sending postcards to affected residents. The estimated cost to send out postcards is approximately \$2,850. Ms. Fochs stated a very low turnout of about 10% is expected with an estimate of 50% of the voting will be absentee. Ms. Fochs noted that her office will communicate the change in polling location for the February primary election by using social media, local newspapers, and by mailing out postcards to all affected registered voters. Ms. Fochs stated that the process of communicating a change in polling locations has been very effective in the past and in order to make the change, Council will need to approve 30 days prior to the election.

Alderman Mayr inquired about the cost to mail postcards. City Clerk Fochs stated it would cost approximately \$2,800 to mail postcards to 8,000 households registered to vote in all of the districts, not including wards 3 and 4 that currently vote at City Hall.

The Committee discussed whether it would be more cost effective to print large signs and post along major roads to announce the change in polling locations.

Alderman Mayr made a motion not to send out postcards, instead announce the change in polling locations using the City's website, community sign, bulletin board, Facebook, press release, and ask schools to post the announcement. No second. Motion failed.

RESULT: Motion Failed [Unanimous]
MOVED BY: Alderman Mayr
SECONDED BY: None

Alderman Strzelczyk made a motion to use the same means of communicating the change in polling location offered by Alderman Mayr with the addition of mailing postcards, seconded by Alderman Bushee.

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

AYES: Mayr, Bushee, Strzelczyk

Alderman Mayr made a motion to recommend Resolution 3799 to Common Council for approval, seconded by Alderman Strzelczyk.

RESULT: Tabled [Unanimous]
MOVED BY: Alderman Mayr
SECONDED BY: Alderman Strzelczyk

AYES: Mayr, Bushee, Strzelczyk

5) Discussion Items

a. Attendance at Council Meetings via Electronic Means Post-COVID

City Attorney Sajdak stated at the Committee's last meeting a discussion was held on utilizing hybrid meetings wherein some participants attend the meeting in-person and some attend electronically. Attorney Sajdak noted a good portion of the discussion centered on the transition between electronic and in person meetings. Attorney Sajdak provided several options on how to make the transition: allow the Mayor to decide when to make the transition, adopt a fully hybrid approach, utilize a hybrid approach where the bulk of the membership would attend in-person while allowing members of the public to attend electronically, the Mayor can issue an amended proclamation to modify the electronic meeting rules.

City Attorney Sajdak turned the discussion over to Assistant City Administrator Schoenemann to provide a more in-depth description of a hybrid meeting.

City Administrator Jones pointed out that the Mayor's emergency proclamation extended in the fall of 2020 will expire on March 15, 2021. Mr. Jones suggested it may be an appropriate time to follow up on the discussion of attending Council meetings via electronic means post-COVID.

City Attorney Sajdak mentioned that the Committee could formally table the item or decide not to take action at this point.

Alderman Strzelczyk made a motion to table the item until next month, seconded by Alderman Bushee.

RESULT: Tabled [Unanimous]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Bushee

AYES:	Mayr, Bushee, Strzelczyk
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b. Hybrid Meetings Technology Update

Mr. Schoenemann updated the Committee on the progress of upgrading the City's existing equipment to allow Common Council and Planning Commission to hold hybrid meetings. Mr. Schoenemann stated that the goal is for those attending online to be able to see and hear everything taking place in the Common Council Chambers. Additionally, those attending online will be able to interact with Council members. The upgrades have been made possible with funding from the Cares Act.

Alderman Strzelczyk mentioned upgrading the microphones at the dais. Mr. Schoenemann noted at this time the audio system is not part of the upgrade and suggested bringing up the topic as part of the budget process as there will be a capital investment needed.

The Committee directed Assistant City Administrator Schoenemann to continue working towards upgrading the City's equipment in order to hold hybrid meetings.

c. Chapter 2: Article II – Common Council and Article IV – Officers and Employees Ordinance Updates

Assistant City Administrator, Justin Schoenemann continued the review of Chapter 2 with the Committee. A suggestion was made to change a word in Sec. 2-21 (d) to is instead of *shall*. City Attorney Sajdak confirmed that the word *shall* would be the appropriate word. The Committee discussed the language in Sec. 2-21 (e) regarding the Mayor's ability to veto all acts of any committee. Alderman Mayr requested clarification on whether an item vetoed by the Mayor would still go to Common Council.

The Committee will continue the review of Chapter II at their next meeting.

6) Information Items

a. Work Calendar

Due to lack of time, the Committee did not have the opportunity to review the work calendar.

7) Motion to adjourn the meeting at 7:03 PM

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

AYES:	Mayr, Bushee, Strzelczyk
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Respectfully Submitted,

Lina Prosser
Executive Assistant



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Public Works Department

PUBLIC WORKS COMMITTEE

Tuesday, January 12, 2021

6:45 PM

Virtual Meeting

Minutes

1) Call to Order, Roll Call

Chair Parrish called the meeting to order at 6:45 PM.

Present:

Chairman Brian Parrish
Alderman Jeffrey Hansher
Alderman Mark Gierl

Also present were City Attorney Sajdak, Director of Public Works/City Engineer Lundeen, Parks and Forestry Superintendent Gies, Policy Chief Pryor, and Administrative Assistant Deuster.

2) Approval of Minutes

a. December 8, 2020 Minutes

RESULT: **Approved [Unanimous]**

MOVED BY: Alderman Hansher

SECONDED BY: Alderman Gierl

AYES: Parrish, Hansher, Gierl

3) Resolutions

Action requested: review and recommend approval

- a. **RESOLUTION 3798** A Resolution Approving a Special Event Agreement for the Thiensville-Mequon Lions Club to Host LionsFest at Rotary Park Between June 10-13, 2021

Representatives from the T-M Lions Club were Jim Doornek, Dale Wallow, and Robert Gosewehr.

Parks and Forestry Superintendent Gies provided an overview of the Special Event Agreement Template and indicated that this is the first of the large events held in Mequon that are completing use of the special event agreement. This agreement was approved in a

vote by the Park and Open Space Board with concerns that the board felt Public Works and Common Council should take up any changes to the agreement.

Jim Doornek summarized the T-M Lions Club and the Lionfest event. The Club looked into Rotary park around two years ago to expand their event. It was known early there would be some short-term costs due to electrical capacity and the softball tournament the club would hold during the event. The club determined with generator rentals they would be able to handle the electrical issues but that is a \$2,500 cost. The softball tournament would be unable to run due to the facilities at the park. That would typically bring in \$5,000. The club looked into upgrading the electrical capacity with Frank Gillitzer, and Gathering on the Green, Rob Kos, to meet their needs. This would eliminate some of the issues for both LionFest and Gathering on the Green. The financial implications are a major concern. The event counts on average about \$43,000 donations. The hope is to have the same courtesy that the Village provided which was no cost aside from Liquor License and background checks. The club would still like to hold the event but with the current fees listed in the agreement they do not feel it is fiscally responsible.

Chair Parrish stated that the decision tonight would hold a precedence with the other upcoming special event agreements. The cost also seems overbearing for a non-profit event that does great things. The presence of the police is a service the City provides. The reason he voted no at the Park and Open Space board meeting was due to the overnight stay concerns. The added language requiring the police to conduct background checks of the vendors staying overnight helps, but having the precedence on allowing overnight stays is a concern. He felt that for one year it was okay but next year to look into a new location for the overnight stay. There is also the concern of grass parking and the handling of COVID-19 or a cancellation.

Director of Public Works/City Engineer Lundeen stated the agreement as it exists today does cover cancellations in the event of public health issue such as the COVID-19 pandemic and it does currently allow for the use of soft spaces or the lawn area. There would have to be amendments considered to remove those.

The board discussed the fees, overnight stay/parking, penetrating the parking lot, and the closing time of the event.

Chair Parrish made a motion to approve with an amended fee to \$5,000, and to modify Section 2.d to establish deadlines for 2022. Details including overnight stay, onsite parking, price and security shall be revisited annually. Also modifying to allow penetration to the parking lot with repair per the wording of page 6 of the public works packet.

RESULT: **Approved with Amendments [Unanimous]**

MOVED BY: Alderman Parrish

SECONDED BY: Alderman Gierl

AYES: Parrish, Hansher, Gierl

- b. **RESOLUTION 3797** A Resolution Approving the Award of Contracts for the Lateral Abandonment and Demolition of the Structures at 11236 and 11242 North Cedarburg Road to Spielvogel & Sons Excavating, Inc. of Sheboygan, Wisconsin and Asbestos Abatement of the Same to Dirty Ducts Cleaning & Environmental, Inc. of Madison, Wisconsin for a Total Cost of \$58,795

RESULT: **Approved [Unanimous]**

MOVED BY: Alderman Parrish

SECONDED BY: Alderman Hansher

AYES: Parrish, Hansher, Gierl

4) Discussion Items

- a. 2020 Work Plan (1.12.21)

Director of Public Works/City Engineer Lundeen provided the 2021 work plan for review.

5) Motion to Adjourn at 7:23 PM.

RESULT: **Approved by Voice Acclamation [Unanimous]**

MOVED BY: Alderman Hansher

SECONDED BY: Alderman Gierl

AYES: Parrish, Hansher, Gierl

Respectfully Submitted,

Casey Deuster
Administrative Assistant



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Office of Public Safety Committee

TO: Common Council
FROM: Patrick Pryor, Chief of Police
DATE: February 23, 2021
SUBJECT: ORDINANCE 2021-1586 An Ordinance Amending Chapter 82 of the Mequon Municipal Code to Reflect Current Roadway Names and Posted Speed Restrictions within the City

Background

The Mequon Police Department has determined that current posted speed limits and associated roadway names are not accurately reflected in Section 82-2 of the Mequon Municipal Code, which is entitled: *Speed Restrictions on Particular Streets*.

Analysis

Officers were assigned to compare all posted speed limits throughout Mequon with the City's current ordinance. Thereafter, a draft of the ordinance was edited as appropriate, including the removal of abbreviations for directional wording. A redline version of the proposed modifications is attached for review.

Notably, no posted limits are being changed in the proposed amendments that are being submitted for adoption; rather, this is simply an update of the ordinance to accurately reflect what is currently posted throughout the community.

Fiscal Impact

None

Recommendation

A recommendation is forthcoming from the Public Safety Committee on March 9, 2021.

Attachments:

Sec._82_2.___Speed_restrictions_on_particular_streets (DOC)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2021-1586

An Ordinance Amending Chapter 82 of the Mequon Municipal Code to Reflect Current
Roadway Names and Posted Speed Restrictions within the City

RECITALS

A. The Common Council previously adopted section 82-2 of the Mequon Municipal Code, which establishes speed limits on various roads within the City of Mequon.

B. The Police Department has identified various parts of Section 82-2 which are no longer consistent with the actual posted speeds and has recommended updating the Code to reflect posted speeds.

C. The Common Council wishes to update section 82-2 to match posted speeds, and to otherwise clarify the language within the section.

D. The regulation of traffic speeds 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, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I

Section 82-2 of the Mequon Municipal Code is amended to read as follows (NOTE: Added text is underlined; Deleted text is ~~struck through~~):

Sec. 82-2. - Speed restrictions on particular streets.

Without in any way modifying the special speed restrictions for certain vehicles as set forth in Wis. Stats. § 346.58, no person shall drive a vehicle at a speed in excess of the following limits on certain streets in the City of Mequon as follows:

- (1) Fifty m.p.h. speed limit.
 - a. North Wasaukee Road for all vehicles between West Highland Road and West Pioneer Road.
- (2) Forty-five m.p.h. speed limit.
 - a. West Pioneer Road from North Wasaukee Road to the western boundary of the City of Cedarburg, and, from the eastern boundary of the City

of Cedarburg to Lake Shore Road.

b. North Cedarburg Road from the northern limit of the Village of Thiensville to a point approximately 1,500 feet south of the southern limit of the City of Cedarburg.

c. ~~North-~~ Wauwatosa Road from ~~West-~~ County Line Road to ~~West-~~ Mequon Road.

d. ~~North-~~ Cedarburg Road ~~from~~ ~~West-~~ County Line Road to ~~West-~~ ~~North-~~ Sherwood Drive.

e. ~~West-~~ Highland Road from ~~North-~~ Wasaukee Road to ~~North-~~ Cedarburg Road (~~Hwy 57~~).

f. ~~West-~~ Freistadt Road from ~~North-~~ Wasaukee Road to ~~North-~~ Granville Road (~~north~~).

g. ~~West-~~ Freistadt Road from approximately 300 feet east of ~~North-~~ Briarhill Road to 260 feet west of ~~North-~~ Ridgeway Avenue.

h. ~~West-~~ Donges Bay Road from ~~North-~~ Wasaukee Road to ~~North-~~ Wauwatosa Road. ~~N. Granville Road from W. County Line Road to a point 2,475 feet south of its intersection with W. Freistadt Road.~~

i. ~~North-~~ Granville Road from ~~West-~~ Freistadt Road to ~~West-~~ Highland Road.

j. ~~North-~~ Granville Road from ~~West-~~ Highland Road to ~~West-~~ Pioneer Road.

k. ~~North-~~ Farmdale Road from ~~West-~~ Mequon Road to ~~West-~~ Highland Road.

l. ~~North-~~ Swan Road from ~~West-~~ County Line Road to ~~West-~~ Mequon Road.

m. ~~North-~~ Davis Road from ~~West-~~ Bonniwell Road to ~~West-~~ Pioneer Road.

n. ~~North-~~ Port Washington Road from ~~West-~~ Glen Oaks Lane to ~~West-~~ Pioneer Road.

o. ~~West-~~ Bonniwell Road from ~~North-~~ Wasaukee Road to ~~the intersection with North Cedarburg Road.~~

p. North Granville Road from West County Line Road to a point 2,475 feet south of its intersection with West Freistadt Road.

(3) Forty m.p.h. speed limit.

a. ~~State Trunk Highway 167 for all vehicles between construction limits (I-43) westerly to a point 100 feet west of the intersection with State Trunk Highway 181. West Mequon Road from North Swan Road to North Market Street.~~

b. ~~West-~~ Donges Bay Road from ~~North-~~ Wauwatosa Road to ~~North-~~ Cedarburg Road.

c. ~~West-~~ Highland Road from ~~North-~~ Yvonne Drive to ~~North-~~ Cedarburg Road (~~Hwy 57~~).

d. ~~West-~~ County Line Road from ~~North-~~ Wasaukee Road to ~~North-~~ Wauwatosa Road.

e. ~~W. Freistadt Road. W. Bonniwell from Green Bay Road to~~

~~Riverland Road.~~ North Wauwatosa Road from West Freistadt Road to West Pioneer Road.

f. North. Wasaukee Road between West County Line Road and West Highland Road.

g. North. Riverland Road from West. Bonniwell Road to West. Pioneer Road.

h. North. Lake Shore Drive from West Highland Road to West Bonniwell Road.

(4) Thirty-five m.p.h. speed limit.

a. North Cedarburg Road from a point approximately 1,500 feet south of the southern limit of the City of Cedarburg to the southern limit of the City of Cedarburg.

b. North. Wauwatosa Road from West. Mequon Road to West. Freistadt Road.

c. North. Port Washington Road from West. County Line Road to West Glen Oaks Lane.

d. West. Freistadt Road from North. Granville Road ~~-(north)~~ to approximately 300 feet east of North. Briarhill Road, and from 260 feet west of North. Ridgeway Avenue to North. Wauwatosa Road.

e. West. County Line Road from North. Wauwatosa Road to North. Cedarburg Road.

f. North. Green Bay Road from the north limits of the Village of Thiensville to West. Pioneer Road.

g. West. Bonniwell Road from approximately one-half mile west of North. Oriole Lane to North. Port Washington Road.

h. West. Bonniwell Road from North. Lake Shore Drive ~~-(south)~~ to North. Lakewood ~~Shore Drive~~ ~~-(north)~~.

i. North. Fieldwood Road from West. Freistadt Road to West. Highland Road.

j. West. Mequon Road from North Market Street ~~the Chicago & Northwestern Railroad right-of-way~~ to North Lake Shore Drive.

k. West. Donges Bay Road from North. River Road to North. Lake Shore Drive.

l. West. Zedler Lane from North. Katherine Drive to North. Lake Shore Drive.

m. North River Road from West. Donges Bay Road to its north end at the Milwaukee River.

n. ~~N. Range Line Road from W. County Line Road to W. Mequon Road~~ West Highland Road from North Yvonne Drive to North Lake Shore Drive.

o. North. Katherine Drive from North. Port Washington Road to West. Zedler Lane.

p. North. Lake Shore Drive from West. Zedler Lane to West. Mequon Road.

q. North. Lake Shore Drive from West. Bonniwell Road to West.

Pioneer Road.

r. ~~West~~ Freistadt Road from ~~North~~ Wauwatosa Road to the village limits of the Village of Thiensville.

s. ~~North~~ Granville Road from ~~its intersection with West~~ Freistadt Road to a point 2,475 feet south of its intersection with ~~West~~ Freistadt Road.

t. ~~West~~ Bonniwell ~~Road~~ from ~~Hwy 57~~ North Cedarburg Road to North Riverland Road, ~~its point of terminus which is proximate to the west bank of the Milwaukee River~~

u. ~~West~~ Freistadt Road from North Villa Grove Road to North Fieldwood Road.

(5) Thirty m.p.h. speed limit.

a. North Cedarburg Road from West Sherwood Drive to the south village limits of the Village of Thiensville.

b. ~~North~~ Baehr Road from ~~West~~ County Line Road to ~~West~~ Donges Bay Road.

c. North River Road from West Freistadt Road to West Highland Road.

d. ~~West~~ County Line Road from ~~North~~ Port Washington Road to ~~N. River Road~~ 216 feet east of North Crestwood Court.

e. North Range Line Road from West Mequon Road ~~south~~ to West County Line Road, with the exception of any areas marked as school zones.

f. ~~North~~ Lake Shore Drive from ~~West~~ Mequon Road to ~~West~~ Highland Road.

(6) Twenty-five m.p.h. speed limit.

a. ~~State Trunk Highway 167~~ West Mequon Road, when children are present, from a point 150 feet east of its intersection with North Range Line Road westerly to a point 350 feet west of said intersection, pursuant to Wis. Stats. § 349.11(7).

b. All other public roads and streets in the City of Mequon.

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 ordinance 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: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk

Published: _____

Sec. 82-2. - Speed restrictions on particular streets.

Without in any way modifying the special speed restrictions for certain vehicles as set forth in Wis. Stats. § 346.58, no person shall drive a vehicle at a speed in excess of the following limits on certain streets in the City of Mequon as follows:

- (1) Fifty m.p.h. speed limit.
 - a. ~~North~~ Wasaukee Road for all vehicles between ~~West~~ Highland Road and ~~West~~ Pioneer Road.
- (2) Forty-five m.p.h. speed limit.
 - a. ~~W.-West~~ Pioneer Road from ~~N.-North~~ Wasaukee Road to ~~the~~ west boundary of the City of Cedarburg, and, from ~~the~~ east boundary of the City of Cedarburg to Lake Shore Road.
 - b. ~~North~~ Cedarburg Road from the northern limit of the Village of Thiensville to a point approximately 1,500 feet south of the southern limit of the City of Cedarburg.
 - c. ~~N.-North~~ Wauwatosa Road from ~~W.-West~~ County Line Road to ~~West~~ Mequon Road.
 - d. ~~N.-North~~ Cedarburg Road from ~~W.-West~~ County Line Road to ~~W.-West North~~ Sherwood Drive.
 - e. ~~W.-West~~ Highland Road from ~~N.-North~~ Wasaukee Road to North Cedarburg Road (Hwy 57).
 - f. ~~W.-West~~ Freistadt Road from ~~N.-North~~ Wasaukee Road to ~~N.-North~~ Granville Road (north).
 - g. ~~W.-West~~ Freistadt Road from approximately 300 feet east of ~~N.-North~~ Briarhill Road to 260 feet west of ~~N.-North~~ Ridgeway Avenue.
 - h. ~~W.-West~~ Donges Bay Road from ~~N.-North~~ Wasaukee Road to ~~N.-North~~ Wauwatosa Road. ~~N.-North Granville Road from W.-West County Line Road to a point 2,475 feet south of its intersection with W.-West Freistadt Road.~~
 - i. ~~N.-North~~ Granville Road from ~~W.-West~~ Freistadt Road to ~~W.-West~~ Highland Road.
 - j. ~~N.-North~~ Granville Road from ~~W.-West~~ Highland Road to ~~W.-West~~ Pioneer Road.
 - k. ~~N.-North~~ Farmdale Road from ~~W.-West~~ Mequon Road to ~~W.-West~~ Highland Road.
 - l. ~~N.-North~~ Swan Road from ~~W.-West~~ County Line Road to ~~W.-West~~ Mequon Road.
 - m. ~~N.-North~~ Davis Road from ~~W.-West~~ Bonniwell Road to ~~W.-West~~ Pioneer Road.
 - n. ~~N.-North~~ Port Washington Road from ~~West~~ Glen Oaks Lane to ~~West~~ Pioneer Road.
 - o. ~~W.-West~~ Bonniwell Road from ~~North~~ Wasaukee Road to the intersection with ~~North~~ Cedarburg Road.
 - p. ~~North~~ Granville Road from ~~West~~ County Line Road to a point 2,475 feet south of its intersection with ~~West~~ Freistadt Road.
- (3) Forty m.p.h. speed limit.
 - a. ~~State Trunk Highway 167 for all vehicles between construction limits (I-43) westerly to a point 100 feet west of the intersection with State Trunk Highway 181.~~ ~~West~~ Mequon Road from North Swan Road to North Market Street.
 - b. ~~W.-West~~ Donges Bay Road from ~~N.-North~~ Wauwatosa Road to ~~N.-North~~ Cedarburg Road.
 - c. ~~W.-West~~ Highland Road from ~~N.-North~~ Yvonne Drive to ~~N.-North~~ Cedarburg Road (~~Hwy 57~~).
 - d. ~~W.-West~~ County Line Road from ~~N.-North~~ Wasaukee Road to ~~N.-North~~ Wauwatosa Road.

- e. ~~W. West Freistadt Road. W. West Bonniwell from Green Bay Road to Riverland Road.~~
North Wauwatosa Road from West Freistadt Road to West Pioneer Road.
 - f. ~~N. North~~ Wasaukee Road between ~~West~~ County Line Road and ~~West~~ Highland Road.
 - g. ~~N. North~~ Riverland Road from ~~W. West~~ Bonniwell Road to ~~W. West~~ Pioneer Road.
 - h. ~~N. North~~ Lake Shore Drive from ~~West~~ Highland Road to ~~West~~ Bonniwell Road.
 - i. ~~N. North~~ Wauwatosa Road from ~~W. West~~ Freistadt Road to ~~N. West~~ Pioneer Road.
- (4) Thirty-five m.p.h. speed limit.
- a. ~~North~~ Cedarburg Road from a point approximately 1,500 feet South of the southern limit of the City of Cedarburg to the southern limit of the City of Cedarburg.
 - b. ~~N. North~~ Wauwatosa Road from ~~W. West~~ Mequon Road to ~~W. West~~ Freistadt Road.
 - c. ~~N. North~~ Port Washington Road from ~~W. West~~ County Line Road to ~~West~~ Glen Oaks Lane.
 - d. ~~W. West~~ Freistadt Road from ~~N. North~~ Granville Road (north) to approximately 300 feet east of ~~N. North~~ Briarhill Road, and from 260 feet west of ~~N. North~~ Ridgeway Avenue to ~~N. North~~ Wauwatosa Road.
 - e. ~~W. West~~ County Line Road from ~~N. North~~ Wauwatosa Road to ~~N. North~~ Cedarburg Road.
 - f. ~~N. North~~ Green Bay Road from the north limits of the Village of Thiensville to ~~W. West~~ Pioneer Road.
 - g. ~~W. West~~ Bonniwell Road from approximately one-half mile west of ~~N. North~~ Oriole Lane to ~~N. North~~ Port Washington Road.
 - h. ~~W. West~~ Bonniwell Road from ~~N. North~~ Lake Shore Drive (south) to ~~N. North~~ Lake Shore Drive (north).
 - i. ~~N. North~~ Fieldwood Road from ~~W. West~~ Freistadt Road to ~~W. Highland~~ Road.
 - j. ~~W. West~~ Mequon Road from ~~the Chicago & Northwestern Railroad right-of-way North Market Street~~ to ~~North~~ Lake Shore Drive.
 - k. ~~W. West~~ Donges Bay Road from ~~N. North~~ River Road to ~~N. North~~ Lake Shore Drive.
 - l. ~~W. West~~ Zedler Lane from ~~N. North~~ Katherine Drive to ~~N. North~~ Lake Shore Drive.
 - m. ~~North~~ River Road from ~~W. West~~ Donges Bay Road to its north end at the Milwaukee River.
 - n. ~~N. North Range Line Road from W. West County Line Road to W. West Mequon Road.~~
~~West Highland Road from North Yvonne Drive to North Lake Shore Drive (south).~~
 - o. ~~N. North~~ Katherine Drive from ~~N. North~~ Port Washington Road to ~~W. West~~ Zedler Lane.
 - p. ~~N. North~~ Lake Shore Drive from ~~W. West~~ Zedler Lane to ~~W. West~~ Mequon Road.
 - q. ~~N. North~~ Lake Shore Drive from ~~W. West~~ Bonniwell Road to ~~W. West~~ Pioneer Road.
 - r. ~~W. West~~ Freistadt Road from ~~N. North~~ Wauwatosa Road to the village limits of the Village of Thiensville.
 - s. ~~N. North~~ Granville Road from its intersection with ~~W. West~~ Freistadt Road to a point 2,475 feet south of its intersection with ~~W. West~~ Freistadt Road.
 - t. ~~W. West~~ Bonniwell Road from North Cedarburg Road ~~Hwy 57 to North Riverland Road, its point of terminus which is proximate to the west bank of the Milwaukee River~~
 - u. ~~West~~ Freistadt Road from ~~North~~ Villa Grove Road to ~~North~~ Fieldwood Road.
- (5) Thirty m.p.h. speed limit.

- a. North Cedarburg Road from **West** Sherwood Drive to the south village limits of the Village of Thiensville.
 - b. ~~N-North~~ Baehr Road from ~~W-West~~ County Line Road to ~~W-West~~ Donges Bay Road.
 - c. **North** River Road from **West** Freistadt Road to **West** Highland Road.
 - d. ~~W-West~~ County Line Road from ~~N-North~~ Port Washington Road to ~~N-North River Road~~. 216 feet east of North Crestwood Court.
 - e. **North** Range Line Road from **West** Mequon Road south to **West** County Line, with the exception of any areas marked as school zones.
 - f. ~~N-North~~ Lake Shore Drive from ~~W-West~~ Mequon Road to ~~W-West~~ Highland Road.
- (6) Twenty-five m.p.h. speed limit.
- a. ~~State Trunk Highway 167~~ **West Mequon Road** when children are present from a point 150 feet east of its intersection with **North** Range Line Road westerly to a point 350 feet west of said intersection, pursuant to Wis. Stats. § 349.11(7).
 - b. All other **public** roads and streets in the City of Mequon.

(Code 1957, § 12.02(2); Ord. No. 85-578, 6-11-1985; Ord. No. 85-582, 8-6-1985; Ord. No. 88-661, 7-12-1988; Ord. No. 88-669, 10-11-1988; Ord. No. 90-709, 5-8-1990; Ord. No. 90-717, 7-10-1990; Ord. No. 91-730, 1-8-1991; Ord. No. 92-760, 4-16-1992; Ord. No. 93-781, 3-9-1993; Ord. No. 93-785, 5-11-1993; Ord. No. 93-788, 7-13-1993; Ord. No. 94-802, 6-14-1994; Ord. No. 94-812, 8-2-1994; Ord. No. 94-814, 8-2-1994; Ord. No. 95-859; 96-874, 4-9-1996; Ord. No. 98-951, § I, 7-14-1998; Ord. No. 2005-1131, § I, 3-8-2005; Ord. No. 2012-1390, § I, 12-11-2012)

State Law reference— Authority to modify speed restrictions, Wis. Stats. § 349.11; speed restrictions, Wis. Stats. § 346.57 et seq.



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Office of Finance-Personnel Committee

TO: Common Council
FROM: Kaitlyn Krueger, Finance Director
DATE: March 9, 2021
SUBJECT: RESOLUTION 3812 A Resolution Clearing the Personal Property Tax Roll of Delinquent Accounts Deemed Uncollectible for Tax Roll Years 2018 and 2019

Background

Delinquent personal property taxes are cleared from the City's tax rolls after the end of a two-year collection cycle, as they are unlikely to be paid if collection efforts to date have not resulted in payment. Collection efforts include monthly statements and targeting larger accounts for collection through the City Attorney's Office. In addition, coordination continues with the City Clerk's Office to prevent the issuance of liquor licenses if any outstanding obligations exist. Unfortunately, there is currently no other administrative recourse for businesses that do not require these licenses, except for referral to the City Attorney's Office for possible small claims action.

Analysis

Presented below is a table showing summary information by tax year:

	2018	2019
Original Delinquent PP Balance Assumed	\$43,012.50	\$61,159.88
Collections to Date	\$30,054.95	\$47,809.37
Amount to Clear	\$12,957.55	\$13,350.51
City Share of Total	\$2,811.69	\$2,946.17

The attached listing of outstanding accounts shows the name of the business, total outstanding principal and interest, any payments received, the status of the account and notations from the City Assessor's Office. The comments are defined as follows:

- Open - Business is still a going concern in Mequon.
- Closed - Business reported to the Assessor that it is no longer operating in Mequon.
- Doomed - The owner did not file a Statement of Personal Property Status report timely. Therefore, the City Assessor estimated, or doomed, the account's value.

As some businesses still remain active, City staff and the City Attorney's Office will continue working to recover these written off amounts.

Fiscal Impact

The other taxing jurisdictions have been charged back for their proportionate share of the uncollectible account balances leaving the City's share of 2018 and 2019 write-offs at \$2,811.69 and \$2,946.17, respectively. On an annual basis, the City typically budgets \$3,000-\$5,0000 to account for personal property tax revenue that is deemed to be uncollectible.

Recommendation

Staff recommends the Committee favorably recommend the attached resolution to the Common Council in order to clear the remaining delinquent personal property taxes from the 2018 and 2019 tax rolls.

Attachments:

2018 Delinquent Personal Property Tax Write-Offs (PDF)

2019 Delinquent Personal Property Tax Write-Offs (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3812

A Resolution Clearing the Personal Property Tax Roll of Delinquent Accounts Deemed
Uncollectible for Tax Roll Years 2018 and 2019

RECITALS

A. The City of Mequon Finance Department has after considerable collection efforts determined that certain delinquent personal property taxes are deemed uncollectible.

B. Delinquent personal property taxes for tax roll years 2018 and 2019 have been charged back to the other taxing entities, thereby limiting the City's exposure to just the City portion of delinquent balances for the years being charged back.

C. The attached list of delinquent personal property taxes to clear delinquent taxes for tax roll year 2018 totals \$12,957.55.

D. The attached list of delinquent personal property taxes to clear delinquent taxes for tax roll year 2019 totals \$13,350.51.

E. Continuing efforts will be made to collect such taxes as appropriate.

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin, that the attached list of delinquent personal property taxes for tax roll years 2018 and 2019 be cleared from the personal property tax rolls by the City Treasurer.

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk

2018 Delinquent Personal Property Tax

Parcel Number	Owner					Status	County	City	School	MATC	Sewer	Total Tax
140000009200	ABC Daycare Inc	10333 N Enterprise Dr	Mequon	WI	53092	Inactive	31.92	55.88	113.30	22.12	34.39	\$ 257.61
140000066200	ARC Angels Senior Home	1001 W Glen Oaks Ln #238	Mequon	WI	53092	Doomage	2.26	3.93	7.96	1.56	2.41	\$ 18.12
140000102750	Bare Beauty Med Spa	11649 N Port Washington Rd	Mequon	WI	53092	Doomage	56.28	98.63	199.93	39.02	60.66	\$ 454.52
140000180450	Carjo,	10750 N O'Connell Ln	Meuqon	WI	53097	Doomage	5.50	9.72	19.67	3.83	5.98	\$ 44.70
140000200650	Cherry Creek Mortgage Co	1500 W Market ST Unit 225	Mequon	WI	53092	Inactive	7.75	13.63	27.59	5.38	8.38	\$ 62.73
140000222755	Comperica Haruna	11512 N Port Washington Rd	Mequon	WI	53092	Inactive	9.32	16.34	33.17	6.43	10.06	\$ 75.32
140000285050	Dianne's Wedding and Floral Design,	11203 N Buntrock Ave	Mequon	WI	53092	Inactive	10.64	18.60	37.73	7.41	11.46	\$ 85.84
140000314500	East Towne Fitness	1515 W Mequon Rd	Mequon	WI	53092	Inactive	62.58	109.61	222.22	43.41	67.43	\$ 505.25
140000319500	Edge of a Garden Landscape	10856 N Cedarburg Rd	Mequon	WI	53092	Inactive	31.92	55.88	113.30	22.12	34.39	\$ 257.61
140000320000	Edgehill Consulting Group	10134 N Port Washington Rd	Mequon	WI	53092	Inactive	31.92	55.88	113.30	22.12	34.39	\$ 257.61
140000335400	Esthetics By Liliy Skin	11514 N Port Washington Rd	Mequon	WI	53092	Open	2.55	4.54	9.20	1.76	2.83	\$ 20.88
140000345500	F Green Lawnsprinklers & Landscaping LLC	4901 W Pioneer Rd	Mequon	WI	53097	Doomage	2.03	3.53	7.04	1.40	2.16	\$ 16.16
140000423700	GetHappy Chocolatier	111235 Cedarburg Rd	Mequon	WI	53092	Inactive	93.49	163.87	332.15	64.87	100.75	\$ 755.13
140000432700	Goody Two Shooz, LLC,	1515 W Mequon Rd	Mequon	WI	53092	Inactive	6.05	10.60	21.46	4.14	6.46	\$ 48.71
140000440000	Great Frame-Up,	1400 W Mequon Rd	Mequon	WI	53092	Doomage	31.92	55.88	113.30	22.12	34.39	\$ 257.61
140000497000	Hockey Haven East	1406 W Mequon Rd	Mequon	WI	53092	Inactive	5.69	10.06	20.45	3.96	6.18	\$ 46.34
140000499060	Home Health Managers LLC,	10750 N O'Connell Ln	Mequon	WI	53097	Doomage	73.65	129.06	261.69	51.11	79.46	\$ 594.97
140000591300	Kornit Digital North Amer	10541 N Commerce St	Mequon	WI	53092	Inactive	256.40	449.35	911.03	177.80	276.42	\$ 2,071.00
140000644400	Luxxe Lash Brow Boutique	1424 W Mequon Rd	Mequon	WI	53092	Inactive	21.28	37.29	75.46	14.71	22.92	\$ 171.66
140000740800	MORO Performance,	10410 N Baehr Rd	Mequon	WI	53092	Doomage	306.34	536.81	1088.38	212.38	330.28	\$ 2,474.19
140000786980	North Shore Preschool	10406 N Cedarburg Rd	Mequon	WI	53092	Doomage	25.24	44.25	89.65	17.51	27.15	\$ 203.80
140000805800	On The Way Café	6005 W Mequon Rd	Mequon	WI	53092	Inactive	64.25	112.73	228.43	44.58	69.36	\$ 519.35
140000864700	Postnet	6079 W Mequon Rd	Mequon	WI	53092	Inactive	4.30	7.48	15.13	2.96	4.58	\$ 34.45
140000931500	Rugget Video LLC	10555 N Port Washington Rd	Mequon	WI	53092	Inactive	2.25	3.91	7.91	1.53	2.41	\$ 18.01
140000988450	Signature Auto Detailing,	10315 N Port Washington Rd	Mequon	WI	53092	Inactive	36.11	63.36	128.32	25.08	38.97	\$ 291.84
140000990500	Silver Springs Of Mequon,	11840 N Silver Ave	Mequon	WI	53092	Doomage	127.48	223.54	453.07	88.38	137.45	\$ 1,029.92
140000994440	Skin Evolved Vanessa Bracer	1025 W Glen Oaks Ln	Mequon	WI	53092	Inactive	16.12	28.26	57.30	11.22	17.41	\$ 130.31
140000996800	Snap Fitness	6071 W Mequon Rd	Mequon	WI	53092	Inactive	19.09	33.49	67.76	13.21	20.59	\$ 154.14
140001030400	Strategem Inc	10922 N Cedarbrug Rd	Mequon	WI	53092	Inactive	81.73	143.19	290.28	56.65	88.08	\$ 659.93
140001032550	Studio 251	6619 W Mequon Rd	Mequon	WI	53092	Inactive	55.25	96.80	196.33	38.32	59.61	\$ 446.31
140001066671	Golfer's Outlet	12950 N Port Washington Rd	Mequon	WI	53092	Inactive	18.41	32.27	65.40	12.80	19.86	\$ 148.74
140001066674	Lemon Tree	1380 W Mequon Rd	Mequon	WI	53092	Inactive	23.33	40.93	83.03	16.20	25.22	\$ 188.71
140001088700	Trustworthy Tire & Auto Service, Inc	10432 N Port Washington Rd	Mequon	WI	53092	Doomage	67.53	118.34	239.99	46.82	72.83	\$ 545.51
140001160100	Chay's Tae Kwon	1220 W Ranchito Ln	Mequon	WI	53092	Inactive	9.07	15.89	32.16	6.26	9.78	\$ 73.16
140001193000	Sullivan Mfg Corp	10201 N Enterprise Dr	Mequon	WI	53092	Open	4.62	8.16	16.40	3.19	5.04	\$ 37.41
							\$ 1,604.27	\$ 2,811.69	\$ 5,699.49	\$ 1,112.36	\$ 1,729.74	\$ 12,957.55

2019 Outstanding Personal Property Tax

Parcel Number	Owner					Status	County	City	School	MATC	Sewer	Total Tax
140000022860	Airpes S. L	11516 N Port Washington Rd Unt 1	Mequon	WI	53092	Closed	2.71	4.86	10.05	1.88	2.68	\$ 22.18
140000120500	Better Bidders	10650 N Baehr Rd Ste E	Mequon	WI	53092	Open	2.64	4.72	9.78	1.83	2.61	\$ 21.58
140000139700	Brain Balance Achievement Center	11649 N Port Washington Rd	Mequon	WI	53092	Closed	57.30	102.72	212.54	39.84	56.67	\$ 469.07
140000180450	Carjo	10750 N O'Connell Ln	Meuqon	WI	53097	Open	9.24	16.57	34.28	6.43	0.00	\$ 66.52
140000250600	CrossFit Lozen	10520 N Baehr Rd	Mequon	WI	53092	Closed	60.01	107.58	222.58	41.72	59.35	\$ 491.24
140000283451	Divine Lash and Beauty Bar	10144 N Port Washington Rd	Mequon	WI	53092	Doomage	110.90	198.82	411.36	77.11	109.68	\$ 907.87
140000285050	Dianne's Wedding and Floral Design	11203 N Buntrock Ave	Mequon	WI	53092	Closed	11.09	19.88	41.14	7.71	10.97	\$ 90.79
140000333325	Epic Minds Childcare Inc.	1415 W Donges Bay Rd	Mequon	WI	53092	Closed	4.50	8.07	16.70	3.13	4.45	\$ 36.85
140000345500	F Green Lawnsprinklers & Landscaping LLC	4901 W Pioneer Rd	Mequon	WI	53097	Doomage	1.96	3.51	7.26	1.36	0.00	\$ 14.09
140000423700	GetHappy Chocolatier	111235 Cedarburg Rd	Mequon	WI	53092	Closed	27.49	49.28	101.96	19.11	27.19	\$ 225.03
140000432700	Goody Two Shooz, LLC	1515 W Mequon Rd	Mequon	WI	53092	Closed	4.56	8.17	16.91	3.17	4.51	\$ 37.32
140000440000	Great Frame-Up	1400 W Mequon Rd	Mequon	WI	53092	Doomage	27.72	49.71	102.84	19.28	27.42	\$ 226.97
140000499060	Home Health Managers LLC	10750 N O'Connell Ln	Mequon	WI	53097	Doomage	73.93	132.55	274.24	51.40	0.00	\$ 532.12
140000563700	Kathryn Morrison	11516 N Port Washington Rd #108	Mequon	WI	53092	Doomage	36.97	66.27	137.12	25.70	36.56	\$ 302.62
140000572000	Ker-Mor Grooming	10000 N Port Washington Rd	Mequon	WI	53092	Open	6.68	11.98	24.78	4.64	6.61	\$ 54.69
140000581750	Kids Creative Corner Childcare Inc	10333 N Enterprise Dr	Mequon	WI	53092	Closed	92.42	165.68	342.80	64.25	91.40	\$ 756.55
140000740800	MORO Performance	10410 N Baehr Rd	Mequon	WI	53092	Open	167.74	300.73	622.19	116.63	165.90	\$ 1,373.19
140000817610	Ovation Hand Institute	10532 N Port Washington Rd	Mequon	WI	53092	Doomage	389.50	698.30	1444.78	270.81	385.23	\$ 3,188.62
140000983325	Shopko Mequon Optical Center #216	10996 N Port Washington Rd	Mequon	WI	53092	Open	237.32	425.46	880.28	165.00	234.72	\$ 1,942.78
140000988450	Signature Auto Detailing	10315 N Port Washington Rd	Mequon	WI	53092	Closed	33.27	59.65	123.41	23.13	32.91	\$ 272.37
140000990500	Silver Springs Of Mequon	11840 N Silver Ave	Mequon	WI	53092	Doomage	110.90	198.82	411.36	77.11	109.68	\$ 907.87
140001066653	The Compass	14015 N Cedarburg Rd	Mequon	WI	53097	Closed	18.48	33.14	68.56	12.85	0.00	\$ 133.03
140001079600	Transitions Coaching LLC	11124 N Cedarburg Rd Ste 330	Mequon	WI	53092	Doomage	2.98	5.35	11.07	2.07	2.95	\$ 24.42
140001088700	Trustworthy Tire & Auto Service, Inc	10432 N Port Washington Rd	Mequon	WI	53092	Doomage	46.17	82.78	171.27	32.10	45.67	\$ 377.99
140001142000	Worzella Photography Inc	7606 W Mequon Rd	Mequon	WI	53097	Doomage	50.84	91.14	188.58	35.35	50.28	\$ 416.19
140001181000	MICRON Hard Milling LLC	10650 N Baehr Rd	Mequon	WI	53092	Closed	0.37	0.66	1.35	0.25	0.36	\$ 2.99
140001192100	Soaring Souls, LLC	6400 W Mequon Rd	Mequon	WI	53092	Doomage	51.62	92.55	191.49	35.89	51.06	\$ 422.61
140001193000	Sullivan Mfg Corp	10201 N Enterprise Dr	Mequon	WI	53092	Open	4.03	7.22	14.93	2.80	3.98	\$ 32.96
							\$ 1,643.34	\$ 2,946.17	\$ 6,095.61	\$ 1,142.55	\$ 1,522.84	\$ 13,350.51

Attachment: 2019 Delinquent Personal Property Tax Write-Offs (RESOLUTION 3812 : Clear Delq Personal



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Office of Finance-Personnel Committee

TO: Common Council
FROM: Kaitlyn Krueger, Finance Director
DATE: March 9, 2021
SUBJECT: RESOLUTION 3813 A Resolution Authorizing a Transfer of Funds from the Fire Department's Full-Time Personnel Accounts to the Public Safety Building Repairs Account in the Amount of \$90,000

Background

The hiring of three full-time Battalion Chiefs was approved within the Fire Department's 2021 budget. The jobs were posted January 2, 2021 and the applications closed on February 10, 2021. Fire Department staff and the Human Resources Division concluded interviews of prospective candidates during the first week of March. The staff-recommended candidates next need to be approved by the Police and Fire Commission prior to job offers being extended. With the additional necessary pre-employment screening process steps, the Battalion Chief positions will likely remain vacant until April of 2021 at the earliest, resulting in unspent budget funds. As previously discussed with the Future of Our Fire Department Committee and the Common Council, the Fire Department's two stations are in need of building improvements and repair. The Fire Department is requesting that unspent salary and benefit funds from the Battalion Chief vacancies be spent on station improvements identified below by the Future of Our Fire Department Committee.

Analysis

Each Battalion Chief's salary and benefit package is budgeted at \$120,000. Assuming the positions remain vacant until April, there are savings of approximately \$30,000 per month or \$90,000 total.

The following list of building improvements needed at the Fire Stations were recognized by the Future of Our Fire Department:

- Replace weather stripping on all West facing doors at both Stations
- Replace carpet in living area Station 1 (Headquarters Facility)
- Paint walls in Station 1
- Install garbage disposal in living area of Station 1
- Replace furniture at Station 1 in living area
- Obtain dumpster at Station 1 for proper disposal of waste
- Paint lower level of Station 2 (East Side Station)
- Install new tile and flush valve in the Men's upper level bathroom of Station 2
- Upgrade showers and plumbing to increase water pressure and temperature at Station 1
- Repair of concrete door thresholds at both Stations

- Install a centralized dehumidifier at Station 2
- Repair uneven surfaces in parking lot and entry way
- Install sound deadening material around duct work at Station 2
- Upgrade lighting at both Stations with more efficient and brighter fixtures

Fiscal Impact

There will be no fiscal impact. The Battalion Chief positions were budgeted for the full year and this resolution will only allow for spending up to the amount of approximate savings (\$90,000) due to the positions being vacant during a portion of the year.

Recommendation

A recommendation from the Finance and Personnel Committee is forthcoming on March 9, 2021.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3813

A Resolution Authorizing a Transfer of Funds from the Fire Department's Full-Time Personnel
Accounts to the Public Safety Building Repairs Account in the Amount of \$90,000

RECITALS

A. The City of Mequon Common Council funded three full-time Battalion Chief positions for Fiscal Year 2021.

B. Due to the time needed to fill the Battalion Chief positions, there will be significant unspent salary and benefit funds within the Fire Department budget.

C. The Future of Our Fire Department has identified a list of necessary building improvements needed at the City's two Fire Stations.

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

1. The Fire and Public Works Departments are authorized and directed to spend available salary and benefit funds due to the vacancies in Battalion Chief positions on building improvement needs as recommended by the Future of Our Fire Department Committee.

2. Salary and benefit savings totaling \$90,000 from Account #110236-670101 Salaries, Account #110236-673101 Social Security and Account #110236-673201 Health Insurance be transferred to Account #110326-686502 Maintenance and Repair - Safety Buildings.

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk



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Office of Administration

TO: Common Council
FROM: Justin Schoenemann, Assistant City Administrator
DATE: February 23, 2021
SUBJECT: RESOLUTION 3814 A Resolution Extending the City of Mequon's Declared Public Health Emergency in Response to COVID-19 from March 15, 2021 to September 15, 2021

Background

Following the World Health Organization's declaration of a Public Health Emergency, and the United States Department of Health & Human Service's Proclamation of a Public Health Emergency and the Governor's Executive Order #72 declaring A Public Health Emergency in the State of Wisconsin, Mayor John Wirth issued a Proclamation that was ratified by the Common Council on March 17, 2020, declaring a local Public Health Emergency in order to protect the health and well-being of the community and to avail the City of all proper resources needed to respond to the COVID-19 pandemic. The declaration of a Public Health Emergency in the City was subsequently extended by the Common Council on September 8, 2020, through March 15, 2021.

Analysis

The Proclamation declaring a local Public Health Emergency also serves as the foundation upon which four additional Proclamations modifying certain rules, regulations, and operations during the Public Health Emergency rely upon to remain in effect. Proclamation No. 2 provides for benefits to support emergency responders during the pandemic. Proclamation No. 3 allows for electronic meetings of all elected and appointed boards. Proclamation No. 4 modifies regulations to allow for expanded curbside service by local restaurants and addresses special event banner fees. Proclamation No. 5 provides for the reopening of Mequon and certain modified City operations. A copy of all the proclamations and accompanying amendments is available through the City's website link below:

City Service Updates: <https://www.ci.mequon.wi.us/community/page/city-service-updates>

The extension of the previous Proclamation declaring a Public Health Emergency includes an expiration date of March 15. However, COVID-19 is still a present threat to the health and well-being of the community. As of February 23, the Washington/Ozaukee Public Health Department's website indicates that Ozaukee County is still experiencing an overall high burden from COVID-19. Additionally, the COVID-19 vaccination process governed by the State of Wisconsin is in its early stages, and it is anticipated that widespread distribution may not be achieved until the latter half of this year. As such, there is a need to extend the City's Public Health Emergency to provide for the continuation of modified services and operations to support the health and well-being of the community.

The attached resolution provides for the extension of the Public Health Emergency through September 15, 2021. If the attached resolution is approved, the Common Council by resolution or by Mayoral Proclamation can extend or terminate the Public Health Emergency if deemed necessary at a future date.

Recommendation

A recommendation is forthcoming from the Public Welfare Committee on March 9, 2021.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3814

A Resolution Extending the City of Mequon's Declared Public Health Emergency in Response to COVID-19 from March 15, 2021 to September 15, 2021

RECITALS

A. On March 16, 2020, the Mayor proclaimed, on behalf of the City of Mequon, the existence of a Public Health Emergency as defined in Wisconsin Statutes Section 323.02(16) and a Disaster as defined in Wisconsin Statutes Section 323.02(6); accordingly, the City of Mequon implemented its emergency authority under Wisconsin Statutes Section 323.11. The proclamation was entitled Proclamation Declaring a Public Health Emergency in Response to the Corona Virus Disease 2019 (COVID-19) ("Proclamation No. 1").

B. By Resolution 3716, the Common Council ratified Proclamation No. 1.

C. Subsequent to the adoption of Proclamation No. 1, the Mayor issued the following four additional proclamations to address certain rules, regulations and operations during the Public Health Emergency, each of which were affirmed or substantially ratified by the Common Council:

1. COVID-19 Emergency Proclamation No. 2: Proclamation Exempting Certain City of Mequon Employees from the Families First Coronavirus Response Act ("Proclamation No. 2").
2. COVID-19 Emergency Proclamation No. 3: Proclamation Providing For Electronic Meetings ("Proclamation No. 3").
3. COVID-19 Emergency Proclamation No. 4: Curbside Services; Special Event Banner Fees ("Proclamation No. 4").
4. COVID-19 Emergency Proclamation No. 5: Reopening of Mequon ("Proclamation No. 5").

D. Proclamation No. 2 and Proclamation No. 3 have been subsequently amended by the Common Council. Proclamation No. 5 expired by its terms.

E. Pursuant to the terms of Proclamation No. 1, the declared Public Health Emergency was set to expire on September 15, 2020 but was extended by Common Council through Resolution 3762 to March 15, 2021. If it expires, the protections first responders receive under Proclamation No. 2, the City's ability to hold electronic meetings under Proclamation No.

3 and the relaxation of regulations to provide for curbside services under Proclamation No. 4 will all also expire.

F. The basis for the Public Health Emergency still exists. Specifically, but without limitation, the COVID-19 virus is “a prolonged, natural or human-caused, occurrence that threatens or negatively impacts life [and] health,” as described in Wisconsin Statutes Section 323.02(6), and is “an illness or health condition” that is caused by a novel biological agent continues to pose “a high probability of widespread exposure” and “creates a significant risk of substantial future harm to a large number of people,” as described in Wisconsin Statutes Section 323.02(16).

G. Although the Common Council does not anticipate enacting new proclamations or measures, the Common Council believes that the City benefits from the continuation of Proclamation No. 2 (as amended), Proclamation No. 3 (as amended) and Proclamation No. 4. Each is an appropriate response to the COVID-19 virus. Proclamation No. 2 protects the City’s first responders. Proclamation No. 3 protects the public and officials from the virus and enables social distancing while avoiding the logistical difficulties of spacing participants and conducting meetings with masks. Proclamation No. 4 provides needed relief to the Mequon business community.

H. Additionally, an extension of the Public Health Emergency provides the Common Council an opportunity to determine if some of the provisions in Proclamation No. 3 and Proclamation No. 4 can and should be memorialized in the City’s Code of Ordinances.

I. For the foregoing reason, the Common Council deems it appropriate to extend the expiration of the Public Health Emergency.

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

1. The period of the declared Public Health Emergency is extended to September 15, 2021 and, pursuant to Wisconsin Statutes Section 323.11, shall automatically expire on September 15, 2021 (rather than on March 15, 2021) unless:

(a) The period of the declared Public Health Emergency is extended by (i) a subsequent declaration by the mayor or person in charge pursuant to the order of succession in the Code of Ordinances or (ii) the Common Council by resolution, or

(b) The Public Health Emergency is terminated, which shall occur upon the earlier of (i) a declaration by the mayor or person in charge pursuant to the order of succession in the Code of Ordinances that the Public Health Emergency has ended or (ii) a resolution terminating the period of the Public Health Emergency is passed by the Common Council by resolution.

2. The provisions of Proclamation No. 1 through Proclamation No. 4, as amended, shall remain in effect during the term of the Public Health Emergency unless otherwise modified by the Common Council or replaced with a different declaration.

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk



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Office of Administration

TO: Common Council
FROM: Justin Schoenemann, Assistant City Administrator
DATE: February 25, 2021
SUBJECT: RESOLUTION 3815 A Resolution Amending the City of Mequon's COVID-19 Emergency Medical Leave Benefits to Address the Availability of the COVID-19 Vaccine

Background

Since April of 2020, the City of Mequon has provided COVID-19 Emergency Medical Leave (EML) benefits to staff previously exempted from the Families First Corona Virus Response Act and subsequently extended the benefits established in the EML Policy to all City staff upon the expiration of the Family First Corona Virus Response Act on December 31, 2020.

The EML Policy now requires an update to address the availability of the COVID-19 vaccine. Additionally, the City's Labor Counsel has recommended several updates based on the evolution of COVID-19 employment practices over the last year. In summary, the updates are clarifying in nature and meant to ensure the City's intent within its broader EML Policy.

Analysis

The majority of the proposed language modifications are recommendations from the City's labor & employment firm, von Brisen, based on the firm's experience over the last year. Two new sections added to address the COVID-19 vaccine are Sections E and I. Section E states that a full-time or part-time employee may use up to one day's worth of EML time in the event that the employee experiences adverse medical side-effects that onset within 48 hours after receipt of the vaccine and render the employee unable to perform his or her job duties.

Additionally, Section I states that once the vaccine becomes available to an employee, then in order to be eligible for benefits under this Policy, an employee will have thirty (30) days from the date when the vaccine becomes available to begin the vaccination process by receiving the first vaccine and completing the vaccine process as soon as possible, consistent with medical guidance. Section I also provides the City with the ability to determine whether extenuating circumstances or other pre-existing conditions may apply, exempting an employee from such requirement.

Fiscal Impact

The cost of providing emergency medical leave benefits to staff can be absorbed within the existing salary and benefit allocations included within the 2021 budget.

Recommendation

A recommendation from the Finance-Personnel Committee is forthcoming on March 9, 2021.

Attachments:

EML Policy REDLINE (PDF)

EML Policy CLEAN (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3815

A Resolution Amending the City of Mequon's COVID-19 Emergency Medical Leave Benefits to
Address the Availability of the COVID-19 Vaccine

RECITALS

A. The Common Council approved an Emergency Medical Leave (EML) Policy on Tuesday, April 14, 2021, following the enactment of the Families First Coronavirus Response Act (the “FFCRA”), which expanded the Family and Medical Leave Act (Emergency Family and Medical Leave Expansion Act) and created a paid sick leave entitlement for certain eligible employees (Emergency Paid Sick Leave Act) covered by the Act.

B. In light of the fact FFCRA expired on December 31, 2020, and that COVID-19 is still a public health emergency, the Common Council determined there still is a need to provide additional support to employees to ensure the continuation of operations on behalf of the community and extended the City’s existing *Emergency Medical Leave Policy* to all City staff.

C. COVID-19 vaccinations are now becoming available to City staff through the State of Wisconsin’s distribution plan and, as such, the *Emergency Medical Leave Policy* is in need of amendment to reflect the City’s desire for staff to receive the vaccination once it is accessible.

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin, that the proposed amendments to the *Emergency Medical Leave Policy* outlined in the attached policy are adopted and made available to all City staff.

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk

**COVID-19 Emergency Medical Leave Policy for City of Mequon Employees
Designated as Emergency Responders**

- A. In response to the Coronavirus (COVID-19) pandemic, the City is implementing ~~this~~ COVID-19 emergency medical leave policy (EML) for all regular full-time and part-time employees. The City had previously designated by the City certain of its employees as exempt as emergency responders under the Families First Coronavirus Response Act (“FFCRA”), which was in effect from April 1, 2020 to December 31, 2020. EML benefits are available to ~~these~~ employees who are impacted by COVID-19 and these benefits are separate from other time-off benefits. The benefits provided under this Policy are retroactive to March 1, 2020 and, except as provided in Section F and unless extended by an act of the Common Council, will ~~sunset-terminate~~ upon the earlier of the expiration or termination of the City’s Proclamation Declaring a Public Health Emergency, as amended or extended. This Policy does not change or alter the City’s designation of employees with respect to emergency responder status under the FFCRA. Moreover, this Policy is not designed to extend any provision of the FFCRA beyond the December 31, 2020 expiration date of the FFCRA. This Policy is separate and independent from any and all provisions of the FFCRA. This Policy does not to create any legal or other right, privilege or entitlement between the City and any employee. The City reserves the right to change, alter, or amend this Policy at any time.
- B. All full-time employees shall be awarded 120 hours of emergency medical leave, and part-time employees shall receive a proration based on their full-time-equivalency ratio as determined in the sole discretion of the City. All EML hours can only be exercised by an employee for one of the following reasons:
1. An employee is subject to a local, state, or federal government order requiring quarantine or isolation due to COVID–19 exposure.
 2. An employee is subject to a self-quarantine mandated by a health care provider due to COVID–19 exposure or treatment.
 3. An employee has symptoms related to COVID-19 and is seeking medical treatment or diagnosis.
 4. An employee is caring for an individual within their household that is subject to quarantine or isolation or advised to quarantine or isolate due to COVID-19 exposure.
- EML hours are not an accrued benefit. All unused EML hours are not accrued and not paid-out upon the termination of employment or of this Policy, as set forth in Section A.

- C. If a full-time or part-time employee contracts COVID-19 and such employee regularly interreacts with the public on behalf of the City in connection with the employee's job duties, as determined in the sole discretion of the City Administrator's Office and is hospitalized due to the COVID-19 diagnosis, such employee must first exhaust his or her grant of EML leave under Section B unless exercising a right under the WFMLA to substitute different paid leave. Should the employee exhaust this leave, then the City will pay the employee is eligible for additional paid leave to cover the duration of the hospitalization, defined as their regular wage for missed regularly scheduled work time ~~for the duration of the hospitalization~~ exceeding the EML hours used in Section B based on: (1) 40 hours per week for full-time employees; or (2) a proration of 40 hours per week based on their full-time equivalency ratio, determined in the sole discretion of the City, for part-time employees. Such additional leave is not an accrued benefit. All unused EML hours are not accrued and not paid-out upon the termination of this Policy, as set forth in Section A. The benefits under this Section are available only to the extent that the employee is hospitalized pursuant to medical orders in order to receive necessary medical care for a positive COVID-19 diagnosis.
- D. All full-time employees may use up to 40 hours of EML awarded under Section GB, and part-time employees can use one-third of their EML, for the care of their child under the age of 18 because of school or place of childcare closure due to COVID-19 related concerns. The City reserves the right to determine whether spouses or other family members are available to provide needed care thus eliminating the employee's need for EML described in this Section. The City further reserves the right to determine whether there is a school or place of childcare closure due to COVID-19 under this policy.
- E. All full-time employees and part-time employees may use one (1) day, based on a standard shift, of EML hours in the event an employee experiences adverse medical side effects from the COVID-19 vaccination that onset within 48 hours after receipt of the vaccine and that render the employee unable to perform his or her job duties. Any additional time needed by an employee who experiences adverse medical side effects from the COVID-19 vaccination will be required to use other paid time off benefits to cover time away from work.
- ~~E.F.~~ Once EML hours have been exhausted and if the employee is still unable to return to work, the employee may use other available paid time off benefits, such as PTO, sick leave, vacation leave, or medical leave or may request unpaid leave, in addition to eligible family and medical leave under applicable state and federal law, provided that the employee's medical condition qualifies for such leave under state or federal law. ~~The City will~~

additionally process requests for reasonable accommodations under state or federal law that would allow the employee to perform the essential functions of his or her job with or without a reasonable accommodation, should an employee be unable to work due to medical conditions associated with a positive COVID-19 diagnosis.

~~F.G.~~ The City reserves the right to deny authorization to ~~use such use~~ EML in the event the City determines the ~~e~~Employee must report for duty based on the operational needs of the City, consistent with state and federal law. If, within the sole discretion of the City, the employee would otherwise have been eligible for EML leave under this policy and was otherwise ineligible to use such leave under this Section, To the extent the City denies authorization, such the employee will be eligible to use an equivalent amount of leave ~~leave may be used~~ after the ~~sunset termination~~ of this Policy, as defined in Section A, for only qualifying purposes as set forth in Section B and D; however, it must be used prior to December 31, 2021. After December 31, 2021, any such leave will end and be not paid-out.

~~G.H.~~ Paid-on-call employees are not eligible for the benefits identified in Sections B – ~~G.F.~~ In the event that a paid-on-call employee within the Mequon Fire Department contracts COVID-19 subjecting them to a COVID-19 required quarantine, isolation or hospitalization which renders such employee unable to perform his or her job duties, then that paid-on-call employee shall be paid \$200.00 per day from the first day of absence through the date fifteen (15) days after the commencement of the quarantine or isolation ~~or~~, in the case of hospitalization, for the duration of the hospitalization.

I. Once the vaccine becomes available to an employee, then in order to be eligible for benefits under this policy, an employee will have thirty (30) days from the date when the vaccine becomes available to begin the vaccination process by receiving the first vaccine and completing the vaccine process as soon as possible, consistent with medical guidance. Employees shall exercise due diligence to monitor regularly the status of vaccine availability. Accessibility shall be defined as becoming eligible as based on the State of Wisconsin distribution plan. An employee who fails to begin the vaccination process within thirty (30) days following the date accessibility and/or who fails to complete the vaccination process as soon as possible will not be eligible for EML hours going forward. The City reserves the right to determine whether extenuating circumstances or other pre-existing conditions apply exempting an employee from such requirement as described in this Section. The City reserves the right to request proof of vaccination. This Section shall not apply to employees who are unable to receive the vaccine due to disability-related or other medical condition, or to employees who are unable to receive the vaccine due to sincerely held religious beliefs or practices. The City reserves the right to request and verify the

inability to receive the vaccine for such reasons, consistent with state and federal law, including requests for medical documentation.

~~H.J.~~ If an employee in any department is currently utilizing the benefits listed in this Policy for COVID-19 related-leave and the Policy sunsets or is terminated during such period of utilization, then the employee shall be ~~able-eligible~~ to continue to utilize the benefits concurrently under this Policy until such leave is no longer needed, ~~as determined,~~ in the sole discretion of the City.

~~H.K.~~ Employees in any department who use EML pursuant to this Policy will be allowed to return to work only when released by a medical provider and/or Public Health Agency.

~~H.L.~~ The City may unilaterally designate the use of these benefits for the employee. The City may retroactively apply these benefits for any employee who used leave for a permissible purpose identified herein retroactive to March 1, 2020. Under such circumstances, the City will restore paid leave used by that employee to his or her leave bank where such leave was accrued.

~~H.M.~~ The benefits identified in this Policy are only available to employees represented by a collective bargaining representative if agreed to by the collective bargaining representative.

Approval Dates

April 14, 2020

May 15, 2020

December 31, 2020

March 9, 2021

**COVID-19 Emergency Medical Leave Policy for City of Mequon Employees
Designated as Emergency Responders**

- A. In response to the Coronavirus (COVID-19) pandemic, the City is implementing this COVID-19 emergency medical leave policy (EML) for all regular full-time and part-time employees. The City had previously designated certain of its employees as exempt emergency responders under the Families First Coronavirus Response Act (“FFCRA”), which was in effect from April 1, 2020 to December 31, 2020. EML benefits are available to employees who are impacted by COVID-19 and these benefits are separate from other time-off benefits. The benefits provided under this Policy are retroactive to March 1, 2020 and, except as provided in Section F and unless extended by an act of the Common Council, will terminate upon the earlier of the expiration or termination of the City’s Proclamation Declaring a Public Health Emergency, as amended or extended. This Policy does not change or alter the City’s designation of employees with respect to emergency responder status under the FFCRA. Moreover, this Policy is not designed to extend any provision of the FFCRA beyond the December 31, 2020 expiration date of the FFCRA. This Policy is separate and independent from any and all provisions the FFCRA. This Policy does not to create any legal or other right, privilege or entitlement between the City and any employee. The City reserves the right to change, alter, or amend this Policy at any time.
- B. All full-time employees shall be awarded 120 hours of emergency medical leave, and part-time employees shall receive a proration based on their full-time-equivalency ratio as determined in the sole discretion of the City. All EML hours can only be exercised by an employee for one of the following reasons:
1. An employee is subject to a local, state, or federal government order requiring quarantine or isolation due to COVID–19 exposure.
 2. An employee is subject to a self-quarantine mandated by a health care provider due to COVID–19 exposure or treatment.
 3. An employee has symptoms related to COVID-19 and is seeking medical treatment or diagnosis.
 4. An employee is caring for an individual within their household that is subject to quarantine or isolation or advised to quarantine or isolate due to COVID-19 exposure.

EML hours are not an accrued benefit. All unused EML hours are not accrued and not paid-out upon the termination of employment or of this Policy, as set forth in Section A.

- C. If a full-time or part-time employee contracts COVID-19 and such employee regularly interreacts with the public on behalf of the City in connection with the employee’s job

duties, as determined in the sole discretion of the City Administrator's Office and is hospitalized due to the COVID-19 diagnosis, such employee must first exhaust his or her grant of EML leave under Section B unless exercising a right under the WFMLA to substitute different paid leave. Should the employee exhaust this leave, the employee is eligible for additional paid leave to cover the duration of the hospitalization, defined as their regular wage for missed regularly scheduled work time exceeding the EML hours used in Section B based on: (1) 40 hours per week for full-time employees; or (2) a proration of 40 hours per week based on their full-time equivalency ratio, determined in the sole discretion of the City, for part-time employees. Such additional leave is not an accrued benefit. All unused EML hours are not accrued and not paid-out upon the termination of this Policy, as set forth in Section A. The benefits under this Section are available only to the extent that the employee is hospitalized pursuant to medical orders in order to receive necessary medical care for a positive COVID-19 diagnosis.

- D. All full-time employees may use up to 40 hours of EML awarded under Section B, and part-time employees can use one-third of their EML, for the care of their child under the age of 18 because of school or place of childcare closure due to COVID-19 related concerns. The City reserves the right to determine whether spouses or other family members are available to provide needed care thus eliminating the employee's need for EML described in this Section. The City further reserves the right to determine whether there is a school or place of childcare closure due to COVID-19 under this Policy.
- E. All full-time employees and part-time employees may use one (1) day, based on a standard shift, of EML hours in the event an employee experiences adverse medical side effects from the COVID-19 vaccination that onset within 48 hours after receipt of the vaccine and that render the employee unable to perform his or her job duties. Any additional time needed by an employee who experiences adverse medical side effects from the COVID-19 vaccination will be required to use other paid time off benefits to cover time away from work.
- F. Once EML hours have been exhausted and if the employee is still unable to return to work, the employee may use other available paid time off benefits, such as PTO, sick leave, vacation leave, or medical leave or may request unpaid leave, in addition to eligible family and medical leave under applicable state and federal law, provided that the employee's medical condition qualifies for such leave under state or federal law. The City will additionally process requests for reasonable accommodations under state or federal law that would allow the employee to perform the essential functions of his or her job with or without a reasonable accommodation, should an employee be unable to work due to medical conditions associated with a positive COVID-19 diagnosis.

- G. The City reserves the right to deny authorization to use EML in the event the City determines the employee must report for duty based on the operational needs of the City, consistent with state and federal law. If, within the sole discretion of the City, the employee would otherwise have been eligible for EML leave under this Policy and was otherwise ineligible to use such leave under this Section, the employee will be eligible to use an equivalent amount of leave after the termination of this Policy, as defined in Section A, for qualifying purposes as set forth in Section B and D; however, it must be used prior to December 31, 2021. After December 31, 2021, any such leave will end and be not paid-out.
- H. Paid-on-call employees are not eligible for the benefits identified in Sections B-G. In the event that a paid-on-call employee within the Mequon Fire Department contracts COVID-19 subjecting them to a COVID-19 required quarantine, isolation or hospitalization which renders such employee unable to perform his or her job duties, then that paid-on-call employee shall be paid \$200.00 per day from the first day of absence through the date fifteen (15) days after the commencement of the quarantine or isolation, in the case of hospitalization, for the duration of the hospitalization.
- I. Once the vaccine becomes available to an employee, then in order to be eligible for benefits under this Policy, an employee will have thirty (30) days from the date when the vaccine becomes available to begin the vaccination process by receiving the first vaccine and completing the vaccine process as soon as possible, consistent with medical guidance. Employees shall exercise due diligence to monitor regularly the status of vaccine availability. Accessibility shall be defined as becoming eligible as based on the State of Wisconsin distribution plan. An employee who fails to begin the vaccination process within thirty (30) days following the date accessibility and/or who fails to complete the vaccination process as soon as possible will not be eligible for EML hours going forward. The City reserves the right to determine whether extenuating circumstances or other pre-existing conditions apply exempting an employee from such requirement as described in this Section. The City reserves the right to request proof of vaccination. This Section shall not apply to employees who are unable to receive the vaccine due to disability-related or other medical condition, or to employees who are unable to receive the vaccine due to sincerely held religious beliefs or practices. The City reserves the right to request and verify the inability to receive the vaccine for such reasons, consistent with state and federal law, including requests for medical documentation.
- J. If an employee in any department is currently utilizing the benefits listed in this Policy for COVID-19 related-leave and the Policy sunsets or is terminated during such period of utilization, then the employee shall be eligible to continue to utilize the benefits

concurrently under this Policy until such leave is no longer needed, as determined in the sole discretion of the City.

- K. Employees in any department who use EML pursuant to this Policy will be allowed to return to work only when released by a medical provider and/or Public Health Agency.
- L. The City may unilaterally designate the use of these benefits for the employee. The City may retroactively apply these benefits for any employee who used leave for a permissible purpose identified herein retroactive to March 1, 2020. Under such circumstances, the City will restore paid leave used by that employee to his or her leave bank where such leave was accrued.
- M. The benefits identified in this Policy are only available to employees represented by a collective bargaining representative if agreed to by the collective bargaining representative.

Approval Dates

April 14, 2020

May 15, 2020

December 31, 2020

March 9, 2021



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Phone: 262-236-2945
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Parks and Forestry

TO: Common Council
FROM: Mike Gies, Parks and Forestry Superintendent
DATE: February 17, 2021
SUBJECT: RESOLUTION 3811 A Resolution Approving an Annual Special Event Agreement for the Jewish Food Festival in August at Rotary Park

Background

On Sunday, August 1st and Monday, August 2nd, the Peltz Center for Jewish Life has requested permission to hold its 3rd annual Jewish Food Festival (Festival) in Rotary Park. Admission will be free. This year's Festival strives to continue to unite the greater Mequon area community by sharing culture and ethnic foods. The Festival is designed to celebrate a combined mission and efforts in healing the world through acts of goodness.

In 2020, due to Covid-19 protocols, the Festival was abbreviated to a drive thru event in Rotary Park. With hope for a more prototypical year, the Festival would like to be held as previously planned.

The Center for Jewish Life is requesting use of Mequon's Rotary Park for their annual event. The organizers of the event are hopeful that the event becomes more of a community staple, like LionsFest and Gathering on the Green. In response to more regular use of the parks for large events, the Park & Open Space Board (POSB) recommended approval of a template Special Event Agreement that will be administered for all large events that are held in City parks. The Special Event Agreement allows for specific requests that would not normally be permitted by policy or ordinance to be permitted only for the duration of the event. The template agreement also specifies that requests are approved by the POSB, Public Works Committee and Common Council. The template Special Event Agreement was approved by the Common Council on March 10, 2020.

City staff has worked with organizers to amend the City's standard template agreement for the specifics of this event. Any deviations from the standard template Special Event Agreement are highlighted. The sections of the Agreement which are highlighted in yellow represent the changes to the original template.

Analysis

The standard template agreement includes provisions for inclement weather, cancellation if there is a public health emergency, the cost of rental and outlines the terms for the use of the park. While COVID-19 impacted the rental of parks facilities in 2020, should the Common Council consider a similar policy for 2021, Section 16 addresses the potential for cancellation.

As a note two primary requests were made for modifications to the terms in the original Special

Event Agreement. In the first request, the applicant is seeking permission to construct both a temporary performance stage, for entertainment purposes during the Festival.

With the second request, the applicant is seeking permission to bring in kosher animals for petting zoo purposes, as well as temporary construction of the necessary fenced area to house the animals. The petting zoo animals proposed would consist of goats, chickens, and ducks. The animals will be in the park only during operational hours of the Festival. The animals will be removed at the end of each of the two operating days. The renter will also be responsible for providing the necessary signage and sanitation stations required for petting zoos during the Festival.

The template agreement also includes provisions to address the protection of park facilities, including the ability of the Parks and Forestry Superintendent to modify park usage in inclement weather. Should damage occur as a result of the event, the organizer is required to repair the damage at its own cost. The template agreement also covers the requirement for liability insurance by the renter and any vendors, the terms of which were reviewed by the City's insurance carrier.

Fiscal Impact

The basis for the 2021 fees (1.a) are as follows:

- i. Rental Fee: The special event will include the use of Reuter Pavilion, but also restricts the City from renting Rotary Pavilion while the event is taking place, due to capacity issues. Therefore, the daily cost for the rental is the daily cost for Reuter Pavilion (\$500/day) and Rotary Pavilion (\$225/day), for a total of \$725/day, per the City's Fee Schedule.
- ii. Holding Tank Pumping: This is a pass-through cost. The City is charged \$270 per pumping, and that is billed through to the Renter per the Fee Schedule.
- iv. Janitorial Supplies (toilet paper and garbage bags): The supplies will be charged based upon actual use and the costs will be deducted from the security deposit prior to release.
- v. Emergency Services: The Police Department and On Call Fire/EMS provided the hours required for the event.

Police Department: 14 hours of sworn officer presence to cover the event (\$102/hour). This will provide 1 officer during each of the two days of operation. As a note, the Peltz Center also provides additional private security during the event.

On Call Fire/EMS: The Fire Department will most likely use the City's on-duty paramedic, a new Battalion Chief and interns to staff the event. Since these personnel are already being paid there is technically no added cost to City operations.

- vi. Security Deposit - Less Supplies Provided (1.a.iv)

The event will generate revenue for the park as well as another possible source for future donations. All other impacts to the park should be covered through the special event agreement. The only other cost associated with the event would be additional park personnel for morning and afternoon cleaning rounds.

Potential Policy Consideration

In January and February, the Common Council approved Special Event Agreements for Lionsfest and Gathering on the Green. Recognizing that the Thiensville-Mequon Lion's Club and Gathering on the Green are both civic organizations that use the events as a fund-raising opportunity for charitable contributions within the community, the Common Council modified the fee required by the Special Event Agreement. The fee as approved eliminated the fees for emergency services and reduced the number of days in the rental to those of the actual event. At the time of approval, the Common Council acknowledged the need to establish a policy outlining which organizations may be considered for a modified fee. As the Gathering on the Green and Jewish Food Festival submittals were already in process, no such policy has been established as of the date of application.

Absent an established policy and to be consistent with the template approved by the Common Council, the POSB recommended the fee for Gathering on the Green as required by the template agreement.

While Lionsfest, Gathering on the Green, and Jewish Food Festival are independent events, staff is providing supplemental information regarding a means to establish an equitable fee. Without a policy to establish the means and methods for consistency, the Common Council could consider approving the Special Event Agreement with an amendment to the proposed fee. For Lionsfest and Gathering on the Green, the Common Council eliminated the Emergency Services fee. In order to remain equitable between the three large events, for the Jewish Food Festival, that would reduce the proposed fee by \$1,428 to a revised total of \$5,145.

Both the original fee for Lionsfest and the fee for Gathering on the Green included rental fees for both the days of the event itself, and the days associated with preparation and cleanup. In that manner, the rental fee recognizes that both the preparation/cleanup for the event and the event itself impacts the ability for the City to rent the park facilities. For Lionsfest and Gathering on the Green, the Common Council amended the number of days in the rental fee. Lionsfest was charged for four days, as the event itself runs Thursday through Sunday. Gathering on the Green was charged for three days, as the event is held for two days, but also inhibits use on the Sunday after the event, which would typically be a popular rental day. If both the Emergency Services fees were eliminated and the number of days reduced, the revised total fee for Jewish Food Festival would be \$2,175. Please note that this will also include a \$1,000 security deposit, which is refunded less the cost of janitorial supplies, plus a \$520 pass through cost of pumping the holding tanks.

After discussion, if the Common Council considers an amendment to the Event Fee, it could amend the agreement to revise the fee (which includes the aforementioned security deposit):

- To eliminate the \$1,428 Emergency Services fee, to a revised Event Fee of \$5,145.
- To reduce the number of rental days to three, for a revised Event Fee of \$5,123.
- To eliminate the Emergency Services fee and reduce the rental days to three, for a revised Event Fee of \$3,695

Comparison of Event Fees

For reference, the recent approvals for special event fees are as follows:

	Lionsfest (Approved)	Gathering on the Green (Approved)	Jewish Food Festival (Standard Fees)	Jewish Food Festival (Equitable Fees)
Rental Fee	\$2,175	\$2,175	\$3,625	\$2,175
Holding Tank Pumping	\$520	\$520	\$520	\$520
Field Usage Fee	\$320	N/A	N/A	N/A
Janitorial Supplies	TBD	TBD	TBD	TBD
Emergency Services	N/A	N/A	\$1,428	N/A
Security Deposit*	\$2,000	\$1,000	\$1,000	\$1,000
TOTAL	\$5,015	\$3,695	\$6,573	\$3,695

*Less Supplies Provided

Motion to Amend for Equitable Costs

If the Common Council is interested in amending the template agreement to include costs equitable to previous approvals for Lionsfest and Gathering on the Green, it could move to make an amendment as follows:

Move to amend the Special Event Agreement for the Jewish Food Festival to reduce the number of rental days to three and eliminate the emergency services fee, for a total Event Fee of \$3,695.

Recommendation

The Park and Open Space Board (POSB) reviewed and unanimously approved the agreement from the Center for Jewish Life Inc. to hold a two-day rental event in Mequon's Rotary Park on February 17, 2021. Staff recommends that the Public Works Committee and Common Council review the terms, consider amendments as appropriate, and approve the resolution authorizing the Special Event Agreement for the Jewish Food Festival at Rotary Park as an annual event.

Attachments:

Special Event Agreement (Jewish Food Festival) -CC 2021 (PDF)
 site map draft 2021 Jewish Food Festival (PDF)
 Jewish Food Festival - PD Letter (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3811

A Resolution Approving an Annual Special Event Agreement for the Jewish Food Festival in
August at Rotary Park

RECITALS

A. The City of Mequon created a template Special Event Agreement for use in the parks.

B. Amendments to the template agreement language require a recommendation by the Park & Open Space Board and approval by the Common Council.

C. The Peltz Center For Jewish Life has requested permission to operate its annual Jewish Food Festival at Mequon's Rotary Park, which requires exceptions to Chapter 54, which are allowed with a revision to the template agreement.

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

1. The Special Event Agreement for an annual Jewish Food Festival to be held at Rotary Park in the form attached hereto is approved subject to any clerical, technical and/or legal changes deemed necessary and appropriate by the City Attorney and renewal of the same on an annual basis.

2. The Parks and Forestry Superintendent is authorized and directed to execute and deliver the same.

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk

CITY OF MEQUON
SPECIAL EVENTS AGREEMENT

Jewish Food Festival

Articles of agreement made and entered into this _____ day of _____, 2021, by and between **Center for Jewish Life, Inc**, hereinafter called the Renter, and the City of Mequon, a municipal corporation of Ozaukee County, Wisconsin, hereinafter called the City.

RECITALS

1. The Renter requests access to **Rotary Park** (hereinafter called the Park) for **Jewish Food Festival** (hereinafter called the Event).
2. The Event qualifies as a Special Event, as defined in Chapter 54 of the City of Mequon Code of Ordinances.
3. The City's standard Rental Agreement and Fee does not sufficiently address the scale of the Event.
4. The City has identified certain responsibilities of the Renter necessary to use the Park for the Event.
5. Completed Agreement must be submitted no later than 60 days in advance of the Event.
6. **NOW, THEREFORE**, in consideration of these Recitals the mutual agreements, benefits and responsibilities outlined herein, the parties agree:
7. The Renter shall be required to:
8. Event Fee.
 - a. Based upon time of year, number of attendees and duration of the event, the Event Fee for the Event is **\$6,573**. The Event Fee is comprised of the following costs:
 1. **\$3625** Rental Fee (5 days @ \$725/day)
 2. **\$520** Holding Tank Pumping (2 @ \$260/each)
 3. _____ Field Usage Fee (4 days @ \$80/day)
 4. **TBD** Janitorial Supplies (toilet paper and garbage bags)
 5. **\$1428** Emergency Services (**14 hours Police @ \$102/hour**)
 6. **\$1,000** Security Deposit – Less Supplies Provided (1.a.iv)
 - b. An executed Special Events Agreement and one-half (1/2) of the Event Fee is required as a Deposit to secure the date of the event.
 - c. The balance of the fee is due no less than thirty (30) days prior to the Event.
9. Liability Insurance.
 - a. A copy of the Event Liability Insurance is due no less than thirty (30) days prior to the Event.
 - b. Any outside vendors must also provide a copy of Liability Insurance no less than ten (10) days prior to the Event.
 - c. If alcohol is served at the Event, the policy must include Liquor Liability coverage. This coverage should protect the Renter and the City against any alcohol-related accidents, as the Renter is ultimately liable for the safety of the guests.
 - d. The certificate of liability insurance or certificate of coverage must meet the following guidelines:
 - i. The certificate must name the City of Mequon as Additional Insured.
 - ii. The certificate must include the name and mailing address of the insured.

- iii. The certificate must name the Event for which the certificate is requested and specify date of that Event (This information should be included in the “description of operations/locations/...” section of the certificate).
- iv. The certificate must provide coverage under general liability, excess liability or a combination thereof totaling \$1,000,000. This coverage should be on a per occurrence basis.
- v. Evidence of premium payment must be attached to the certificate.
- e. This certificate should be forwarded to:

City of Mequon
 Attn: Parks Department
 11333 North Cedarburg
 Road Mequon, WI 53092-
 1930

10. Site Plan.

- a. The Renter shall provide a site plan for the Event.
 - b. Site map shall specify the location, perimeter, route, and the locations of required facilities/amenities/services.
 - c. Site map shall include all proposed signage and fencing for approval by the Parks and Forestry Superintendent prior to installation.
11. Portable Toilet and Hand Washing Facilities. For events where the number of attendees exceed the capacity of the Park bathroom facilities, the Renter supplies 7 portable toilets and 2 hand washing facilities to supplement the Park facilities. One toilet must be ADA.
- a. The City will determine whether temporary toilet facilities will be required.
 - b. Events over 250 attendees require portable toilets at a ratio of 2 toilets/500 attendees with at least 1 ADA unit.
12. The portable toilets shall arrive no earlier than two days prior to the Event and be removed from the Park no later than end of the day after the Event.
13. Dumpster. The Renter shall provide 1- 30 yard dumpsters to collect all of the refuse generated by the Event. The Renter shall directly contract with the vendor to provide the dumpster. The dumpster shall arrive no earlier than the day prior to the Event and be removed from the Park no later than the end of the day after the Event.
14. Restoration. If any damage occurs to the Park as a result of the Event, or if any repairs or replacements need to be made to the Park as a result of the Event’s use thereof under this Agreement, Renter shall pay the City for any such damage, repairs or replacements upon demand from the City.
15. Power. Rotary Park does not have sufficient service to support the power requirements for the Event. Therefore, the Renter is responsible for supplying generators or other means of acquiring sufficient service to support the power requirements for the Event.
16. Delivery and Storage. Limited storage is available upon request. Rental fees will be applied to any items stored within Park facilities which restrict the subsequent rental thereof or for any staff time required for deliveries beyond normal working hours. This also applies to items left post Event. Note: It is not the responsibility of the City to ensure that pick-ups or deliveries are scheduled and executed.
17. Entry and Exit. Renter agrees that City staff may enter and exit premises during the course of the Event. A representative of the City may be checking periodically with the responsible parties to insure everything is operating correctly.

18. Lost and Found. The City takes no responsibility for personal effects and possessions left on premises during or after any Event.
19. Attendee conduct. Renter is responsible for attendee conduct.
20. No glass containers. For the safety of Event attendees and future public Park users, glass containers are prohibited. Renter is responsible for posting necessary signage restricting use. If a vendor or attendee brings glass to the Event, Renter will also be responsible for any clean-up of glass at the conclusion of the Event.
21. Recycling. Under Chapter 66, Article II of the City ordinances, recycling of applicable materials is mandatory. The Renter shall provide both recycling containers and proper recycling of disposed materials generated by the Event.
22. Emergency Services.
 - a. Prior to execution of this Agreement, the Renter shall coordinate with the Mequon Police Chief and Fire Chief to determine if additional emergency services are required to secure the Event.
 - b. The City, at its sole discretion, may mandate that additional security personnel are assigned to the Event, which may involve additional fees over and above the Rental Fee.
23. Renter shall not advertise the Event until it has received an executed copy of this Agreement.

24. The City shall be required to:

25. Provide a clean facility. The Park will be in a clean condition prior to the Event. By noon on the day following the Event, the Renter is required to return the space to the same clean condition in which it was found. All rental equipment must be removed immediately following the Event.
26. Provide toilet paper and refuse container liners based upon the anticipated number of attendees. Cost of supplies will be based upon actual use. The cost of the supplies will be charged against the security deposit prior to release.
27. Document existing conditions. Prior to the Event, City staff shall document the existing conditions of the Park, including any existing damage or maintenance items. A copy of that documentation shall be provided to the Renter. This documentation shall serve as the baseline for restoration and repair requirements post-Event.
28. Provide maintenance. Maintenance items that effect the Event shall be addressed by the City no later than 24 hours prior to the event.

29. The Event shall adhere to the following terms and conditions:

30. Follow the requirements of Chapter 54 of the City of Mequon Code of Ordinances, unless an exception is otherwise provided within this document.
31. Date of the Event.
 - a. Restrict the activities of the Event to Sunday August 1st, and Monday August 2nd, 2021. Preparation may occur starting no earlier than 8:00 am on July 30th of the week prior to the Event. Preparation is permitted daily during normal park hours from the identified start date to the start of the Event. Daily preparations must be communicated and coordinated with the Parks and Forestry Superintendent.
 - b. Clean up shall be complete no later than noon on the day after the Event. Any additional clean up required shall be defined and outlined in this Agreement.
 - c. It is anticipated that this Event will be recurring. Subject to the terms and conditions as outlined in this Agreement, future dates reserved for the Event are August 12-16, 2022, pending coordination with the Parks and Forestry Superintendent for other committed events. If the Renter has not committed to hold the Event annually by January 1 of the Event year, by signing another Rental

- Agreement, the City may in its discretion cancel the reservation.
32. Number of Attendees. The Renter estimates that the daily attendance for the Event will be 1,500 guests for each of the two days of the Event.
 33. Preparation. To the extent that preparation, including but not limited to deliveries, material and equipment storage, Event setup and general readying consume the Park facility and restrict its subsequent rental, from July 4 – July 12, 2021 making it necessary to include preparation days in the Rental Fee.
 34. Clean Up. To the extent that clean up, including but not limited to the removal of material and equipment, including portable toilets and dumpsters consume the Park facility and restrict its subsequent rental, the clean-up July 11 and July 12, 2021 shall be included in the Rental Fee. All property remaining on the premises beyond the end of the Agreement will be charged at the daily rental rate.
 35. Restoration. After the Event, the City will complete a walk-through of the Park prior to releasing the security deposit. Any repairs or damage identified by City staff shall be addressed immediately, or no less than three days after the Event. Restoration can and may include repairs to parking lot and building facilities, repair of turf damage (either with sod or seeding), grease removal from hard surfaces, and other issues not attributed to general Park use.
 36. Hours.
 - a. Duration of the Event. Not including preparation and cleanup, the Event shall occur on:
 - i. Sunday from 12:00 pm to 7:00 pm.
 - ii. Monday from 12:00 pm to 7:00 pm.
 - b. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours.
 - c. Approval for deliveries or other low noise operations associated with the event shall be approved by the Parks and Forestry Superintendent.
 - d. Daily Event Cleanup. Contractors and volunteers are permitted to remain up to two (2) hours after the Event for cleanup. Event Hours shall be limited to between sunrise and sunset, unless otherwise indicated in this section.
 37. Parking Restrictions (Mequon Ordinance Sec. 54-23(6)). No person in a park shall:
 - a. Designated areas. Park a vehicle in other than an established or designated parking area and such use shall be in accordance with the posted directions thereat and with the instructions of any attendant who may be present.
 - b. Roads and driveways. Park on a road or driveway in violation of posted regulations of the board. No stopping or parking is permitted even briefly on the left-hand side of any road or driveway.
 - c. Night parking. Leave a vehicle standing or parked at night without lights clearly visible for a least 100 feet from front and rear on any driveway or road area except legally established parking areas.
 - d. Double-parking. Double-park any vehicle on any road or parkway unless directed by a park official.
 - e. Exception to Mequon Ordinance Sec. 54-23(6) The Event shall be permitted limited parking outside of the designated areas. The requested parking outside of designated areas shall be included on the site plan submitted for the Event and is subject to the approval of the Parks and Forestry Superintendent. Off pavement parking may be eliminated due to inclement weather at the sole discretion of the Parks and Forestry Superintendent. All parking is subject to reparation of damage as outlined in this Agreement.
 - f. The Renter shall be required to administer a shuttle service for the Event. The Renter

- shall be responsible for securing sufficient off-site parking for all other attendees and coordinating for a shuttle service between the two locations, including providing parking and traffic control at the location of the offsite parking and location of the Event. This shall serve as a contingent, in the case that inclement weather or site conditions make it necessary for an alternative to on grass parking.
38. Alcoholic beverages. Use and sale of alcoholic beverages regulated.
 - a. Any person wishing to sell fermented malt beverages or wine coolers may do so only in designated areas, and then only with the permission of the Park and Open Space Board and by obtaining a temporary class B/class B retailers license from the City Clerk.
 - b. Renter may not serve alcohol to minors on the premises at any time.
 - c. Renter agrees, for everyone's safety, to ensure alcoholic beverages are consumed in a responsible manner.
 39. No Smoking Facilities. There is no smoking permitted in any Park facility/building. The Renter shall be responsible for making the requirement clear to Event attendees and enforcing the policy at the Event.
 40. Noise. All sound must be kept at an acceptable level according to City ordinances.
 41. Tents. Tents must be anchored by sandbags or other weights, when positioned over parking lot areas. It is not permitted to use stakes that penetrate the parking surface. Stakes may be used for tents within turfed areas. It is the responsibility of the renter to locate utilities prior to tent installation.
 42. Erection of Structures within Park. Section 54-21(1)(d) prohibits the erection of structures within the parks. This Agreement shall allow the temporary construction of a fence to enclose the petting zoo animals during the Event. This Agreement shall also allow the temporary construction of an event stage as outlined on the provided site plan, for use during the Event.
 43. Domestic Animals. Section 54-25(3) prohibits domestic animals in undesignated park areas. This Agreement shall allow entry of Kosher animals (i.e. goats, chickens, ducks, chicks). Aside from ingress and egress, the animals shall be kept in an area enclosed with fencing for the entry duration of the Event. It shall be the sole responsibility of the Renter to provide adequate care and supervision for animals. Renter will provide sanitization stations and signs identifying station locations at the event. Note: animals will be removed from site at the end of each day of the event. Clean-up of the animal holding area is the sole responsibility of the renter.
 44. Vendors. The Renter is responsible to ensure that all vendors have the appropriate City, Ozaukee County and state permits or licenses in place prior to the Event.
 45. Fireworks and explosives. No person in a park shall bring or have in their possession or set off or otherwise cause to explode or discharge or burn any explosives or any fireworks.
 46. Inclement Weather. The Renter shall register the Event with the National Weather Service. The Renter, Park Staff and Mequon Police and Fire Departments shall all communicate prior to the Event, and specifically 24 hours prior to the Event, to discuss and address any concerns regarding pending inclement weather. Renter shall have an emergency notification plan in place to notify attendees of inclement weather.
 - a. Winter Weather Events. When the following weather conditions exist, the City may (at their discretion) cancel, postpone, or reschedule the Event.
 - i. Cold Weather. Combination of wind and/or temperature that is 25 degrees below zero or colder (This information can be obtained from local weather channels, radio, or weather-related internet sites).
 - ii. Icy or Sleety Weather Conditions. When the National Weather Service has issued travel warnings.
 - iii. Blizzard or Other Snow Fall Conditions.

1. When the National Weather Service has issued local travel warnings.
 2. When visibility for road travel is severely limited.
- b. Summer Weather Events. When the following weather conditions exist, the City may (at their discretion) cancel, postpone, or reschedule any indoor or outdoor department organized recreational activity. **Efforts to consult with Event organizers on final decisions will be considered, with the City (at their discretion) making the final decision.**
- i. Extreme Heat / Humidity. When the National Weather Service has issued extreme heat / humidity warning. A warning will be issued if there is a heat index of at least 105°F but less than 115°F for a period of 3 hours or more per day or if nighttime low temperatures are above 80°F for 2 consecutive days.
 - ii. Lightning / Severe Thunderstorms. When the National Weather Service has issued a severe thunderstorm warning for the area.
 - iii. Tornadoes. When the National Weather Service has issued a tornado warning for the area.
47. Cancellation. The City has the sole discretion to cancel the Event if concerns regarding the health and safety of Event attendees cannot be properly addressed. Examples of cause of cancellation include installation of unsafe equipment or amusement rides, improper licensing of vending, **health and human safety concerns**, inclement weather that would affect safety of persons or Park infrastructure and failure to meet the terms of this Agreement.
- a. Deposit is non-refundable.
 - b. No refunds of the Event Fee will be refunded or issued within thirty (30) days of the Event.
48. City, County, State and Federal Laws. Renter agrees to comply with all applicable City, County, State, and Federal laws and shall conduct no illegal act on the premises. This is a drug free and non-smoking facility at all times, and there are no exceptions. The City of Mequon Police Department reserves the right, in its exclusive discretion, to expel anyone who, in its judgment, is intoxicated or under the influence of alcohol or drugs, or who shall, in any manner, do or participate in any act jeopardizing the rights, use permit, or the safety of staff, guests, or facility contents.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

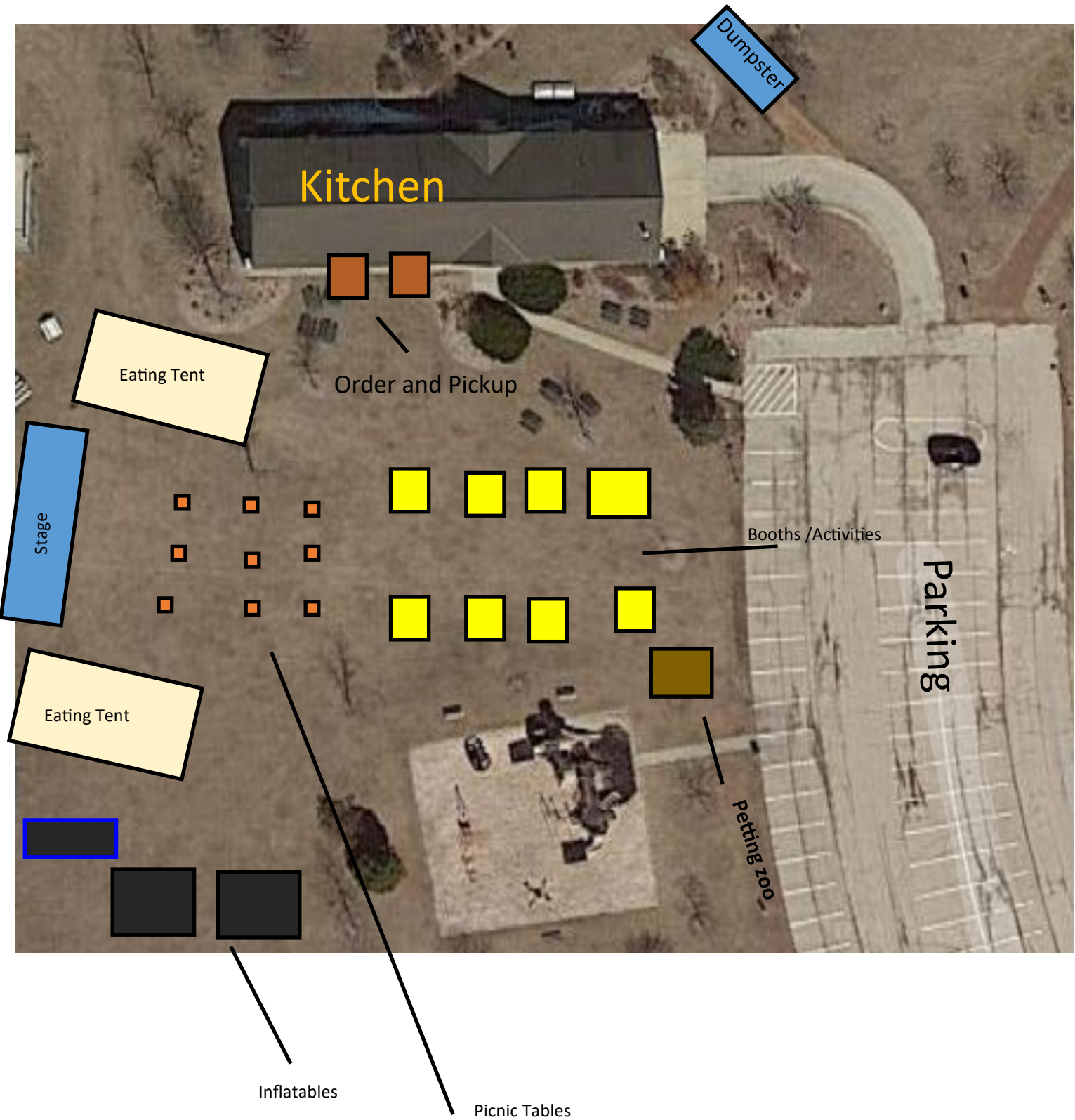
 Name, Title
 Superintendent
 Agency

 Michael Gies, Parks and Forestry
 City of Mequon

Approved as to Form:

 Brian C. Sajdak
 Mequon City Attorney

Site Plan for the Jewish Food Festival



Attachment: site map draft 2021 Jewish Food Festival (RESOLUTION 3811 : A Resolution Approving an Annual Special Event Agreement for



"The mission of the Mequon Police Department is to provide a safe environment through professional, efficient, and effective police services."

POLICE DEPARTMENT

Patrick T. Pryor
Chief of Police

MEMORANDUM

To: Kristen Lundeen, Director of Public Works/City Engineer

Date: February 11, 2021

From: Patrick Pryor, Police Chief

Subject: Jewish Food Festival at Rotary Park

The Mequon Police Department has a history of successful planning with the organizers of this event. Historically the department has not had any issues with disorderly behavior during this event.

The Mequon Police Department Captains have discussed the event and advised the department would need about 14 hours of sworn officer presence to cover the event. This would provide 1 officer dedicated to the event during the hours of operation on both Sunday and Monday.

The department would still maintain its regular shift assignments during the times of the event and these officers would act as backup if needed during the event or to respond to complaints in the area outside of the event. The department also has a call-in process that can be implemented to supplement officers if the need arises.

The Police Department would also recommend the organizers continue to use a parking service and their own security service as they have done in the past events.

The Department also plans to utilize our Police Auxiliary Officer volunteers to assist with presence on the grounds. The Operation's Captain will work with the event organizers and make sure an emergency operations plan is in place.



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

www.ci.mequon.wi.us

Office of Community Development

TO: Common Council
FROM: Kim Tollefson, Director of Community Development
DATE: March 9, 2021
SUBJECT: RESOLUTION 3816 A Resolution Notifying the Wisconsin Department of Transportation (WisDOT) of the City's Intent to Install an Eastbound Turn Lane on Mequon Road at its Intersection with Weston Drive, in Connection with the Ozaukee Inter-Urban Trail Crossing Improvement Project in the Town Center Neighborhood

Background

In 2020, the Common Council directed its project consultant, Traffic Analysis & Design, Inc. (TADI) to establish an updated Traffic Impact Analysis (TIA) in support of a narrowed cross section on Mequon Road between Buntrock Avenue and Cedarburg Road, as well as the installation of a traffic signal at Weston Drive and a modified crossing for the Ozaukee Interurban Trail (OIT).

The intent of this memo is to address a request for TADI to submit the TIA to the Wisconsin Department of Transportation (WisDOT), adhering to the request of the Common Council and the Town Center Neighborhood standards.

Analysis

TADI has completed the updated TIA and is prepared to submit to WisDOT. TADI identified that the turn lane for eastbound traffic turning southbound onto Weston Drive has sufficient space to meet the “desirable” length as identified by WisDOT Facilities Development Manual (FDM). City staff requested that the TIA instead be submitted with the “minimum” length required by the FDM.

Utilizing the minimum length is consistent with the turn lane storage provided for other driveways and intersections in the corridor, which are otherwise constrained by other site conditions. In addition, the reduced turn lane results in a design which creates a terrace area for streetscaping features on Mequon Road consistent with the remainder of the corridor and it further prioritizes pedestrian and neighborhood characteristics.

In 2005, the City of Mequon established Town Center Guidelines, which includes the corridor of Mequon road between Buntrock Avenue and Cedarburg Road. These objectives include:

- Safe, walkable streets
- Human-scale architecture
- Public gathering spaces

- Common design features
- A strong sense of place
- Improved mix of uses
- Enhanced interconnectivity
- Visual and physical access to the Milwaukee River
- Public streetscape improvements
- Shared parking
- Gateway features at key entryways
- Improved aesthetics and expanded recreation within the Civic Campus
- Private investment and redevelopment
- Enhanced aesthetics & character

Subsequently, the City established a Town Center Zoning District with the purpose to establish and promote pedestrian character and mitigate the impacts of vehicular traffic and establish and maintain small, neighborhood scale.

Recently, the City requested modifications to the Ozaukee Interurban Trail crossing at Mequon Road over concerns for the safety of all users. In addition to modifications to the crossing itself, the City examined other ways to enhance safety in the corridor. The City is requesting to modify this cross section of Mequon Road to create a distinct change in the characteristics of this corridor from other sections of the road in Mequon. Ideally, many of these features will serve as traffic calming measures, reducing the speeds of vehicles traveling throughout the corridor. The pedestrian and bicycle population in this corridor is greater than that in other sections of Mequon Road, which warrants a distinction and prioritizes public safety.

Fiscal Impact

There is no direct fiscal impact for the request. The turn lane will be designed upon WisDOT approval of the TIA.

Recommendation

Staff recommends that the Public Works Committee favorably endorse and the Common Council approve the resolution notifying the Wisconsin Department of Transportation (WisDOT) of the City's intent to establish an eastbound turn lane on Mequon Road at its intersection with Weston Drive, in connection with completion of the Ozaukee Interurban Trail Crossing project within the Town Center Neighborhood.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3816

A Resolution Notifying the Wisconsin Department of Transportation (WisDOT) of the City's Intent to Install an Eastbound Turn Lane on Mequon Road at its Intersection with Weston Drive, in Connection with the Ozaukee Inter-Urban Trail Crossing Improvement Project in the Town Center Neighborhood

RECITALS

A. In 2005, the City of Mequon established Town Center Guidelines, which applies to the Mequon Road corridor between Buntrock Avenue and Cedarburg Road. As it relates to the design of the cross section of Mequon Road through the corridor, the objectives of the Guidelines include providing safe, walkable streets, ensuring common design features, promoting interconnectivity, coordinating public streetscape improvements, and making streetscape improvements to enhance aesthetics & character.

B. Subsequently, the City established a Town Center Zoning District for the purpose of establishing and promoting pedestrian character, mitigating the impacts of vehicular traffic, and establishing and maintaining a small, neighborhood scale.

C. Recently, the City considered modifications to the Ozaukee Interurban Trail crossing at Mequon Road due to concerns for the safety of all users. The City desires to modify the cross section of Mequon Road at this location to create a distinct change in the characteristics of the corridor from other sections of the road in Mequon. Many of these features will serve as traffic calming measures, reducing the speeds of the vehicles traveling in the corridor. The pedestrian and bicycle population in this corridor is greater than that in other sections of Mequon Road, which warrants a distinction and prioritizes public safety.

D. The Wisconsin Department of Transportation (WisDOT) has jurisdiction over signage and traffic signals on Mequon Road between Buntrock Avenue and Cedarburg Road in the City of Mequon.

E. WisDOT requires a supplemental traffic impact analysis to address the warrants for the design of a new traffic signal at Weston Drive.

F. In addition to the traffic signal, the City of Mequon seeks the modification of the cross section of Mequon Road, narrowing the pavement as a means of vehicular traffic calming and providing additional safety measures for pedestrians and bicyclists.

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin that City staff are directed and authorized to have TADI, Inc. submit a traffic impact analysis to WisDOT for the Mequon Road corridor requesting that the turn lane for eastbound traffic onto Weston Drive meet the minimum requirements of the

WisDOT Facilities Development Manual.

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk



11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2913
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Public Works

TO: Common Council
FROM: Mike Gies, Parks and Forestry Superintendent
DATE: March 9, 2021
SUBJECT: RESOLUTION 3817 A Resolution Awarding the Reuter Pavilion Roof and Gutter Replacement Contract to Larson's Building Services of Mequon, Wisconsin in the Amount of \$28,660

Background

The Reuter Pavilion at Rotary Park was constructed in 1998, and graciously donated to the park by Ray Reuter. The roof of the building is now in need of some maintenance that could affect the usability of the building in the near future, if deferred longer. When the roof was installed in the late 90's, the product that was used was relatively new to the market. The first generation of architectural shingles that were installed on the building are now beginning to cup and fail. The building also lacks gutters and downspouts which allow for water to fall from the roof and flow back towards the building. During heavy rain events the water infiltrates the building, caused by the concrete settling and pitching back towards the building.

Consistent with recommendations from the 2018 Facilities Assessment completed by EMG, the roof, gutters, downspouts were specifically identified as needs at Reuter Pavilion.

Also, as outlined in the Park and Open Space Plan from 2019, one of the primary goals and objectives of the Park and Open Space Board is to maintain the existing park infrastructure and equipment. When the Park and Open Space Board approved their 2021 Capital Improvement Project list in January, the Board identified needs at Reuter Pavilion, which included a new roof, gutters, and downspouts as one of their priority projects for 2021.

Analysis

Staff was given direction from the Park and Open Space Board to request quotes to complete the roof, gutter and downspout work at Reuter Pavilion as a 2021 Capital Improvement Project. Quotes were requested and received from three local vendors. The estimates are listed as follows:

CONTRACTOR	PROPOSAL COST
Larson's Building Services	\$28,660
Advanced Construction	\$31,900
Noffke Roofing Co., LLC	\$36,869

All bids include a full tear off of the existing shingles, debris removal, installation of new underlayment, shingles, gutters and downspouts. All three of the vendors are recommending

installation of Certainteed Landmark Shingles. Certainteed offers a longer warranty when installed by a certified shingle applicator and is also a heavier shingle that rates better in the general wear and tear categories. The gutters and downspouts proposed by each contractor are consistent.

Fiscal Impact

The Parks capital account has a balance of \$81,466 available for 2021 projects. The Park and Open Space Board is proposing that this project utilize the capital funds account to complete the roof, gutters, and downspout project. The funds utilized for the completion of the project are quoted as \$28,660. This will leave \$52,806 available for other identified parks projects.

Recommendation

A recommendation from the Public Works Committee is forthcoming on March 9, 2021.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3817

A Resolution Awarding the Reuter Pavilion Roof and Gutter Replacement Contract to Larson's Building Services of Mequon, Wisconsin in the Amount of \$28,660

RECITALS

- A. The Reuter Pavilion at Rotary Park was constructed in 1998.
- B. The building lacks gutters and downspouts which allow for water to fall from the roof and flow back towards the building.
- C. The first generation of architectural shingles that were installed on the building are now beginning to cup and fail.
- D. The 2018 Facilities Assessment completed by EMG recommends installation of gutters and downspouts and replacement of the roof.
- E. The Park and Open Space Plan from 2019 indicates that one of the primary goals and objectives of the Park and Open Space Board is to maintain the existing park infrastructure and equipment.
- F. When the Park and Open Space Board approved their 2021 Capital Improvement Project list in January, the Board identified needs at Reuter Pavilion, which included a new roof, gutters, and downspouts as one of their priority projects for 2021.
- G. Staff received and reviewed the responsive proposals received and recommends that a contract be awarded to Larson's Building Services of Mequon, Wisconsin, in an amount of \$28,660.
- H. Following consideration of staff's recommendation, the Public Works Committee forwarded a favorable recommendation to the Common Council at its meeting on March 9, 2021.

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

- 1. The Agreement for the Replacement of Roof and Gutters on Reuter Pavilion at Rotary Park is approved and awarded to Larson's Building Services of Mequon, Wisconsin, in an amount of \$28,660, subject to any clerical, technical and/or legal changes deemed necessary and appropriate by the City Attorney.

2. The Mayor and the City Clerk are authorized and directed to execute and deliver the same.

Approved by: John Wirth, Mayor

Date Approved: March 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on March 9, 2021.

Caroline Fochs, City Clerk

APPOINTEE INFORMATION SHEET

Name of Board or Commission: Joint Mequon-Thiensville Bike and Pedestrian Way Commission

Position: Member
(Indicate Member, Trustee, Alternate, Architect, etc).

Name of Appointee: Kathryn Beiser

Address: 4426 W. Country View Drive (53092)
(Include zip code)

Appointment by Mayor: X Appointment by Alderman: _____

At Large Appointment: X Aldermanic Dist. Appointment _____
(Dist. Number)

Appointee Term Length: Fulfilling Remaining 1 year/3 months/ 3-year term Appointee Term Expiration Date: 5/1/2022

Comments: _____

TYPE OF APPOINTMENT

New: X Reappointment: _____

If new, is this appointment filling an unexpired term? Yes: X No: _____

Name of person being replaced: Carol Leonard

Date submitted to Council: March 9, 2021

Copy to Website _____



11333 N. Cedarburg Road, 60W
Mequon, Wisconsin 53092

CITY OF MEQUON

BOARD, COMMISSION AND/OR COMMITTEE TALENT BANK APPLICATION

Please complete and return to the Administration Office, Mequon City Hall

Application also available at www.ci.mequon.wi.us



Name: Kathryn Beiser

Address: 4426 W. Country View Dr. Zip Code: 53092

Cell Home Phone Number: 414-690-9091 Years of Residence in Mequon: 18

Employer (or School): N/A

Address: N/A Occupation: Homemaker

Can you be reached during working hours: Yes Cell Work Phone: 414-690-9091

E-mail Address (es): KSbeiser@hotmail.com

Would you be able to attend scheduled evening meetings on a regular basis: Yes

What qualifications would contribute to your role as a Board, Commission or and/or Committee member (use additional paper if necessary):

I am a concerned resident and feel that runner/walker/biker safety is of the utmost importance. I run/walk daily and feel that there is a need for crosswalk/path improvements.
Have you been active in organized community groups in the past such as homeowners associations, referenda, and/or special interest groups (use additional paper if necessary):

I have served on committees at the school level: Tartan Bash committee (chaired for two years, on committee for six years); calendar committee; 8th grade graduation committee.

Periodically, the City may convene a committee on a temporary basis for a specific project. Do you possess any special skills that could be applied to a specific project (i.e. health care, benefits administration, human resources, economic development, communications, technologies):

N/A

* I will note that I leave for July and part of August so if the meetings are in person by then, I cannot attend. I will also be out of town for the April meeting and unable to zoom in. I understand that this might affect the approval of my apperacation but felt the need to be honest

Revised: November 2017

<u>SCHOOL</u>	<u># OF YEARS ATTENDED</u>	<u>AREAS OF STUDY</u>	<u>WHERE</u>
High School	<u>4</u>	<u>general education</u>	<u>Homeshead</u>
College	<u>4</u>	<u>Finance</u>	<u>University of Iowa</u>
Post Graduate			
Trade/Specialty			

Rate the Board(s), Commission(s) and/or Committee(s) in order of preference -#1 being first choice:

☐ Architectural Board	☐ Hiram Schmidt Fund
☐ Board of Appeals	☒ #1 Joint Mequon-Thiensville Bike & Pedestrian Way
☐ Board of Police & Fire Commissioners	☐ Commission
☐ Board of Review	☐ Landmarks Commission
☐ Economic Development Board	☐ Mequon Nature Preserve Advisory Committee
☐ Ethics Board	☐ Milwaukee River Advisory Committee
☐ Festivals Committee	☐ Park and Open Space board
☐ Frank L. Weyenberg Library	☐ Planning Commission
☐ Board of Trustee	☐ Tree Board

The following information will be held in confidence and is for review if considered for the Board of Police and Fire Commission. Have you ever been convicted of a criminal offense? NO

Would you be willing to allow the Police Department to conduct a background investigation? YES

I understand that the information provided to the City of Mequon contained herein becomes public upon submittal of this application.

Kate Beiser
Signature

2/11/21
Date