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Office of the City Clerk

**COMMON COUNCIL
Regular Meeting
Tuesday, May 13, 2025
7:30 PM
American Legion Post #457**

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 7:44 PM.

2) Pledge of Allegiance

3) Roll Call

Present:

Mayor Andrew Nerbun
Alderman Robert Strzelczyk
Alderman Kelly Tolocko
Alderman Dale Mayr
Alderman Jeffrey Hansher
Alderman Gregg Bach
Alderman Brian Parrish
Alderman Peter Bratt
Alderman William Gebhardt

Also Present: Administrator Jones, Assistant Administrator Schoenemann, City Attorney Sajdak, City Clerk Fochs, City Engineer Lundeen, Assistant City Engineer McCraw, Director of Community Development Tollefson, Assistant Director of Community Development Zader, IT Specialist Sauerland, press and interested public.

4) Public Hearings:

- a) **ORDINANCE 2025-1678** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, in Connection with the Implementation of 2023 WIS. ACT 16 Relating to the Process and Procedures for Certain Zoning-Related Applications.

Motion to open public hearing.

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

MOVER: Alderman Strzelczyk

SECONDER: Alderman Mayr

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

Motion to close public hearing.

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

MOVER: Alderman Mayr

SECONDER: Alderman Parrish

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

City Attorney Sajdak explained a wording change that was made to Ordinance 2025-1678 between the first and second readings. The wording was modified in Section I per state Statute that requires the majority vote of the full governing body (previous wording said a majority of those present).

Motion to approve ORDINANCE 2025-1678.

RESULT: **Approved By Roll Call Vote [Unanimous]**

MOVER: Alderman Mayr

SECONDER: Alderman Hansher

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

- b) **ORDINANCE 2025-1679** - An Ordinance Amending Section 58-41(g) of the Mequon Municipal Code, Relating to the Issuance of Decisions by the Board of Appeals.

Motion to open public hearing.

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

MOVER: Alderman Parrish

SECONDER: Alderman Hansher

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

Motion to close public hearing.

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

MOVER: Alderman Strzelczyk

SECONDER: Alderman Mayr

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

Motion to approve ORDINANCE 2025-1679.

RESULT: **Approved By Roll Call Vote [Unanimous]**

MOVER: Alderman Strzelczyk

SECONDER: Alderman Parrish

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

- c) **ORDINANCE 2025-1680** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Relating to the Imposition of Impact Fees.

Motion to open public hearing.

RESULT: **Approved By Voice Acclamation [Unanimous]**
MOVER: Alderman Parrish
SECONDER: Alderman Mayr

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

Motion to close public hearing.

RESULT: **Approved By Voice Acclamation [Unanimous]**
MOVER: Alderman Hansher
SECONDER: Alderman Mayr

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

Motion to suspend the rules for second readings.

RESULT: **Approved By Roll Call Vote [Unanimous]**
MOVER: Alderman Strzelczyk
SECONDER: Alderman Gebhardt

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

Motion to approve ORDINANCE 2025-1680.

RESULT: **Approved By Roll Call Vote [Unanimous]**
MOVER: Alderman Gebhardt
SECONDER: Alderman Bratt

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

5) Personal Appearances and Public Comment:

Kim Ebinger of 10414 N Bittersweet Court requested that the Council consider passing a resolution to address money in politics.

6) Public Officials' Reports:

a) Mayor

Mayor Nerbun congratulated the Festivals Committee on the first annual Redbud Festival that was held on May 10.

b) City Administrator

Administrator Jones said that the 2025 Community Survey was being mailed to a random selection of residents by letter or a postcard containing a QR code. All responses must be received by June 30, 2025. The American Legion will host a Memorial Day service at 10 AM on May 26 in front of City Hall.

7) Consent Agenda:

a) Architectural Board meeting minutes of March 10, 2025.

b) Board of Appeals meeting minutes of March 6, 2025 and April 3, 2025.

- c) Common Council meeting minutes of the regular meeting on April 8, 2025 and the organizational meeting on April 15, 2025.
- d) Economic Development Board meeting minutes of March 18, 2025.
- e) Festivals Committee meeting minutes of March 17, 2025.
- f) Finance-Personnel Committee meeting minutes of March 11, 2025.
- g) Milwaukee River Advisory Committee meeting minutes of October 22, 2024.
- h) Park and Open Space Board meeting minutes of February 19, 2025.
- i) Planning Commission meeting minutes of March 17, 2025.
- j) Public Welfare Committee meeting minutes of March 11, 2025.
- k) Public Works Committee meeting minutes of March 11, 2025.
- l) Tree Board meeting minutes of October 8, 2024.

m) Ordinance First Readings

- 1) **ORDINANCE 2025-1681** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Related to Structures on the Lake Michigan Bluff.
- 2) **ORDINANCE 2025-1682** - An Ordinance Amending the Following within Chapter 58 of the Mequon Municipal Code, in Connection with Planned Improvements for the Property Located at 10806 West Freistadt Road: A) The City's Land Use Plan Map from Neighborhood Commercial to Residential 1-1.5 Acres; and B) the City's Zoning Map from B-1 (Neighborhood Commercial) to R-4 (Residential 3/4 Acre).

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.

Motion to approve the Consent Agenda items A-G and I-M.

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

MOVER: Alderman Strzelczyk

SECONDER: Alderman Hansher

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
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Motion to approve the Consent Agenda item H with an amendment reflecting Alderman Bach was excused from the Park and Open Space Board meeting.

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

MOVER: Alderman Strzelczyk

SECONDER: Alderman Bach

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

9) Resolutions:

- a) **RESOLUTION 4208** - A Resolution Approving an Agreement for Legal Services with Stafford Rosenbaum LLP of Madison, Wisconsin for the Period June 1, 2025 - December 31, 2025.

RESULT: **Approved by Roll Call Vote [Unanimous]**

MOVED BY: Alderman Gebhardt

SECONDED BY: Alderman Hansher

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

- b) **RESOLUTION 4209** - A Resolution Ratifying Two Change Orders to a Contract with Seltzer-Ornst Construction of Milwaukee, Wisconsin in the Amount of \$31,786, in Connection with the Replacement of Various HVAC Units and Other Upgrades within the Council Chambers at City Hall.

Mayor Nerbun explained that additional funds were required due to asbestos being found; this Resolution provides remediation so construction can resume.

RESULT: **Approved by Roll Call Vote [Unanimous]**

MOVED BY: Alderman Hansher

SECONDED BY: Alderman Tolocko

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

- c) **RESOLUTION 4210** - A Resolution Granting a Temporary Limited Easement at the Northeast Corner of Mequon Road and Robin Lane to the Wisconsin Department of Transportation.

RESULT: **Approved by Roll Call Vote [Unanimous]**

MOVED BY: Alderman Hansher

SECONDED BY: Alderman Gebhardt

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

- d) **RESOLUTION 4211** - A Resolution Granting Two Permanent Limited Easements at the Trinity Creek Crossing of Wauwatosa Road (Approximately 410 Feet North of County Line Road) to the Wisconsin Department of Transportation.

RESULT: **Approved by Roll Call Vote [Unanimous]**

MOVED BY: Alderman Hansher

SECONDED BY: Alderman Mayr

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

- e) **RESOLUTION 4212** - A Resolution Awarding a Design Contract for the Donges Bay Road Turn Lane Improvement to Harwood Engineering Consultants Ltd., of Milwaukee, Wisconsin, in the Amount of \$21,000.

Alderman Parrish wanted to clarify if voting for this resolution would mean approving the project without knowing the total cost to implement the turn lane. Mayor Nerbun said that the resolution approval would allow the consultants to determine the total cost. When that proposal and cost estimate is presented, the Council can decide to approve or deny.

RESULT: **Approved by Roll Call Vote [7 to 1]**

MOVED BY: Alderman Hansher

SECONDED BY: Alderman Bratt

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

10) Specified Unfinished Business From Prior Meetings: None.

11) Specified New Business:

a) Mayoral Appointments

1. Board of Appeals. Allison Korger as Alternate #1
2. Festivals Committee. Janet (Fussell) Wirth reappointment

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

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Mayr

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
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12) Adjourn

a) Motion to adjourn at 8:17 PM.

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

MOVER: Alderman Bach

SECONDER: Alderman Hansher

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
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Respectfully Submitted,
Beth Kong, Deputy Clerk