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Office of the City Clerk
Taped and Televised

**COMMON COUNCIL
Regular Meeting
Tuesday, April 13, 2021 - 7:30 PM
Virtual Meeting**

Minutes

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

Mayor Wirth called the meeting to order at 7:30 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, Finance Director Krueger, City Engineer/Public Works Director Lundeen, Engineering Technician Dandy, Police Chief Pryor, Fire Chief Bialk, Deputy Fire Chief Zellman, Parks and Forestry Superintendent Gies, Robert Henken, President at Wisconsin Public Policy Forum, Inc., press and interested public.

2) Public Hearing:

- a) **RESOLUTION 3819** - A Final Resolution Regarding Industrial Development Revenue Bond Financing For COPPS Industries, Inc. Project; Recommendation Forthcoming by Finance-Personnel Committee April 13, 2021.

Motion to open the public hearing for **RESOLUTION 3819**.

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

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

Motion to close the public hearing for **RESOLUTION 3819**.

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

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

3) Resolution:

- a) **RESOLUTION 3819** - A Final Resolution Regarding Industrial Development Revenue Bond Financing For Copps Industries, Inc. Project.

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

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

4) Public Officials' Reports:

- a) Mayor: The Mayor announced that he is looking for volunteers to serve on the City's Architectural Review Board, specifically from Districts 5 and 8, as well as two regular members. Interested candidates should contact the Mayor.
- b) City Administrator: City Administrator Jones announced that Midland Health has administered nearly 1300 first doses of the COVID-19 vaccine during 7 clinic dates here at City Hall. Clinics will continue through early May. Please check the City website for clinic dates and times.

5) Consent Agenda:

- a) Common Council meeting minutes of March 9, 2021.
- b) Board of Police and Fire Commissioners meeting minutes of February 2, 2021.
- c) Festivals Committee meeting minutes of February 11, 2021.
- d) Finance-Personnel Committee meeting minutes of February 9, 2021.
- e) Mequon Municipal Water Utility Commission meeting minutes of November 10, 2020.
- f) Milwaukee River Advisory Committee meeting minutes of June 3, 2020.
- g) Park and Open Space Board meeting minutes of February 17, 2021.
- h) Public Safety Committee meeting minutes of February 9, 2021.
- i) Public Welfare Committee meeting minutes of February 9, 2021.
- j) Public Works Committee meeting minutes of February 9, 2021.

k) 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 2021-1587** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Adding Micro-Distilleries and Micro-Wineries to the List of Conditional Uses in the Town Center Zoning District.

RESULT: First Reading

- 2) **ORDINANCE 2021-1588** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Adding Outdoor Power Equipment Stores to the List of Conditional Uses in the B-5 (Industrial) Zoning District.

RESULT: First Reading

- 3) **ORDINANCE 2021-1589** - An Ordinance Amending the Planned Unit Development (Ord. 2014-1424) for the Property Located at 10448 N. Port Washington Road.

RESULT: First Reading

- 4) **ORDINANCE 2021-1590** - An Ordinance Amending Section 14-25(6) of the Mequon Municipal Code Relating to the Sale of Intoxicating Liquor for Off-Premises Consumption.

RESULT: First Reading

Motion to approve the monthly list of minutes and reports, Items A-J.

RESULT: Approved by Voice Acclamation [Unanimous]

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Mayr

The Common Council convened as the Committee of the Whole at 7:40 PM.

6) Committee of the Whole:

- a) Presentation & Potential Discussion Regarding the Wisconsin Policy Forum's Phase I Feasibility Analysis of Fire & EMS Service Sharing Opportunities in Ozaukee County.

Robert Henken, President at the Wisconsin Public Policy Forum, Inc., summarized the Phase I Feasibility Analysis of Fire & EMS Services that was recently completed in Ozaukee County. Ten communities participated in this study. Once the Public Policy Forum has the opportunity to present the findings to each of the ten communities' governing bodies it is likely each municipality will make decision(s) on how to proceed. Key issues that emerged as a result of the study are: 1) call volume is growing, 2) there is little use of full-time staff, 3) response times in Mequon are an average of 9.5 minutes, and 4) Fire and EMS per capita spending is on the lower end. The following 3-Tier System was identified: 1) Tier 1 Near

Term Option - Four 24/7 paramedics to supplement EMS capability of existing department and add full-time staff countywide; 2) Partial Consolidation Option - Two departments consolidate their operations for cost sharing of enhanced full-time staffing or consolidate the nine departments into two county departments (north/south); 3) Full Consolidation Option - Ozaukee County is served by a single consolidated department that uses mostly full-time staff, but also could be served by a combination of full-time and part-time staff. All departments need immediate consideration, and while collaboration is more cost efficient, substantial taxpayer contributions will be expected. Many options could be phased in to aid financially.

Discussion ensued on turnout time vs response time, geographics of Mequon related to response times and number of fire stations in our community, staffing a paid-on-call system in the future, and First Response Program.

b) Reconvene as the Common Council

The Committee of the Whole reconvened as the Common Council at 8:18 PM.

7) **Ordinances:**

- a) **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.

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

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

8) **Resolutions:**

- a) **RESOLUTION 3820** - A Resolution Authorizing a Fifth Amendment to the Development Agreement for the Residence at Foxtown, a 23-Lot Single-Family Home Development Located Immediately East of 11050 N. Weston Drive.

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

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

- b) **RESOLUTION 3821** - A Resolution Amending the Fiscal Year 2021 Compensation Plan for Non-Represented Employees to Eliminate the Police Department's Communications/Records Supervisor Position at Pay Grade 9 (\$51,218 - \$69,294) and Establish an Administrative Coordinator Position at Pay Grade 10 (\$55,314 - \$74,838).

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

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

- c) **RESOLUTION 3822** - A Resolution Authorizing Execution of the Fourteenth-Amended Agreement for Operation of the Mid-Moraine Municipal Court Through April 30, 2051.

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

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

- d) **RESOLUTION 3823** - A Resolution Approving an Agreement for Delinquent Personal Property Tax Account Collection Services with Waukesha County, Wisconsin.

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

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

- e) **RESOLUTION 3824** - A Resolution Designating Port Washington State Bank as the Public Depository for the City of Mequon.

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

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

- f) **RESOLUTION 3825** - A Resolution Accepting Final Dedication and Authorizing Reimbursement for Public Improvements in the Amount of \$62,388, in Accordance with the Development Agreement for the Town Center Master Planned Mixed-Use Development for Foxtown Center, LLC.

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

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

- g) **RESOLUTION 3818** - A Resolution Approving a Contract with SMB Landscape Contractors, Thiensville, Wisconsin for Baseball Field Management Services at Rennie and Schmit Fields During the 2021 Season in the Amount of \$15,500.

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

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

- h) **RESOLUTION 3826** - A Resolution Authorizing Execution of an Amended State Municipal Agreement with the Wisconsin Department of Transportation for Design and Construction of the Highland Road Interchange and Subsequent Authorization for Execution of an Amendment to the Intergovernmental Agreement with Ozaukee County for the Same.

Public Works Director Lundeen explained that both agreements, the state municipal agreement with WisDOT and the intergovernmental agreement with Ozaukee County were previously approved. The majority of the changes are administrative as requested by WisDOT. The fiscal responsibility for Mequon remains the same.

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

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

- i) **RESOLUTION 3827** - A Resolution Awarding a Contract for HVAC Preventative Maintenance Services During the Period May 1, 2021 - April 30, 2022 to Dillett Mechanical Services, Waukesha, Wisconsin in the Amount of \$21,168.

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

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

- j) **RESOLUTION 3828** - A Resolution Approving the Purchase of a 2016 Dynapac CP142 9-Wheel Rubber Tire Roller from Centex Equipment Sales of Early, Texas for a Total Cost of \$39,000.

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

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

- k) **RESOLUTION 3829** - A Resolution Repealing the 2021 Policy for Mequon Community Pool and Parks Operations Due to COVID-19 and Establishing the Mequon Community Pool and Parks Standard Operating Procedures Due to COVID-19.

The Public Works Committee unanimously approved recommending Option #1, transitions from restrictions in 2020 Policy towards full reopening. Standard Operating Procedures would be put back in place and we would follow the Ozaukee and Washington County Health Department COVID-19 guidelines. Director Lundeen indicated that all super pass pools which includes the Village of Grafton, the City of Cedarburg and the City of Port Washington, will be open in 2021 and capacity allowance will be the only Health Department restriction that will remain.

Motion to approve the Public Works Committee recommendation of Option #1.

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

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

- l) **RESOLUTION 3830** - A Resolution Awarding the 2021 GSB-88 Bituminous Seal Contract to Fahrner Asphalt Sealers, of Waunakee, Wisconsin, in an Amount Not-to-Exceed \$188,000.

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

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

- m) **RESOLUTION 3831** - A Resolution Awarding the 2021 Crack Sealing Contract to Thunder Road of Genesee, Wisconsin in an Amount Not-to-Exceed \$181,000.

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

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

- n) **RESOLUTION 3832** - A Resolution Awarding the 2021 Road Improvements Contract to Payne & Dolan of Jackson, Wisconsin, in the Amount of \$1,047,750.

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

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

- o) **RESOLUTION 3833** - A Resolution Awarding the Rotary Park Parking Lot Improvements Contract to Stark Pavement of Brookfield, Wisconsin in the Amount of \$487,000.

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

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

- p) **RESOLUTION 3834** - A Resolution Authorizing Execution of an Agreement with WE Energies for the Replacement of Street Lights in Phase I of the Mequon Business Park at a Cost of \$275,000.

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

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

- q) **RESOLUTION 3835** - A Resolution Authorizing City Staff to Exceed the Public Works Equipment Replacement Capital Account Balance by \$225,000 During 2021 for the Purchase of a New Loader Vehicle with Snowplow and Wing Attachments.

Discussion ensued on current pricing and multi-use capabilities. Director Lundeen reiterated that this resolution is to authorize exceeding the Public Works Equipment Replacement Capital Account and any actual purchase will come before the Council for approval. The eventual purchase would be for an additional piece of equipment not replacement equipment.

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

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

- r) **RESOLUTION 3836** - A Resolution Awarding a Three-Year Contract for Median Maintenance to Northern Exposure Landscaping, Inc., of Mequon, Wisconsin at an Annual Cost of \$25,000.

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

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider, Nerbun
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- s) **RESOLUTION 3837** - A Resolution Awarding a Contract for Ash Tree Removal Services to Wallace Tree and Landscape Inc. of Glendale, Wisconsin in the Amount of \$13,750.

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

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider, Nerbun
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9) **Specified Unfinished Business:** None.

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

11) **Specified Miscellaneous New Business:** None.

12) **Adjourn**

Motion to adjourn at 8:58 PM.

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

AYES:	Strzelczyk, Bushee, Mayr, Hansher, Gierl, Parrish, Schneider, Nerbun
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Respectfully Submitted,
Kathy Andrykowski
Approved 5-11-21