11333 N. Cedarburg Road
Mequon, WI 53092
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www.ci.mequon.wi.us

Office of the City Clerk
Taped and Televised

Common Council
Tuesday, May 14, 2024 - 7:30 PM
or Immediately Following the
Sewer Utility District Commission Meeting
Christine Nuernberg Hall

Agenda

1) **Call to Order**

2) **Pledge of Allegiance**

3) **Roll Call**

4) **Public Hearings:**

   a) **ORDINANCE 2024-1661** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, in Connection with Clarifying Certain Definitions, Design Standards and Location Standards for Residential Development within the City's Town Center and Arrival Corridor Zoning Districts; **Recommended by Planning Commission March 18, 2024; Further Recommendation Forthcoming by Committee of the Whole May 14, 2024; First Reading at Common Council April 9, 2024.**

      1) Public Hearing

      2) Consideration of ordinance

   b) **ORDINANCE 2024-1662** - An Ordinance Repealing and Recreating Article XI within Chapter 58 of the Mequon Municipal Code, as it Relates to Floodplain Zoning; **Recommended by Planning Commission March 18, 2024; Further Recommendation Forthcoming by Public Welfare May 14, 2024: First Reading at Common Council April 9, 2024.**

      1) Public Hearing

      2) Consideration of ordinance

5) **Personal Appearances and Public Comment:**

   Citizens wishing to address the Council on any matter **not** on the agenda may do so at this time. If you desire to be heard on agenda items, you may be heard when that item is considered on the agenda. Please speak into the microphone at the podium. The time limit is **FIVE** minutes. **To speak or to have your opinion recorded, please complete a registration slip found on the table in the lobby and return it to the bin in the Council Chambers.**

6) Public Officials' Reports:

a) Mayor

b) City Administrator

7) Consent Agenda:

a) Common Council meeting minutes of April 9 and April 16, 2024

b) Architectural Boad meeting minutes of March 11, 2024

c) Board of Appeals meeting minutes of January 4, 2024

d) Festivals Committee meeting minutes of March 20, 2024

e) Finance-Personnel Committee meeting minutes of March 12, 2024

f) Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes of March 14, 2024

g) Mequon Municipal Water Utility Commission meeting minutes of October 30, 2023

h) Park and Open Space Board meeting minutes of April 2, 2024

i) Planning Commission meeting minutes of March 18, 2024

j) Public Safety Committee meeting minutes of March 12, 2024

k) Public Welfare Committee meeting minutes of March 12, 2024

l) Public Works Committee meeting minutes of March 12, 2024

m) Southern Ozaukee Fire & EMS Board meeting minutes of May 10, July 12, September 13, November 8, 2023 and January 10, 2024

n) Southern Ozaukee Fire & EMS Commission meeting minutes of May 10, July 12, September 13, November 8, 2023 and January 10, 2024

o) Zoning Enforcement and Site Compliance Report Through May 1, 2024

8) Ordinance:

a) **ORDINANCE 2024-1663** - An Ordinance Repealing and Recreating the City of Mequon Aldermanic District Map, Due to 2024 Senate and Assembly Redistricting; **Recommended by Public Welfare Committee April 9, 2024; First Reading at Common Council April 9, 2024.**

9) Resolutions:

a) **RESOLUTION 4117** - A Resolution Appointing Marie A. Keyser to the Position of Acting Finance Director/City Treasurer; **Recommendation Forthcoming by Finance-Personnel Committee May 14, 2024.**

b) **RESOLUTION 4118 -** A Resolution Awarding a Contract for Completion of a Joint Mequon-Thiensville Bicycle & Pedestrian Way Planning Study to GRAEF of Milwaukee, Wisconsin in an Amount Not-to-Exceed $70,000 and Authorizing Execution of a Memorandum of Understanding with the Village of Thiensville for the Project's Local Share; **Recommended by Joint Mequon-Thiensville Bike and Pedestrian Way Commission April 18, 2024; Further Recommendation Forthcoming by Public Works Committee May 14, 2024.**

c) **RESOLUTION 4119 -** A Resolution Rejecting Bids Received for the Replacement of Various HVAC Units and Other Upgrades within the Council Chambers at City Hall; **Recommendation Forthcoming by Public Works Committee May 14, 2024.**

d) **RESOLUTION 4120** - A Resolution Authorizing Execution of a Memorandum of Understanding with the Village of Brown Deer for Road Improvements on County Line Road Between Cedarburg Road and the Railroad Tracks East of 52nd Street/Garden Drive, in the Estimated Amount of $445,000; **Recommendation Forthcoming by Public Works Committee, May 14, 2024.**

e) **RESOLUTION 4121** - A Resolution Approving Award of a Three-Year Landscape Maintenance Contract for Road Medians and Other Public Properties to Northern Exposure Landscaping, Inc. of Mequon, Wisconsin, at an Annual Cost of $35,000; **Recommendation Forthcoming by the Public Works Committee May 14, 2024.**

f) **RESOLUTION 4122 -** A Resolution Approving the Purchase of a Replacement Plow Truck Chassis from Truck Country, Oak Creek, Wisconsin in the Amount of $117,546; **Recommendation Forthcoming by Public Works Committee May 14, 2024.**

g) **RESOLUTION 4123 -** A Resolution Rejecting a Carbon Reduction Program (CRP) Grant and Authorizing City Staff to Pursue a Contract with WE Energies for the Replacement of 14 Street Lights on Mequon Road between Valley Drive and the Milwaukee River; **Recommendation Forthcoming by Public Works Committee May 14, 2024.**

h) **RESOLUTION 4124** - A Resolution Denying the Request for a Sanitary Service Deferral Agreement for the Property Located at 10056 North Cedarburg Road; **Recommendation Forthcoming by Sewer Utility District Commission May 14, 2024.**

i) **RESOLUTION 4125 -** A Resolution Authorizing the Designation of 2010 West Ranch Road as the Replacement Site Location for the Construction of Lift Station E (Ranch Road); **Recommendation Forthcoming by Sewer Utility District Commission May 14, 2024.**

10) Specified Unfinished Business From Prior Meetings: None.

11) Specified New Business:

a) Mayoral Appointments

1) Board of Appeals: Stephen Helfer, Member, At Large and James Wawrzyn, Alternate Member #2

2) Board of Review: Richard Mueller, Alternate Member #2, At Large

b) Aldermanic Appointments

1) Ethics Board: Luke Behnke, Member, District 8

2) Ethics Board: Barbara Levin, Member, District 6

12) Adjourn

Dated: May 9, 2024 /s/ Andrew Nerbun, 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 accommodation 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
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www.ci.mequon.wi.us **Office of Community Development**

TO: **Common Council**
FROM: **Kim Tollefson, Director of Community Development**
DATE: **April 9, 2024**
SUBJECT: **ORDINANCE 2024-1661 An Ordinance Amending Chapter 58 of the Mequon Municipal Code, in Connection with Clarifying Certain Definitions, Design Standards and Location Standards for Residential Development within the City's Town Center and Arrival Corridor Zoning Districts**

Background

As part of ongoing efforts to revitalize and encourage redevelopment of the Town Center neighborhood, staff recommends a text amendment that corrects specific development and design standards within the two applicable zoning districts: Town Center Zoning District and Arrival Corridor Zoning District.

In 2017, certain development and design standards were added to the Code to address the scale and massing of residential dwellings whether within a mixed-use development or mixed-use building, and dependent upon its location within each zoning district. Staff discovered that certain terminology used in 2017 did not directly align with uses, development types and structure types, as otherwise defined in the Zoning Code's Specific Development and Design Standards. Consistency is critical due to distinct design standards, as well as the required entitlement process associated with the variety of projects that could be applied for. This issue was, and continues to be, at the forefront of staff's analysis in the creation of these zoning districts, due to the mixed-use nature desired for the neighborhood.

In addition, the Planning Commission recommends an amendment related to the amount of commercial square footage that is required within residential structures that front Mequon Road within the Arrival Corridor (AC) zoning district.

Certain Development and Design Standards Analysis

The Planning Commission recommends text amendments related to the following ***terms*** for clarification of design standards under multiple development scenarios and locations, and for clarification of entitlement processes:

- Mixed-Use buildings
- Multiple-Family dwellings, up to 16 units
- Multiple-Family dwellings, greater than 16 units
- Planned Residential Development
- Single-Family dwellings

- Two-Family dwellings

The AC zoning district does not allow Planned Unit Developments (PUDs) in the Arrival Corridor to request more than a total of 16 dwelling units for the entire development. The Planning Commission recommends allowing an applicant's ability to legally request this through a PUD, ultimately reserving approval authority for such a project with the Common Council. The Planning Commission recognizes that the assemblage of parcels that are master planned results in a cohesive development, and does not necessarily result in greater density.

Staff notes that amendments to the terms are not otherwise substantive, apart from the above noted for PUDs in the Arrival Corridor Zoning District. The proposed text simply protects the City of its intent related to scale, density and location, ensures consistent administration of the Zoning Code and provides transparency to the private market about legal applications and entitlement processes.

Further, the Planning Commission also recommends a text amendment that removes the specific development standard that prohibits the placement of dwellings abutting Mequon Road in the Arrival Corridor Zoning District as follows:

> The placement of dwellings, ~~shall not be located on a lot that abuts Mequon Road.~~ if located on a lot zoned Town Center, that abuts Mequon Road, or Cedarburg Road south of Mequon Road, shall be within a mixed-use building as defined in section 58-301(j)(3), general district regulation.

The amendment preserves the specific development standard in the Town Center Zoning District, which requires a minimum of 75 percent of the ground floor for commercial use.

The Planning Commission acknowledges that the majority of Mequon Road is zoned and developed as residential, that there is public benefit and private market synergy to the preservation and concentration of commercial uses within the Town Center Zoning District area and that there are readily leasable commercial tenant spaces located within existing structures of the Town Center. Moreover, if the market demands additional services and commercial activity, the Arrival Corridor does not prohibit commercial uses. The Planning Commission also approved additional specific development and design standards related to the front yards of any dwelling that abuts Mequon Road, to ensure high quality front yards adjacent to the public streetscape of Mequon Road.

Fiscal Impact

The text amendment is fiscally neutral.

Recommendation

The Planning Commission recommended approval of the proposed text amendments on both March 18 and April 29, 2024, each by a vote of 7-0. A recommendation is forthcoming from the Committee of the Whole on May 14, 2024.

Attachments:
Process Standards Chart Exhibit (XLSX)
58-301 and 58-302 TRACK CHANGES (DOCX)
58-303 SSDS TRACK CHANGES (DOCX)
TCAC Map Parcels Requiring Commercial Use Component (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2024-1661

An Ordinance Amending Chapter 58 of the Mequon Municipal Code, in Connection with Clarifying Certain Definitions, Design Standards and Location Standards for Residential Development within the City's Town Center and Arrival Corridor Zoning Districts

RECITALS

A. Pursuant to the authority granted to it under Section 62.23(7) of the Wisconsin Statues, the City of Mequon previously adopted a comprehensive Zoning Code for the City which includes Sections 58-301, 58-302 and 58-303 of the Municipal Code related to residential development in the Town Center neighborhood.

B. The Planning Commission, by a majority vote, adopted a recommendation to approve a text amendment changing some definitions, design standards and locational standards for residential development on March 18, 2024, and April 29, 2024.

C. The Common Council Committee of the Whole, by a majority vote, adopted a recommendation to approve a text amendment changing some definitions, design standards and locational standards for residential development on May 14, 2024.

D. Following a public hearing on the proposed changes, and based upon all available information before it, the Common Council desires to amend the regulations for residential properties in the form attached hereto.

E. The zoning regulations, including the regulation of design and location, furthers the health, safety, and welfare of the community.

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

SECTION I

Sections 58-301, 58-302 and 58-303 related to residential development in the Town Center and Arrival Corridor Zoning Districts within the Mequon Municipal Code are amended to read as attached in Exhibit A.

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 ordinances 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: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

_____
Caroline Fochs, City Clerk

Published: _____

Town Center / Arrival Corridor Process and Standards Chart

		Town Center	Development Lot Size	Mixed Use Required	Other Rqmnts	Process
Residential Use						
Home Occupations		X	1/2 acre			P
Artist's Live/Work Units		X	1/2 acre			P
Multiple-Family Dwellings 8 units or less		X	1/2 acre	Yes 30% must be commercial	structure must contain 2-16 units + design	P
Multiple-Family Dwellings 9 to units 16 units		X	1/2 acre	Yes 30% must be commercial	structure must contain 2-16 units + design	CUG
Bed and Breakfast		X	1/2 acre			CUG
Planned Residential Development:		X	1 acre			PUD
	SF	X	per CC approval		design	
	Two Family	X	per CC approval		design	
	MF Dwelling: 3-16	X	1 acre since no individual lot			
	MF Dwelling:17+	X	1 acre since no individual lot	Yes 30% must be commercial	Must be within a mixed-use structure	

		Arrival Corridor	Development Lot Size	Mixed Use Required	Other Rqmnts	Process
Residential Use						
Home Occupations		X	1 acre			P
Artist's Live/Work Units		X	1 acre			P
Multiple-Family Dwellings 8 units or less		X	1 acre		structure must contain 2-8 units + design	P
Multiple-Family Dwellings 9 to units 16 units		X	1 acre		structure must contain 2-16 units + design	PUD
Bed and Breakfast		X	1 acre			CUG
Planned Residential Development:		X	1 acre			PUD
	SF	X	per CC approval		design	
	Two Family	X	per CC approval		design	
	MF Dwelling: 3-16	X	1 acre since no individual lot			
	MF Dwelling:17+	NA				

Dwellings = structure

Development = whole site

Attachment: Process Standards Chart Exhibit [Revision 1] (ORDINANCE 2024-1661 : TC / AC Text Amendments PUD)

EXHIBIT A

TRACK CHANGES

Town Center

58-301(j)(3) General district regulations.

(3) *Mixed-use building.* Secured access is required for the residential uses when part of a mixed-use building. A minimum of 75 percent of the ground floor of a mixed-use building shall be commercial uses. A mixed-use building is not subject to section 58-303, Specific Development Standards, Multiple-family dwellings, up to 16 units, for the following design standards: b., e., f., g.

Arrival Corridor

58-302(h)(3) Lot dimension requirements.

(3) *Maximum number of dwelling units.* The maximum number of dwelling units allowed per development is 16 units, except as approved ~~and may not be varied~~ through a PUD.

58-302(j)(3) General district regulations.

(3) *Mixed-use building.* Secured access is required for the residential uses when part of a mixed-use building. A minimum of 75 percent of the ground floor of a mixed-use building shall be commercial uses. A mixed-use building is not subject to section 58-303, Specific Development Standards, Multiple-family dwellings, up to 16 units, for the following design standards: b., e., f., g.

Attachment: 58-301 and 58-302 TRACK CHANGES (ORDINANCE 2024-1661 : TC / AC Text Amendments PUD)

TRACK CHANGES

Sec. 58-303. - Specific development and design standards.

(a) *Purpose.* Specific development and design standards are established to provide supplemental regulations to address unique characteristics of certain land uses.

(b) *Standards.* The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Mixed-use development. A mixed-use development contains residential and non-residential uses authorized in Table 58-301-1 and Table 58-302-1 within a building, or set of buildings on a development site. A mixed-use development shall contain a minimum 30 percent of the development's total square footage as non-residential use(s) and shall contain landscaped and outdoor public spaces for the use of consumers and residents.

Multiple family dwellings, up to 16 units. A development that includes multiple-family dwellings containing more than two units, and up to 16 units, with or without non-residential uses, located in the Town Center or Arrival Corridor district shall comply with the following:

a. The height shall not exceed two and one-half stories.

b. Distinct second story dwelling units shall be prohibited.

c. The placement of dwellings, ~~shall not be located on a lot that abuts Mequon Road.~~ if located on a lot zoned Town Center, that abuts Mequon Road, or Cedarburg Road south of Mequon Road, such dwelling shall be within a mixed-use building as defined in section 58-301(j)(3), general district regulation.

d. The placement of dwellings shall reinforce the street, maximize natural surveillance and visibility and facilitate pedestrian access and circulation.

e. The front façade of the structure shall include one principal entrance and a porch, with a minimum depth of six feet, for each dwelling and shall be placed directly towards the adjacent primary public or private street or front yard as determined by the Department of Community Development.

f. A pedestrian access from the adjacent primary public or private street or front yard to the principal entrance of each dwelling shall be provided and maintained.

g. A landscaped front yard is required for each unit adjacent to the primary adjacent public or private street and shall create and distinguish separate levels of space as follows: a) private yard with installation of a minimum of one tree and partial screening elements for the required principal entrance and porch, b) a semi-private yard that is privately owned but that is not

screened and includes transitional elements blending the public streetscape and the private yard and provides visual cues of entering the private yard. ~~for each unit adjacent to the primary adjacent public or private street or front yard shall provide and maintain a minimum of one tree .~~

h. Parking between the dwelling and the street shall be prohibited.

i. Vehicular access shall only be from the rear or interior side and shall include below-grade parking and, or an attached garage with a private driveway that can accommodate a minimum of one vehicle.

j. All facades shall create orderly variation, including projections such as balconies, covered patios and bay windows.

Multiple-family dwellings greater than 16 units. Multiple-family dwellings greater than 16 units, with or without non-residential uses, are prohibited in the Arrival Corridor district. Multiple-family dwellings greater than 16 units, may be located in the Town Center district if part of a mixed-use development as defined in section 58-303 Specific development and design standards; however, if located on a lot that abuts Mequon Road, or Cedarburg Road south of Mequon Road, such dwelling shall be within a mixed-use building as defined in section 58-301(j)(3), general district regulation.

Nightclubs. A nightclub is an establishment engaged in the sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges and similar uses or a sit-down restaurant which provides more than 50 percent of its service to the sale of alcoholic beverages.

Ornamental metals. Ornamental metals shall be allowed only as accent materials such as grills, railing, panels and gutters.

Painted metal roof. Metal roof shall include copper coated, terne metal or painted metal to resemble weathered copper.

Parking facilities. The design of a parking facility shall not dominate the street frontage or building facade which faces a public street or significant public space. All vehicles shall be screened from view and at least 60 percent of the first floor facade shall by occupied with active uses and shall be designed with architectural detail and windows to create visual interest.

Pet supply stores, pet grooming facilities and pet daycares. The specific requirements are set forth in division 11.

Planned residential development. A development containing any of the following residential dwellings, combination thereof, with or without non-residential uses, may be allowed through application of section 58-331, Planned Unit Development Overlay and subject to each as defined by section 58-303, Specific Development and Design Standards:

Attachment: 58-303 SSDS TRACK CHANGES (ORDINANCE 2024-1661 : TC / AC Text Amendments PUD)

a. *Single-family dwellings.* ~~Single-family dwellings, of any number, located in the Town Center or Arrival Corridor districts shall comply with the following:~~

~~1. The minimum lot area shall be established by the Council through an approved PUD.~~

~~2. The required street frontage shall be a minimum of 36 feet and a maximum of 80 feet.~~

~~3. The front yard setback shall be a minimum of ten feet and a maximum of 25 feet from the abutting street.~~

~~4. The side and rear yards shall be a minimum of five feet and shall be increased by two for every additional story above the ground floor and increased by one foot for a half-story.~~

~~5. The height shall not exceed two and one-half stories and shall be architecturally designed with a gable or hip roof form.~~

~~6. The placement of dwellings shall not be located on a lot that abuts Mequon Road.~~

~~7. The placement of dwellings shall reinforce the street, maximize natural surveillance and visibility and facilitate pedestrian access and circulation.~~

~~8. The front façade of dwellings shall include one principal entrance and a porch, with a minimum depth of six feet, and shall be placed directly towards the adjacent primary public or private street.~~

~~9. A pedestrian access from the adjacent primary public or private street to the principal entrance of the dwelling shall be provided and maintained.~~

~~10. A landscaped front yard for each unit adjacent to the primary adjacent public or private street shall provide and maintain a minimum of one tree.~~

~~11. Parking between the dwelling and the street shall be prohibited.~~

~~12. Vehicular access shall only be from the rear and shall include an attached garage and a private driveway that can accommodate a minimum of one vehicle~~.

b. *Two-family dwellings.* ~~Two-family dwelling, of any number, located in the Town Center or Arrival Corridor districts shall comply with the specific development and design standards listed above for single-family dwellings.~~

~~c. *Elderly housing.* Elderly housing, of any number of dwellings, located in the Town Center or Arrival Corridor districts shall comply with the same specific development and design standards as defined in 58-303, Multiple family dwellings.~~

c~~d~~. *Multiple-family dwellings, up to 16 units.*

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Attachment: 58-303 SSDS TRACK CHANGES (ORDINANCE 2024-1661 : TC / AC Text Amendments PUD)

d. *Multiple-family dwellings greater than 16 units.* Multiple-family dwellings greater than 16 units are prohibited in the Arrival Corridor district through a PUD.~~Multiple-family dwellings greater than 16 units, with or without non-residential uses, are prohibited in the Arrival Corridor district. Multiple-family dwellings greater than 16 units, may be located in the Town Center district if part of a mixed-use development as defined in section 58-303 Specific development and design standards; however, if located on a lot that abuts Mequon Road, or Cedarburg Road south of Mequon Road, such dwelling shall be within a mixed-use building as defined in section 58-301(j)(3), general district regulation.~~

Pre-cast stone. Pre-cast stone shall be allowed in a finish approved by the planning commission.

Rubber as a roof material. Rubber is permitted where not visible from ground level.

a. *Single-family dwellings.* Single-family dwellings, of any number, located in the Town Center or Arrival Corridor districts shall comply with the following:

1. The minimum lot area shall be established by the Council through an approved PUD.

2. The required street frontage shall be a minimum of 36 feet and a maximum of 80 feet.

3. The front yard setback shall be a minimum of ten feet and a maximum of 25 feet from the abutting street.

4. The side and rear yards shall be a minimum of five feet and shall be increased by two for every additional story above the ground floor and increased by one foot for a half-story.

5. The height shall not exceed two and one-half stories and shall be architecturally designed with a gable or hip roof form.

6. The placement of dwellings shall not be located on a lot that abuts Mequon Road.

7. The placement of dwellings shall reinforce the street, maximize natural surveillance and visibility and facilitate pedestrian access and circulation.

8. The front façade of dwellings shall include one principal entrance and a porch, with a minimum depth of six feet, and shall be placed directly towards the adjacent primary public or private street.

9. A pedestrian access from the adjacent primary public or private street to the principal entrance of the dwelling shall be provided and maintained.

10. A landscaped front yard for each unit adjacent to the primary adjacent public or private street shall provide and maintain a minimum of one tree.

11. Parking between the dwelling and the street shall be prohibited.

Attachment: 58-303 SSDS TRACK CHANGES (ORDINANCE 2024-1661 : TC / AC Text Amendments PUD)

12. Vehicular access shall only be from the rear and shall include an attached garage and a private driveway that can accommodate a minimum of one vehicle.

Sit-down restaurants. A sit-down restaurant is engaged in the preparation and retail sale of food and beverages, which is characterized by table service to the customer and is not a delicatessen, fast food or coffee shop. Drive-thru services shall be prohibited.

Town center brewery. A town center brewery is an establishment that produces less than 10,000 barrels of beer on site per year.

Two-family dwellings. Two-family dwelling, of any number, located in the Town Center or Arrival Corridor districts shall comply with the specific development and design standards listed above for *single-family dwellings*.

Window signs. The size of the sign shall not account for more than 20 percent of the window size.

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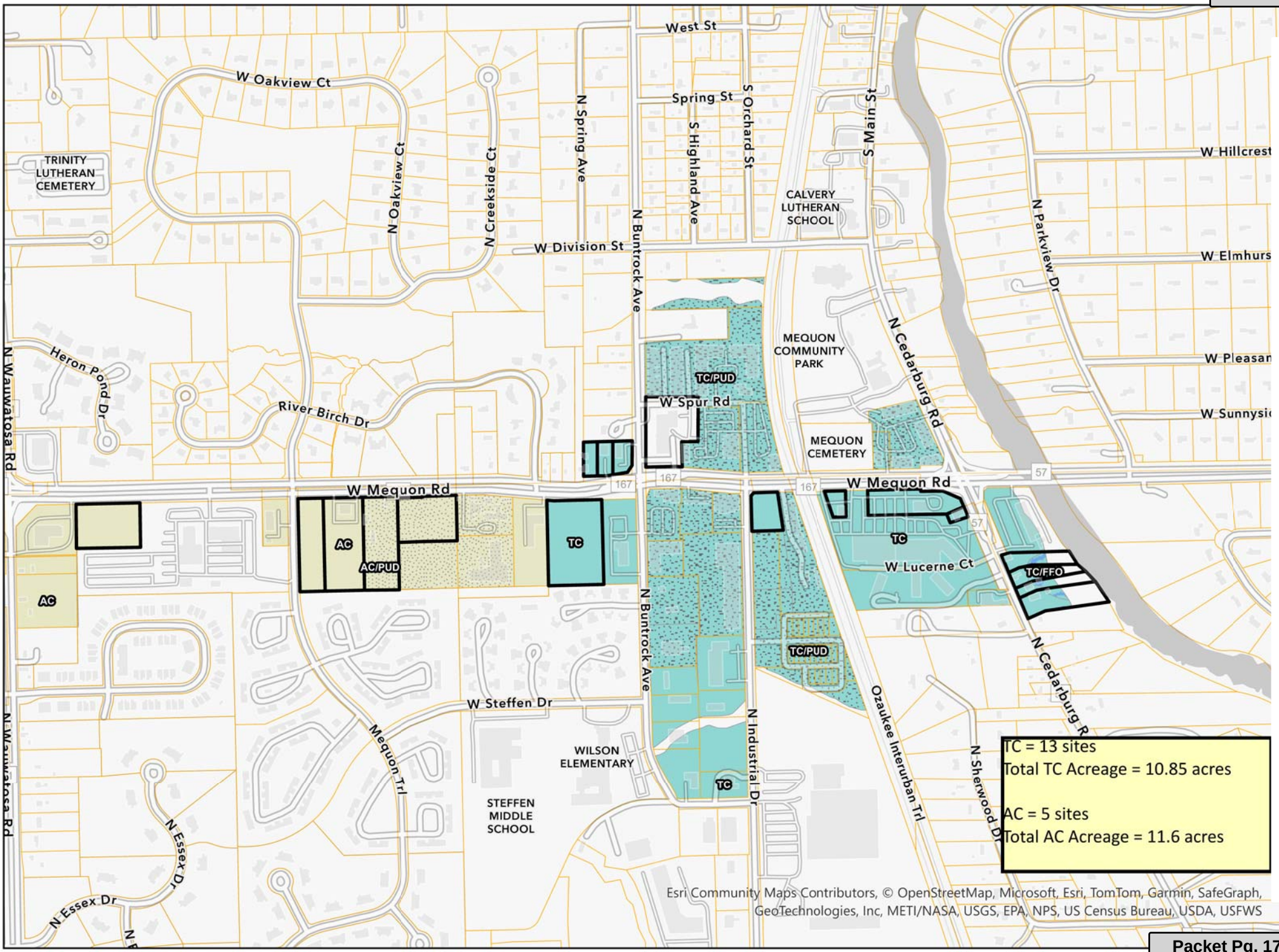
Attachment: 58-303 SSDS TRACK CHANGES (ORDINANCE 2024-1661 : TC / AC Text Amendments PUD)

TOWN CENTER / ARRIVAL CORRIDOR PARCELS REQUIRING COMMERCIAL USE COMPONENT



Attachment: TCAC Map Parcels Requiring Commercial Use Component (ORDINANCE 2024-1661 : TC / AC

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www.ci.mequon.wi.us **Office of Community Development**

TO: **Common Council**
FROM: **Kim Tollefson, Director of Community Development**
DATE: **April 9, 2024**
SUBJECT: **ORDINANCE 2024-1662 An Ordinance Repealing and Recreating Article XI within Chapter 58 of the Mequon Municipal Code, as it Relates to Floodplain Zoning**

Background

Earlier this year, the Federal Emergency Management Agency (FEMA) released updated draft floodplain maps and corresponding Flood Insurance Studies for all communities in Ozaukee County. In order to remain in the National Flood Insurance Program, the City is required to adopt the new maps by July 31, 2024. In addition, the Wisconsin Department of Natural Resources (WDNR) is requiring the City to adopt an updated model floodplain ordinance and new flood storage district maps as part of this process.

Analysis

Based on the feedback received at the Committee of the Whole's meeting on April 9, 2024, staff has updated the draft floodplain ordinance to eliminate the provisions associated with the Community Rating System. Staff has also updated language regarding the covering of a deck, based on the direction of the Council which is highlighted on page 17 of the ordinance. The City Attorney has also updated the section addressing the conflict with the existing zoning map which is highlighted on page four.

The proposed draft ordinance in its current form has been reviewed and approved by WDNR. Once it is adopted by the City, the WDNR will send it to FEMA for final approval.

Fiscal Impact

The fiscal impact is neutral.

Recommendation

The Planning Commission recommended approval of the proposed ordinance at its meeting on March 18, 2024, by a vote of 8-0. A further recommendation is forthcoming from the Public Welfare Committee on May 14, 2024.

Attachments:
Exhibit A: Draft Model Ordinance (DOCX)
Exhiblt B: CRS Guide(PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2024-1662

An Ordinance Repealing and Recreating Article XI within Chapter 58 of the Mequon Municipal Code, as it Relates to Floodplain Zoning

RECITALS

A. The Common Council previously adopted Article XI within Chapter 58 of the Mequon Municipal Code, which regulates development in floodplains within the City pursuant to Wis. Stat. §§ 62.23 and 87.30.

B. The Federal Emergency Management Agency prepared and adopted revised floodplain maps for the Milwaukee River watershed, which must be adopted by July 31, 2024.

C. As part of the adoption of the revised floodplain maps, the Wisconsin Department of Natural Resources (WDNR) requires the adoption of a floodplain zoning ordinance substantially similar to the model ordinance the Department has prepared.

D. The Planning Commission recommended approval of the proposed ordinance on March 18, 2024.

E. Based upon the Planning Commission's recommendation, and all public input provided at the public hearing before the Common Council, the Common Council finds that development and use of the floodplains and rivers of the City would impair the public health, safety, convenience, general welfare and tax base, and that reasonable regulation of such development is necessary.

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

SECTION I

Article XI of Chapter 58 of the Mequon Municipal Code is repealed and recreated to read as shown on the attached Exhibit A.

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 ordinances in contravention to this ordinance are hereby repealed.

SECTION IV

This Ordinance shall become effective after its publication and on July 31, 2024 as provided by law.

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

_____
Caroline Fochs, City Clerk

Published: _____

ARTICLE XI. – FLOODPLAIN ZONING

DIVISION 1 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE, AND GENERAL PROVISIONS

58-750. - Statutory Authorization.
This article is adopted pursuant to the authorization in Wis. Stat. §§ 62.23 and 87.30.

58-751. - Findings of Fact.
The common council finds that uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare, and tax base, and that reasonable regulation of such development is necessary.

58-752. - Statement of Purpose.
This article is intended to regulate floodplain development to:

(1) Protect life, health and property.
(2) Minimize expenditures of public funds for flood control projects.
(3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers.
(4) Minimize business interruptions and other economic disruptions.
(5) Minimize damage to public facilities in the floodplain.
(6) Minimize the occurrence of future flood blight areas in the floodplain.
(7) Discourage the victimization of unwary land and homebuyers.
(8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
(9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

58-753. – Title.
This division shall be known as the Floodplain Zoning Ordinance for Mequon, Wisconsin.

58-754. – Definitions.
Unless specifically defined, words and phrases in this article shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A Zones: Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

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AH Zone: See "AREA OF SHALLOW FLOODING."

AO Zone: See "AREA OF SHALLOW FLOODING."

Accessory Structure or Use: A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. An accessory structure shall not be used for human habitation.

Alteration: An enhancement, upgrade or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

Area of Shallow Flooding: A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood or *Base Flood Event* (*BFE*): Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

Basement: Any enclosed area of a building having more than one-half of the story height below grade.

Building: See "STRUCTURE."

Bulkhead Line: A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the WDNR pursuant to Wis. Stat. § 30.11 and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this article.

Campground: Any parcel of land which is designed, maintained, intended, or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.

Camping Unit: Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.

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Certificate of Compliance: – A certification issued by the department of community development that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this article.

Channel: A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

Crawlways or *Crawl Space:* An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

Deck: An unenclosed exterior structure that has no roof or sides and has a permeable floor which allows the infiltration of precipitation.

Development: Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged building, structure, or accessory structure, or the improvement or renovation of any building, structure, or accessory structure, regardless of percentage of damage or improvement; the placement of buildings, structures, or accessory structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Dryland Access: A vehicular access route which is above the regional flood elevation, and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and which is wide enough for wheeled rescue and relief vehicles.

Encroachment: Any fill, structure, equipment, use or development in the floodway.

Federal Emergency Management Agency (*FEMA*): The federal agency that administers the National Flood Insurance Program.

Flood Insurance Rate Map (*FIRM*): A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

Flood or *Flooding*: A general and temporary condition of partial or complete inundation of normally dry land areas caused by one or more of the following conditions:

- The overflow or rise of inland waters.
- The rapid accumulation or runoff of surface waters from any source.

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- The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan; or
- The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

Flood Frequency: The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.

Floodfringe: That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

Flood Hazard Boundary Map: A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

Flood Insurance Study (FIS): A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

Floodplain: Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.

Floodplain Island: A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

Floodplain Management: Policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

Flood Profile: A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

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Floodproofing: Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

Flood Protection Elevation: An elevation of two feet of freeboard above the Regional Flood Elevation.

Flood Storage: Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

Floodway: The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

Freeboard: A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

Habitable Structure: Any structure or portion thereof used or designed for human habitation.

Hearing Notice: Publication or posting meeting the requirements of Wis. Stat. Ch. 985. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least one week (7 days) before the hearing. The requirements of sec. 58-43 of this code shall also apply as applicable.

High Flood Damage Potential: Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

Highest Adjacent Grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure: Any structure that is either:

- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.

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- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior, or by the Secretary of the Interior in states without approved programs.

Increase In Regional Flood Height: A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

Land Use: Any nonstructural use made of unimproved or improved real estate. (See also: "DEVELOPMENT.")

Lowest Adjacent Grade: Elevation of the lowest ground surface that touches any of the exterior walls of a building.

Maintenance: The act or process of ordinary upkeep and repairs, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems, or structures.

Manufactured Home: A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

Mobile/Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

Mobile/Manufactured Home Park or Subdivision, Existing: A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this article. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

Mobile/Manufactured Home Park, Expansion to Existing: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring if concrete pads.

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Mobile Recreational Vehicle: A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

Model, Corrected Effective: A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

Model, Duplicate Effective: A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

Model, Effective: The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

Model, Existing (Pre-Project): A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man-made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

Model, Revised (Post-Project): A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

Municipality or *Municipal*: The City of Mequon, as the governmental unit enacting, administering, and enforcing this zoning ordinance.

NAVD or *North American Vertical Datum:* Elevations referenced to mean sea level datum, 1988 adjustment.

NGVD or *National Geodetic Vertical Datum:* Elevations referenced to mean sea level datum, 1929 adjustment.

New Construction: Structures for which the start of construction commenced on or after the effective date of a floodplain zoning regulation adopted by this community and includes any subsequent improvements to such structures.

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Non-Flood Disaster: A fire or an ice storm, tornado, windstorm, mudslide, or other destructive act of nature, but excludes a flood.

Nonconforming Structure: An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this article for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

Nonconforming Use: An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this article for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

Obstruction to Flow: Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

Official Floodplain Zoning Map: That map, adopted and made part of this article, as described in sec. 58-755, which has been approved by the WDNR and FEMA.

Open Space Use: Those uses having a relatively low flood damage potential and not involving structures.

Ordinary Highwater Mark: The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Person: An individual or group of individuals, corporation, limited liability company, partnership, association, municipality, or state agency.

Private Sewage System: A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.

Public Utilities: Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer, and storm sewer.

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Reasonably Safe from Flooding: Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Regional Flood or *Regional Flood Event* (*RFE*): A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

Start of Construction: The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lakebed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

Subdivision – Has the meaning given in Wis. Stat. § 236.02(12).

Substantial Damage: Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

Substantial Improvement: Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided

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that the alteration will not preclude the structure's continued designation as a historic structure.

Unnecessary Hardship: Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of this article.

Variance: An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

Violation: The failure of a structure or other development to be fully compliant with this article. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Watershed: The entire region contributing runoff or surface water to a watercourse or body of water.

Water Surface Profile: A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

Well: means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

WDNR: The Wisconsin Department of Natural Resources.

58-755. - General Provisions.

(a) *Areas to be regulated*. This article regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE, on the Flood Insurance Rate Map. Additional areas identified on maps approved by the Wisconsin Department of Natural Resources and local community may also be regulated under the provisions of this article, where applicable.

(b) *Official maps and revisions*. Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in sub. (1) below. Additional flood hazard areas subject to regulation under this article are identified on maps based on studies approved by the WDNR and listed in sub. (1) below. These maps and revisions are on file in the office of the department of community

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development. In the event that the maps adopted by this article are in conflict with previously adopted zoning maps, the most restrictive information and provisions shall apply.

(1) OFFICIAL MAPS: Based on the Flood Insurance Study (FIS)

a. Flood Insurance Rate Map (FIRM), panel number 555564165G, 555564168G, 555564169G, 555564188G, 555564189G, 555564193G, 555564194G, 555564230G. 555564231G, 555564232G, 555564233G, 555564234G, 555564251G, 555564252G, 555564253G, 555564254G, 555564256G, 555564257G, 555564 258G, 555564, 259G dated 7/31/2024

b. Flood Insurance Study (FIS) for Ozaukee County, dated 7/31/2024.

(2) OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the WDNR and be more restrictive than those based on the FIS at the site of the proposed development.

a. Floodplain study for Little Menomonee Creek and Little Menomonee River completed by Laura Herrick, SEWRPC and approved by the WDNR on 1/14/2022.

b. Flood Storage Map, panel number 8 dated 7/31/24 approved by the WDNR.

(c) *Establishment of floodplain zoning districts.* The regulated SFHA within the city are divided into districts as follows:

(1) The Floodway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to Sec. 58-790(e).

(2) The Floodfringe District (FF) is that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits have been determined according to Sec. 58-790(e), within A Zones shown on the FIRM.

(3) The General Floodplain District (GFP) is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also

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includes shallow flooding areas identified as AH and AO zones on the FIRM.

(4) The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.

(d) *Locating floodplain boundaries*. Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in sub. (1) or (2) below. If a significant difference exists, the map shall be amended according to Division 8. The director of community development can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The director of community development shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the director of community development and an applicant over the district boundary line shall be settled according to Sec. 58-904(c) and the criteria in sub. (1) and (2) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to Division 8.

(1) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.

(2) Where flood profiles do not exist for projects, including any boundary of zone A, AO, the location of the boundary shall be determined by the map scale, visual on-site inspection, and any information provided by the WDNR.

(e) *Removal of lands from floodplain*. All or a portion of a property may be removed from the floodplain boundary and thus regulation under this article by one of the following methods:

(1) Compliance with the provisions of this article shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to Division 8.

(2) The delineation of any of the Floodplain Districts may be revised by the community where natural or man-made changes have occurred

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and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:

a. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation.

b. The fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F.

(3) Removal of lands from the floodplain may also occur by operation of Wis. Stat. § 87.30(1)(e) if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. § 70. Removals under this sub. (3) do not need to comply with sub. (1) above.

(f) *Compliance*.

(1) No structure or use within areas regulated by this article shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.

(2) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Division 9.0.

(3) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Floodplain Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Division 9.0.

(g) *Municipalities and state agencies regulated*. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this

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article and obtain all necessary permits. State agencies are required to comply if Wis. Stat. § 13.48(13) applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation (WisDOT) is exempt when Wis. Stat. § 30.2022 applies. Although exempt from a local zoning permit and permit fees, WisDOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under Wis. Stat. § 30.2022, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply: the applicant provides documentation to the community development department that the proposed project is a culvert or bridge replacement having a span of less than 20 feet; the relocation is in the same location; the project is exempt from a WDNR permit under Wis. Stat. § 30.123(6)(d); the water flow capacity through or under the replacement structure is not decreased; the road profile and grade is not raised; and no floodway data is available from a federal, state, or other source. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the applicant in the analysis of the project site.

(h) *Abrogation and greater restrictions*.

(1) This article supersedes all the provisions of any municipal zoning ordinance enacted under Wis. Stat. §§ 62.23 or 87.30 which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

(2) This article is not intended to repeal, abrogate, or impair any existing deed restrictions, covenants, or easements. If this article imposes greater restrictions, the provisions of this article shall prevail.

(i) *Interpretation*. In their interpretation and application, the provisions of this article shall be held to be the minimum requirements and shall be liberally construed in favor of the city and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this article, required by Wis. Admin. Code Ch. NR 116, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this article or in effect on the date of the most recent text amendment to this article.

(j) *Warning and disclaimer of liability*. The flood protection standards in this article are based on engineering experience and research. Larger floods may

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occur, or the flood height may be increased by man-made or natural causes. This article does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This article does not create liability on the part of, or a cause of action against, the City of Mequon or any officer or employee thereof for any flood damage that may result from reliance on this article.

(k) *Severability.* Should any portion of this article be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this article shall not be affected.

(l) *Annexed areas for cities and villages.* The Ozaukee County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of Wis. Admin. Code Ch. NR 116 and the National Flood Insurance Program (NFIP), 44 C.F.R. Parts 59-72. These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the director of community development. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

DIVISION 2. GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

Sec. 58-760. - Application Review.

The city shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding as defined in 44 C.F.R. § 65.2 and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law.

(a) If a proposed building site is in a flood-prone area, as defined in 44 C.F.R. § 59.1, all new construction and substantial improvements shall:

(1) be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy if the structure is less than two feet above the base flood elevation;

(2) be constructed with flood-resistant materials;

(3) be constructed by methods and practices that minimize flood damage if the lowest finished floor structure is less than two feet above the base flood elevation; and

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(4) Mechanical and utility equipment must be elevated one foot above the flood protection elevation so as to prevent water from entering or accumulating within the components during conditions of flooding.

(b) A subdivision or other proposed new development that is in a flood-prone area, as defined in 44 C.F.R. § 59.1, shall:

(1) be designed to ensure that the lowest finished floor elevation of any structure will be constructed a minimum of two feet above the flood protection elevation;

(2) be designed in a manner that is consistent with the need to minimize flood damage within the flood-prone area;

(3) be designed to ensure that all public utilities and facilities such as sewer, gas, electric, and water systems will be located and constructed to minimize or eliminate flood damage;

(4) be designed to ensure that adequate drainage is provided to reduce exposure to flood hazards;

(5) include regional flood elevation and floodway data for any development that meets the definition of a subdivision in this article, including manufactured home parks; and

(6) be designed and constructed in compliance with the terms of this article.

Sec. 58-761. – Hydraulic and Hydrologic Analyses.

(a) No floodplain development shall:

(1) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or

(2) Cause any increase in the regional flood height due to floodplain storage area lost.

(b) The director of community development or their designee shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of Division 8 are met.

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(c) All design and methods of construction shall be conducted and certified by a professional engineer licensed in the State of Wisconsin and meet the requirements of this document and the Wis. Admin. Code Ch. NR 116.

Sec. 58-762. - Watercourse Alterations.
No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the WDNR and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of Sec. 58-762 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to Division 8, the municipality shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the WDNR through the LOMC process.

Sec. 58-763. - Development Under Wis. Stat. Ch. 30 and 31.
Development which requires a permit from the WDNR under Wis. Stat. Ch. 30 and 31, such as docks, piers, wharves, bridges, culverts, dams, and navigational aids, may be allowed if the necessary permits are obtained and amendments to this article are made according to Division 8.

DIVISION 3. FLOODWAY DISTRICT (FW)

Sec. 58-770. – Applicability.
This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to Sec. 58-790(e).

Sec. 58-771. – Permitted Uses.
The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if: they are not prohibited by any other ordinance; they meet the standards in Sec. 58-772 and 58-773; and all permits or certificates have been issued according to Sec. 58-902.

(a) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture, and wild crop harvesting.

(b) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap, and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of Sec. 58-773.

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(c) Uses or structures accessory to permanent public open space uses or classified as historic structures that comply with Sec. 58-772 and 58-773.

(d) Functionally water dependent public uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Wis. Stat. Ch. 30 and 31.

(e) Public utilities, streets and bridges that comply with Sec. 58-772(c).

(f) Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and Wis. Adm. Code Ch. NR 811 and NR 812.

(g) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

Sec. 58-772. – Standards for Development in the Floodway.

(a) *In General.*

(1) Any development in the floodway shall comply with Division 2 and have a low flood damage potential.

(2) Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to Sec. 58-761 and 58-902(b)(3). The analysis must be completed by a registered professional engineer in the state of Wisconsin.

(3) Any encroachment in the regulatory floodway is prohibited unless the data submitted for sub. (a)(2) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in Sec. 58-755(e).

(4) All setbacks, offsets and lot coverage requirements in the FW district shall be the same as the regulations found in the comparable residential zoning district with a minimum lot size smaller than, but closest in size to, the property.

(b) *Structures.* Structures accessory to permanent public open space uses, including utility and sanitary facilities, or functionally dependent on a

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waterfront location may be allowed by permit if the structures comply with the following criteria:

(1) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage.

(2) Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:

a. Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;

b. Have structural components capable of meeting all provisions of Sub. (b)(6); and

c. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Sub. (b)(6).

(3) Must be anchored to resist flotation, collapse, and lateral movement.

(4) Mechanical and utility equipment must be elevated to or above the flood protection elevation.

(5) Must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(6) For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets Sub. (b)(1) through (b)(5) and meets or exceeds the following standards:

a. The lowest floor must be elevated to or above the regional flood elevation.

b. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.

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c. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.

d. The use must be limited to parking, building access or limited storage.

(7) Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:

a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup.

b. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sec. 58-782(f) through (h).

c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors.

d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and

e. Placement of utilities to or above the flood protection elevation.

(c) *Public Utilities, Streets and Bridges.* Public utilities, streets and bridges may be allowed by permit, if:

(1) Adequate floodproofing measures are provided to the flood protection elevation; and

(2) Construction meets the development standards of Sec. 58-761.

(d) *Fills or Deposition of Materials.* Fills or deposition of materials may be allowed by permit, if:

(1) The requirements of Sec. 58-761 are met.

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(2) No material is deposited in navigable waters unless a permit is issued by the WDNR pursuant to Wis. Stat. Ch. 30 and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. § 1344 has been issued, if applicable, and all other requirements have been met.

(3) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and

(4) The fill is not classified as a solid or hazardous material.

Sec. 58-773. – Prohibited Uses.
All uses not listed as permitted uses in Sec. 58-771 are prohibited,

DIVISION 4. FLOODFRINGE OVERLAY DISTRICT (FFO)

Sec. 58-780. – Applicability.
This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to Sec. 58-790(e).

Sec. 58-781. – Permitted Uses.
Any structure, land use, or development is allowed in the Floodfringe District if the standards in Sec. 58-782 are met, the use is not prohibited by this, or any other ordinance or regulation and all permits or certificates specified in Sec. 58-902 have been issued.

Sec. 58-782. – Standards for Development in the Floodfringe.
In addition to the requirements of the underlying base zoning district and Division 2 of this article, the following requirements according to the use requested shall also apply. In the event of a conflict between the requirements of the base zoning district, and the provisions below, the more restrictive provision shall apply. Any existing structure in the floodfringe must meet the requirements of Division 6.

(a) *Residential Uses.* Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards:

(1) All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet Sec. 58-755(e).

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(2) Notwithstanding sub. (a)(1), a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation.

(3) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in sub. (4).

(4) In developments where existing street or sewer line elevations make compliance with sub. (3) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:

a. The municipality has written assurance from police, fire and emergency services that rescue, and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or

b. The municipality has a WDNR-approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.

(b) *Accessory Structures or Uses*. New construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(c) *Commercial Uses*. Unless otherwise prohibited, any commercial structure which is erected, altered, or moved into the floodfringe shall meet the requirements of sub. (a). Subject to the requirements of sub. (e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(d) *Manufacturing and Industrial Uses*. Unless otherwise prohibited, any manufacturing or industrial structure which is erected, altered, or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in Sec. 58-905. Subject to the requirements of sub. (e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

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(e) *Storage of Materials.* Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish, or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with sec. 58-905. Adequate measures, as determined by the department of community development shall be taken to ensure that such materials will not enter the water body during flooding.

(f) Public Utilities, Streets and Bridges. All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

(1) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with Sec. 58-905.

(2) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(g) *Sewage Systems.* All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to Sec. 58-905(c), to the flood protection elevation and meet the provisions of all local ordinances and Wis. Admin. Code Ch. SPS 383. Ozaukee County regulates all private, onsite, wastewater treatment systems (POWTS), as regulated under SPS 383 in incorporated parts of the county.

(h) *Wells.* All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to Sec. 58-905(c), to the flood protection elevation and shall meet the provisions of Wis. Admin. Code Ch. NR 811 and NR 812. Ozaukee County administers this regulation for private wells on properties served by Private Onsite Wastewater Treatment Systems in incorporated parts of the county.

(i) *Solid Waste Disposal Sites.* Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(j) *Deposition of Materials.* Any deposited material must meet all the provisions of this article and Section 58-603.

(k) *Manufactured Homes.*

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(1) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval, and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.

(2) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:

a. have the lowest floor elevated to the flood protection elevation; and

b. be anchored so they do not float, collapse, or move laterally during a flood.

(3) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in sub. (a).

(l) *Mobile Recreational Vehicles.* All mobile recreational vehicles must be on site in accordance with Sec. 58-441(11) and be:

(1) fully licensed and ready for highway use; or

(2) shall meet the elevation and anchoring requirements in sub. (k)(2) and (k)(3).

A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

DIVISION 5. OTHER FLOODPLAIN DISTRICTS

Sec. 58-790. – General Floodplain District (GFP)

(a) *Applicability.* The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in Sec. 58-755(b)(1).

(b) *Floodway Boundaries.* For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in Sec. 58-755(b)(1), the boundaries of the regulatory floodway

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shall be determined pursuant to sub. (e). If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of Division 3. If the development is located entirely within the floodfringe, the development is subject to the standards of Division 4.

(c) *Permitted Uses.* Pursuant to sub. (e) it shall be determined whether the proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway District under Sec. 58-771 and Floodfringe District under Sec. 58-781 are allowed within the General Floodplain District, according to the standards of sub. (d) provided that all permits or certificates required under Sec. 58-902 have been issued.

(d) *Standards for Development in the General Floodplain District.* Division 3 applies to floodway areas, determined to pursuant to sub. (e); Division 4 applies to floodfringe areas, determined to pursuant to sub. (e).

(1) New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:

a. To or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or

b. If the depth is not specified on the FIRM, two (2) above the highest adjacent natural grade or higher.

(2) New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.

(3) In AO/AH zones, provide adequate drainage paths to guide floodwaters around structures.

(4) All development in zones AO and zone AH shall meet the requirements of Division 4 applicable to flood fringe areas.

(e) *Determining Floodway and Floodfringe Limits.* Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the director of community development shall:

(1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the

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property, fill limits and elevations, building floor elevations and flood proofing measures and the flood zone as shown on the FIRM.

(2) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.

a. A Hydrologic and Hydraulic Study as specified in Sec. 58-902(b)(3).

b. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location, and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information.

c. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

Sec. 58-791. – Flood Storage District.

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

(a) *Applicability.* The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.

(b) *Permitted Uses.* Any use or development which occurs in a flood storage district must meet the applicable requirements in Sec. 58-781.

(c) *Standards for Development in Flood Storage Districts.*

(1) Development in a flood storage district shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.

(2) No development shall be allowed which removes flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage, which is lost, (compensatory

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storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.

(3) If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district – on this waterway – is rezoned to the floodfringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without floodplain storage, as per Division 8 of this article.

(4) No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

DIVISION 6. NONCONFORMING USES

Sec. 58-800. – General.

(a) *Applicability.*

(1) The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with Wis. Stat. § 87.30, Wis. Admin. Code §§ NR 116.12 – 116.14, and 44 C.F.R. § 59-72, these standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.

(2) As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, municipalities shall develop a list of those nonconforming buildings, their present equalized assessed value, and a list of the costs of those activities associated with changes to those buildings.

(b) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this article may continue subject to the following conditions:

(1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this article. The words

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"modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a single deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification, or addition. The roof of the structure may extend over the deck at a doorway in order to provide safe ingress and egress to the principal structure. The roof structure may extend perpendicular from the dwelling a maximum of four feet and two feet beyond the door in each direction.

(2) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this article.

(3) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent.

(4) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. If the cost exceeds 50% as defined above, contiguous dry land access must be provided for residential and commercial uses in compliance with Sec. 58-782(a). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph.

(5) No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would

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equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. If the cost exceeds 50% as defined above, contiguous dry land access must be provided for residential and commercial uses in compliance with Sec. 58-782(a). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.

(6) If on a per event basis the total value of the work being done under sub. (4) and (5) equals or exceeds 50% of the present equalized assessed value, the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with Sec. 58-782(a).

(7) Except as provided in sub. (8), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged by a flood, it cannot be replaced, reconstructed, or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

(8) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met, and all required permits have been granted prior to the start of construction:

a. Residential Structures

1. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts, or perimeter walls. Perimeter walls must meet the requirements of Sec. 58-905(b).

2. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the

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effects of buoyancy, and shall be constructed with methods and materials resistant to flood damage.

3. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

4. In A Zones, obtain, review, and utilize any flood data available from a federal, state or other source.

5. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in Sec. 58-790(d).

6. in AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

7. Contiguous dryland access is not required.

b. Nonresidential Structures

1. Shall meet the requirements of sub. (b)(8)a.

2. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in Sec. 58-905(a) or (b).

3. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in Sec. 58-790(d).

(c) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with Sec, 58-772(a), flood resistant materials are used, and construction practices and floodproofing methods that comply with Sec. 58-905 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of sub. (b)(8)a if it is determined that the proposed repair or rehabilitation will not preclude the structure's

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continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

(d) Notwithstanding anything in this chapter to the contrary, modifications, additions, maintenance, and repairs to a nonconforming building shall not be prohibited based on cost and the building's nonconforming use shall be permitted to continue if:

(1) Any living quarters in the nonconforming building are elevated to be at or above the flood protection elevation;

(2) The lowest floor of the nonconforming building, including the basement, is elevated to or above the regional flood elevation;

(3) The nonconforming building is permanently changed to conform to the applicable requirements of Division 2;

(4) If the nonconforming building is in the floodway, the building is permanently changed to conform to the applicable requirements of Sec. 58-772(a), 58-772(b)(2) through (b)(5), 58-772(c), 58-772(d), and 58-801. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with Sec. 58-790(e). If the encroachment is in the floodway, it must meet the standards in Sec. 58-772(d);

(5) If the nonconforming building is in the floodfringe, the building is permanently changed to conform to the applicable requirements of Sec. 58-782 and 58-802;

(6) Repair or reconstruction of nonconforming structures and substantial improvements of residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation;

(7) Repair or reconstruction of nonconforming structures and substantial improvements of non-residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation, or (together with attendant utility and sanitary facilities) be designed so that below the base flood elevation the building is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:

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a. Where a non-residential structure is intended to be made watertight below the base flood elevation, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction, and must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of sub. (d)(7) above.

b. The community must maintain a record of such certification including the specific elevation to which each such structure is floodproofed;

(8) Fully enclosed areas below the lowest floor of repair or reconstruction of nonconforming structures and substantial improvements in zones A1-30, AE, and AH that are usable solely for parking of vehicles, building access, or storage, must be designed to adequately equalize hydrostatic forces on exterior walls by allowing for the entry and exit of floodwaters. Subsequent improvements to repaired or reconstructed nonconforming structures must not increase the degree of their nonconformity. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet the following criteria:

a. A minimum of two openings into each enclosed area must be located below the base flood elevation and provide a total net area of not less than one square inch for every square foot of enclosed area.

b. The bottom of all openings must be no higher than one foot above the adjacent grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings if they permit the automatic entry and exit of floodwaters;

(9) Recreational vehicles placed on sites within zones A1-30, AH, and AE shall:

a. Comply with the provisions of sec. 58-441(11); and

b. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type

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utilities and security devices, and has no permanently attached additions);

(10) In a regulatory floodway that has been delineated on the FIRM in zone A1-30 or AE, encroachments, including repair or reconstruction of nonconforming structures, substantial improvement, or other development (including fill) must be prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

(11) In zone A, the community must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring repair or reconstruction of nonconforming structures, substantial improvement, and other development to meet sub. (d)(6) through (8) above. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with Sec. 58-790(e). If the encroachment is in the floodway, it must meet the standards in Sec. 58-772(d). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

(12) In zones A1-30 or AE where a regulatory floodway has not been delineated on the FIRM, repair or reconstruction of nonconforming structures, substantial improvement, or any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with Sec. 58-790(e). If the encroachment is in the floodway, it must meet the standards in Sec. 58-772(d). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

(13) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified). Subsequent

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improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity; or

(14) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or (together with attendant utility and sanitary facilities) be structurally dry-floodproofed to that level according to the standard specified in sub. (d)(6) above. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity.

Sec. 58-801. – Floodway District.

(a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:

(1) Has been granted a permit or variance which meets all ordinance requirements.

(2) Meets the requirements of Sec. 58-800.

(3) Shall not increase the obstruction to flood flows or regional flood height.

(4) Any addition to the existing structure shall be floodproofed, pursuant to Sec. 58-905, by means other than the use of fill, to the flood protection elevation; and,

(5) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade.

b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials.

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c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and

d. The use must be limited to parking, building access or limited storage.

(b) No new on site sewage disposal system, or addition to an existing on site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing on site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, Sec. 58-905(c) and Wis. Admin. Code Ch. SPS 383.

(c) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, Sec. 58-905(c) and Wis. Admin. Code Ch. NR 811 and NR 812.

Sec. 58-802. – Floodfringe District.

(a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of Sec. 58-782 except where sub. (b) is applicable.

(b) Where compliance with the provisions of sub. (a) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Appeals, using the procedures established in Sec. 58-904, may grant a variance from those provisions of sub. (a) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

(1) No floor is allowed below the regional flood elevation for residential or commercial structures.

(2) Human lives are not endangered.

(3) Public facilities, such as water or sewer, shall not be installed.

(4) Flood depths shall not exceed two feet.

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(5) Flood velocities shall not exceed two feet per second; and

(6) The structure shall not be used for storage of materials as described in Sec. 58-782(e).

(c) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, Sec. 58-905(c) and Wis. Admin. Code Ch. SPS 383.

(d) All new wells, or addition to, replacement, repair, or maintenance of a well shall meet the applicable provisions of this article, Sec. 58-905(c) and Wis. Admin. Code Ch. NR 811 and NR 812.

Sec. 58-803. – Flood Storage Districts.
No modifications or additions shall be allowed to any nonconforming structure in a flood storage area unless the standards outlined in Sec. 58-791(c) are met.

DIVISION 7. ADMINISTRATION

Sec. 58-901. – Administration.
The department of community development shall administer this article.

Sec. 58-902. – Director of Community Development.

(a) *Duties and Powers.* The director of community development or their designee is authorized to administer this article and shall have the following duties and powers:

(1) Advise applicants of the provisions of this article, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.

(2) Issue permits and inspect properties for compliance with provisions of this article and issue certificates of compliance where appropriate.

(3) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.

(4) Keep records of all official actions such as:

a. All permits issued, inspections made, and work approved.

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b. Documentation of certified lowest floor and regional flood elevations.

c. Floodproofing certificates.

d. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.

e. All substantial damage assessment reports for floodplain structures.

f. List of nonconforming structures and uses.

(5) Submit copies of the following items to the WDNR Regional office:

a. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments.

b. Copies of case-by-case analyses and other required information.

c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

(6) Investigate, prepare reports, and report violations of this article to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the WDNR Regional office.

(7) Submit copies of amendments to the FEMA Regional office.

(b) *Building Permit*. A building permit shall be obtained before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the department of community development shall include:

(1) General Information.

a. Name and address of the applicant, property owner and contractor.

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b. Legal description, proposed use, and whether it is new construction or a modification.

(2) Site Development Plan. A site plan drawn to scale shall be submitted with the permit application form and shall contain all of the following where applicable:

a. Location, dimensions, area and elevation of the lot.

b. Location of the ordinary highwater mark of any abutting navigable waterways.

c. Location of any structures with distances measured from the lot lines and street center lines.

d. Location of any existing or proposed on-site sewage systems or private water supply systems.

e. Location and elevation of existing or future access roads.

f. Location of floodplain and floodway limits as determined from the official floodplain zoning maps.

g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD).

h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of Divisions 3 or 4 are met.

i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to Sec. 58-761. This may include any of the information noted in Sec. 58-772(a).

(3) *Hydraulic and Hydrologic Studies to Analyze Development*. All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the WDNR.

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a. Zone A floodplains and in AE zones within which a floodway is not delineated:

1. Hydrology. The appropriate method shall be based on the standards in Wis. Admin. Code §. NR 116.07(3).

2. Hydraulic modeling. The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4) and the following:

i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.

ii. channel sections must be surveyed.

iii. minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.

iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.

v. the most current version of HEC-RAS shall be used.

vi. a survey of bridge and culvert openings and the top of road is required at each structure.

vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.

viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or

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effective flow limits. The base model shall be calibrated to past flooding data such as high-water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

3. Mapping. A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.

ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

b. Zone AE Floodplains

1. Hydrology. If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Wis. Admin. Code § NR 116.07(3).

2. Hydraulic model. The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4) and the following:

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i. Duplicate Effective Model. The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model. The Corrected Effective Model shall not include any man-made physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for WDNR review.

iii. Existing (Pre-Project Conditions) Model. The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

iv. Revised (Post-Project Conditions) Model. The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and top widths

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computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

3. Mapping. Maps and associated engineering data shall be submitted to the WDNR for review which meet the following conditions:

   i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.

   ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.

   iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.

   iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used, then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.

   v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.

   vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.

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vii. Both the current and proposed floodways shall be shown on the map.

viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(4) *Expiration*. All permits issued under the authority of this article shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.

(c) Certificate of Compliance. No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt, or replaced shall be occupied until a certificate of compliance is issued by the director of community development, except where no permit is required, subject to the following provisions:

(1) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this article;

(2) Application for such certificate shall be concurrent with the application for a permit;

(3) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;

(4) The applicant shall submit a certification signed by a registered professional engineer, architect, or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of Sec. 58-905 are met;

(5) Where applicable pursuant to Sec. 58- 790(d), the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement; and

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(6) Where applicable pursuant to Sec. 58- 790(d), the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by Sec. 58- 790(d).

(d) Other Permits. Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

Sec. 58-903. – The Department of Community Development.

(a) The department of community development shall:

(1) oversee the functions of the office;

(2) review and advise the governing body on all proposed amendments to this article, maps, and text; and

(3) publish adequate notice pursuant to Ch. 985, Stats., specifying the date, time, place, and subject of the public hearing.

(b) The department of community development shall not:

(1) grant variances to the terms of this article in place of action by the Board of Appeals; or

(2) amend the text or zoning maps in place of official action by the governing body.

Sec. 58-904. – Board of Appeals.

The Board of Appeals, created under Wis. Stat. § 62.23(7)(e) and Sec. 2-461, *et seq.*, of this code, is hereby authorized or shall be appointed to act for the purposes of this article. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business.

(a) *Powers and Duties.* The Board of Appeals shall:

(1) Appeals. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this article.

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(2) Boundary Disputes. Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map.

(3) Variances. Hear and decide, upon appeal, variances from the standards of this article.

(b) *Appeals to the Board*.

(1) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the Director of Community Development or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

(2) Notice and Hearing for Appeals Including Variances.

a. Notice. The board shall:

1. Fix a reasonable time for the hearing;

2. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place, and subject of the hearing; and

3. Assure that notice shall be mailed to the parties in interest and the WDNR Regional office at least 10 days in advance of the hearing.

b. Hearing. Any party may appear in person or by agent. The board shall:

1. Resolve boundary disputes according to sub. (c);

2. Decide variance applications according to sub (d); and

3. Decide appeals of permit denials according to sub (e).

c. Decision. The final decision regarding the appeal or variance application shall:

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1. Be made within a reasonable time.

2. Be sent to the WDNR Regional office within 10 days of the decision.

3. Be a written determination signed by the chairman or secretary of the Board.

4. State the specific facts which are the basis for the Board's decision.

5. Either affirm, reverse, vary or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and

6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(c) *Boundary Disputes*. The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

(1) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary;

(2) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and

(3) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to Division 8.

(d) *Variance*.

(1) The Board may, upon appeal, grant a variance from the standards of this article if an applicant convincingly demonstrates all of the following:

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a. Literal enforcement of this article will cause unnecessary hardship.

b. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended.

c. The variance is not contrary to the public interest.

d. The variance is consistent with the purpose of this article in Section 58-752.

(2) In addition to the criteria in sub. (1), to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:

a. The variance shall not cause any increase in the regional flood elevation.

b. The applicant has shown good and sufficient cause for issuance of the variance.

c. Failure to grant the variance would result in exceptional hardship.

d. Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

e. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.

(3) A variance shall not:

a. Grant, extend or increase any use prohibited in the zoning district.

b. Be granted for a hardship based solely on an economic gain or loss.

c. Be granted for a hardship which is self-created.

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d. Damage the rights or property values of other persons in the area.

e. Allow actions without the amendments to this article or map(s) required in Division 8.

f. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

(4) When a floodplain variance is granted, the Board may notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to $25.00 per $100.00 of coverage. A copy shall be maintained with the variance record.

(e) *Appeals of Permit Denials*.

(1) The Board shall review all data related to the appeal. This may include:

a. Permit application data listed in Sec. 58-902(b).

b. Floodway/floodfringe determination data in Sec. 58-790(e).

c. Data listed in Sec. 58-772(a)(2) where the applicant has not submitted this information to the director of community development.

d. Other data submitted with the application or submitted to the Board with the appeal.

(2) For appeals of all denied permits the Board shall:

a. Consider recommendations of the community development department; and

c. Either uphold the denial or grant the appeal.

(3) For appeals concerning increases in regional flood elevation the Board shall:

a. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all

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appropriate legal arrangements are made with all adversely affected property owners as per the requirements Division 8; and

b. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

Sec. 58-905. – *Floodproofing Standards*.

(a) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards in Divisions 2, 3, 4, or Sec. 58-790.

(b) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

(1) certified by a registered professional engineer or architect; or

(2) meeting or exceeding all of the following standards:

a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.

b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(c) Floodproofing measures shall be designed, as appropriate, to:

(1) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors.

(2) Protect structures to the flood protection elevation.

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(3) Anchor structures to foundations to resist flotation and lateral movement.

(4) Minimize or eliminate infiltration of flood waters.

(5) Minimize or eliminate discharges into flood waters.

(6) Placement of essential utilities to or above the flood protection elevation; and

(7) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade.

b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials.

c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and

d. The use must be limited to parking, building access or limited storage.

Sec. 58-906. – Public Information.
All maps, engineering data and regulations shall be available and widely distributed.

DIVISION 8. AMENDMENTS.

Sec. 58-950. – Standards.
Obstructions or increases may only be permitted if amendments are made to this article, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with Sec. 58-951.

(a) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this article, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with

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Sec. 58-951. Any such alterations must be reviewed and approved by FEMA and the WDNR.

(b) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this article, the official floodplain maps, floodway lines, and water surface profiles, in accordance with Sec. 58-951.

Sec. 58-951. – General.

The governing body shall change or supplement the floodplain zoning district boundaries and this article in the manner outlined in Sec. 58-952. Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

(a) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height.

(b) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM.

(c) Any changes to any other officially adopted floodplain maps listed in Sec. 58-755(b)(2).

(d) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain.

(e) Correction of discrepancies between the water surface profiles and floodplain maps.

(f) Any upgrade to a floodplain zoning ordinance text required by Wis. Admin. Code § NR 116.05, or otherwise required by law, or for changes by the municipality.

(g) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

Sec. 58-952. – Procedures.

Ordinance amendments may be made upon petition of any party according to the provisions of Wis. Stat. § 62.23. The petitions shall include all data required by Sec. 58-790(e) and 58-902(b). The Building Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

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(a) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the WDNR Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of Wis. Stat. § 62.23.

(b) No amendments shall become effective until reviewed and approved by the WDNR.

(c) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

Division 9. Enforcement and Penalties.

Sec. 58-990. – Enforcement and Penalties. Any violation of the provisions of this article by any person or entity shall be unlawful and an offense under this article, and a violator shall, upon conviction, forfeit not more than $50, together with the costs of prosecution, for each offense. Each day of continued violation shall constitute a separate offense. Every violation of this article is declared to be a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the City of Mequon, the state, or any citizen thereof pursuant to Wis. Stat. § 87.30.

Attachment: Exhibit A: Draft Model Ordinance (ORDINANCE 2024-1662 : FEMA Model Ord)

National Flood Insurance Program

Community Rating System

A Local Official's Guide to Saving Lives, Preventing Property Damage, and Reducing the Cost of Flood Insurance

FEMA B 573 / 2018

FEMA

The Community Rating System Works

Every year, flooding causes hundreds of millions of dollars' worth of damage to homes and businesses around the country. Standard homeowners and commercial property insurance policies do not cover flood losses. To meet the need for this vital coverage, the Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP).

The NFIP offers reasonably priced flood insurance to all properties in communities that comply with minimum standards for floodplain management.

The NFIP's Community Rating System (CRS) credits community efforts beyond those minimum standards by reducing flood insurance premiums for the community's property owners. The CRS is similar to—but separate from—the private insurance industry's programs that grade communities on the effectiveness of their fire suppression and building code enforcement efforts.

CRS discounts on flood insurance premiums range from 5% up to 45% (see Table 1), based on CRS credit points that are awarded to communities. The discounts provic an incentive for communities to implement new flood protection activities that can help save lives a property when a flood occurs.

The CRS provides credit under 19 public information and floodplain management activities described i the *CRS Coordinator's Manual.*

You're probably already doing mar of these activities. To get credit, community officials will need to prepare documentation that verifie these efforts.

The CRS assigns credit points for e activity. Table 2 lists the activities the possible number of credit poin for each one. The table also shows average number of credit points communities earn for each activity These averages may give you a bet indication than the maximums of v your community can expect.

To be eligible for a CRS discount, y community must do Activity 310, Elevation Certificates. If you're a designated repetitive loss commun you must also do Activity 510, Floodplain Management Planning. other activities are optional.

Attachment: Exhiblt B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

Based on the total number of points your community earns, the CRS assigns you to one of ten classes. Your discount on flood insurance premiums is based on your class.

For example, if your community earns 4,500 points or more, it qualifies for Class 1, and property owners in the in the Special Flood Hazard Area (SFHA) get a 45% discount on their insurance premiums. If your community earn as little as 500 points, it's in Class 9 and property owners in the SFHA g a 5% discount. If a community doe not apply or fails to receive at least 500 points, it's in Class 10, and property owners get no discount.

Table 1, below, shows the number points required for each class and t corresponding discount.

Table 1.

How much discount property owners in your community can get

Rate Class	Discount for SFHA*	Discount for Non-SFHA**	Credit Points Required
1	45%	10%	4,500 +
2	40%	10%	4,000–4,499
3	35%	10%	3,500–3,999
4	30%	10%	3,500–3,499
5	25%	10%	3,000–2,999
6	20%	10%	2,500–2,499
7	15%	5%	1,500–1,999
8	10%	5%	1,000–1,499
9	5%	5%	500–999
10	0	0	0–499

* Special Flood Hazard Area

** Preferred Risk Policies are available only in B, C, and X Zones for properties that are shown to have a minimal risk of flood damage. The Preferred Risk Policy does not receive premium rate credits under the CRS because it already has a lower premium than other policies. Although they are in SFHAs, Zones AR and A99 are limited to a 5% discount. Premium reductions are subject to change.

Attachment: Exhiblt B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

Table 2.

What You Can Do to Get Credit

The CRS grants credit for 19 different activities that fall into four series:

Series 300	Public Information	Maximum Points*	Average Points
	This series credits programs that advise people about the flood hazard, flood insurance, and ways to reduce flood damage. The activities also provide data insurance agents need for accurate flood insurance rating.		
310	**Elevation Certificates** • Maintain FEMA elevation certificates for new construction in the floodplain. (At a minimum, a community must maintain certificates for buildings built after the date of its CRS application.)	116	38
320	**Map Information Service** • Provide Flood Insurance Rate Map information to those who inquire, and publicize this service.	90	73
330	**Outreach Projects** • Distribute outreach projects with messages about flood hazards, flood insurance, flood protection measures, and/or the natural and beneficial functions of floodplains.	350	87
340	**Hazard Disclosure** • Real estate agents advise potential purchasers of flood-prone property about the flood hazard. • Regulations require notice of the hazard.	80	14
350	**Flood Protection Information** • The public library and/or community's website maintains references on flood insurance and flood protection.	125	38
360	**Flood Protection Assistance** • Give inquiring property owners technical advice on how to protect their buildings from flooding, and publicize this service.	110	55
370	**Flood Insurance Promotion** • Assess flood insurance coverage within the community and implement a plan to promote flood insurance.	110	39
	Series 300 Total	981	3448

*Maximum and average points are subject to change. See the current *CRS Coordinator's M* for the latest information.

Attachment: Exhibit B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

Series 400	Mapping & Regulations	Maximum Points*	Avera Points
	This series credits programs that limit floodplain development or provide increased protection to new and existing development.		
410	**Floodplain Mapping** • Develop new flood elevations, floodway delineations, wave heights, or other regulatory flood hazard data for an area not mapped in detail by the flood insurance study. • Have a more restrictive mapping standard.	802	60
420	**Open Space Preservation** • Guarantee that currently open public or private floodplain parcels will be kept free from development. • Zone the floodplain for minimum lot sizes of 5 acres or larger.	2,020	509
430	**Higher Regulatory Standards** • Limit new buildings and/or fill in the floodplain. • Require freeboard. • Require soil tests or engineered foundations. • Require compensatory storage. • Require coastal construction standards in AE Zones. • Have regulations tailored to protect critical facilities or areas subject to special flood hazards (for example, alluvial fans, ice jams, subsidence, or coastal erosion).	2,042	270
440	**Flood Data Maintenance** • Keep flood and property data on computer records. • Use better base maps. • Maintain elevation reference marks.	222	115
450	**Stormwater Management** • Regulate new development throughout the water-shed to ensure that post-development runoff is no greater than pre-development runoff. • Regulate new construction to minimize soil erosion and protect or improve water quality.	755	132
	Series 400 Total	5,841	1,08

Attachment: Exhiblt B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

Series 500	Flood Damage Reduction	Maximum Points*	Avera Points
	This series credits programs that reduce the flood risk to existing development.		
510	**Floodplain Management Planning** • Prepare, adopt, implement, and update a comprehensive flood hazard mitigation plan using a standard planning process. • Prepare an analysis of the repetitive flood loss areas within the community. *Note: category C repetitive loss communities must receive credit for either the floodplain management plan or the repetitive loss area analysis, above.* • Prepare, adopt, implement, and update a plan to protect natural functions within the community's floodplain.	622	175
520	**Acquisition and Relocation** • Acquire and/or relocate floodprone buildings so that they are out of the floodplain.	2,250	195
530	**Flood Protection** • Protect existing floodplain development by floodproofing, elevation, or minor flood control projects.	1,600	73
540	**Drainage System Maintenance** • Have a program for and conduct annual inspections of all channels and detention basins; remove debris as needed.	570	218
	Series 500 Total	5,042	661

Attachment: Exhibit B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

Series 600	Flood Preparedness	Maximum Points*	Avera Point
	This series credits flood warning, levee safety, and dam safety projects.		
610	**Flood Warning and Response** • Provide early flood warnings to the public, and have a detailed flood response plan keyed to flood crest predictions.	395	254
620	**Levees** • Annually inspect and maintain existing levees; have a system for recognizing the threat of levee failure and/or overtopping, disseminating warnings, and providing emergency response; and coordinate with operators of critical facilities.	235	157
630	**Dams** • Have a high-hazard-potential dam that could affect the community; have a system for recognizing the threat of dam failure, disseminating warnings, planning and practicing emergency responses; and coordinating with operators of critical facilities.	160	35
	Series 600 Total	790	446
	All Series Total	12,654	2,53

Attachment: Exhiblt B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

Additional Credit

Your community can get additional credit for regulating development outside the SFHA to the same standards as development inside the SFHA. There is also credit for assessing future flood conditions, including the impacts of future development, urbanization, and changing weather patterns. See the *CRS Coordinator's Manual* for full details.

Many communities can qualify for what the CRS calls "state-based credit," based on the activities or regulations a state or regional agency implements within communities. For example, some states have disclosure laws eligible for credit under Activity 340 (Hazard Disclosure). Any community in those states can receive the state-based credit.

Your community may want to consider floodplain management activities not listed in the *CRS Coordinator's Manual.* You sho evaluate these activities for their ability to increase public safety, reduce property damage, avoid economic disruption and loss, and protect the environment. In additic you can request a review of these activities to determine whether the could be eligible for CRS credit. FEI welcomes innovative ways to prev or reduce flood damage.

Attachment: Exhiblt B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

How to Apply

Participation in the CRS is voluntary. If your community is in full compliance with the rules and regulations of the NFIP, you may apply. There's no application fee, and all CRS publications are free.

Your community's chief executive officer (your mayor, city manager, or other top official) must appoint a CRS coordinator to serve as the liaison between the community and FEMA. The coordinator should know the operations of all departments that deal with floodplain management and public information. And the coordinator should be able to speak for the community's chief executive officer.

To begin the application process, your community submits a letter of interest to your FEMA Regional Office and documents that you are implementing floodplain management activities that warrant at least 500 CRS credit points. On the CRS Resources website (www.CRSresources.org) you can find a sample letter; the CRS Quick Check, a tool that helps you assess your community's possible credit points; and further instructions.

You may also want to download fr that website a copy of the *CRS Coordinator's Manual,* which describes the program in full and provides specific information, including eligible activities, require documentation, and resources for assistance.

Help is also available through the contact information below.

CRS-related materials and many m resources are available at the CRS Resources website and on FEMA's website (https://www.fema.gov/ national-flood-insurance-program community-rating-system).

After your community applies for a CRS classification, the CRS will veri the information and arrange for flo insurance premium discounts.

For more info, write, phone, or fax:

NFIP/CRS
P.O. Box 501016
Indianapolis, IN 46250-1016
(317) 848-2898
Fax: (201) 748-1936
e-mail: nfipcrs@iso.com

Attachment: Exhibit B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

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Attachment: Exhiblt B: CRS Guide (ORDINANCE 2024-1662 : FEMA Model Ord)

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Attachment: 04-09-24_Accela minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

COMMON COUNCIL
Regular Meeting
Tuesday, April 9, 2024 - 7:30 PM
or Immediately Following the
Mequon Municipal Water Utility Meeting
Christine Nuernberg Hall

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 7:55 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 Kathleen Schneider
Alderman William Gebhardt

Also present: City Administrator Jones, City Attorney Sajdak, City Clerk Fochs, Assistant City Administrator/HR Director Schoenemann, City Engineer/Public Works Director Lundeen, Community Development Director Tollefson, Finance Director Engroff, SOFD Chief Bialk, Police Chief Pryor, press and interested public.

4) Personal Appearances and Public Comment:

Mr. John Wirth expressed thanks to Alderwoman Kathleen Schneider for her service the last six years.

5) Public Officials' Reports:

a) Mayor: None.

b) City Administrator: None.

6) Consent Agenda:

a) Common Council meeting minutes of March 12, 2024.
b) Architectural Board meeting minutes of February 12, 2024.
c) Board of Police Commissioners meeting minutes of June 6, 2023.
d) Festivals Committee meeting minutes of February 21, 2024.
e) Finance-Personnel Committee meeting minutes of February 13, 2024.
f) Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes of February 8, 2024.
g) Planning Commission meeting minutes of February 19, 2024.
h) Public Safety Committee meeting minutes of February 13, 2024.
i) Public Welfare Committee meeting minutes of February 13, 2024.
j) Public Works Committee meeting minutes of February 13, 2024.
k) Zoning Enforcement and Site Compliance Report Through April 1, 2024.
l) 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 2024-1661** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, in Connection with Clarifying Certain Definitions, Design Standards and Location Standards for Residential Development within the City's Town Center and Arrival Corridor Zoning Districts.

RESULT: **First Reading**

2) **ORDINANCE 2024-1662** - An Ordinance Repealing and Recreating Article XI within Chapter 58 of the Mequon Municipal Code, as it Relates to Floodplain Zoning.

RESULT: **First Reading**

3) **ORDINANCE 2024-1663** - An Ordinance Repealing and Recreating the City of Mequon Aldermanic District Map, Due to 2024 Senate and Assembly Redistricting.

RESULT: **First Reading**

Motion to approve the monthly list of minutes and reports, Consent Agenda Items A-K.

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

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

Attachment: 04-09-24_Accela minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

7) Ordinance:

a) **ORDINANCE 2024-1660** - An Ordinance Amending Chapter 14 of the Mequon Municipal Code, in Connection with Reporting Requirements for Auctions and Secondhand Stores.

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

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

Motion to suspend the rules and take action on **RESOLUTION 4116**.

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

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

RESOLUTION 4116 A Resolution Approving a Pre-Development Agreement with the Rotary Club of Thiensville-Mequon for Development of an All-User Inclusive Playground at Rotary Park.

Former Mayor John Wirth spoke on behalf of the Noon-Time Rotary Club, Morning Rotary Club, and Rotary Foundation. The next project they propose is an all-user playground at Rotary Park to make the park more accessible to all age groups. Their proposed first phase is to fund a new playground and its equipment. His hope is that the Common Council will give its blessing to this project so that the fund raising, planning, focus groups can continue. They will come back to the Council with plans for review and for construction approval.

This will be a very welcome public/private partnership.

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

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Gebhardt
ABSTAIN:	Schneider

8) Resolutions:

a) **RESOLUTION 4110** - A Resolution Dissolving Tax Incremental District No. 2, and Authorizing Distribution of Excess Incremental Revenue to the Affected Taxing Jurisdictions.

Attachment: 04-09-24_Accela minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

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

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

b) **RESOLUTION 4111** - A Resolution Approving Revisions to the Mequon Ward Listing, Ward Map and Polling Site Designations, Due to 2024 Senate and Assembly Redistricting.

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

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

c) **RESOLUTION 4112** - A Resolution Approving Award of the 2024 GSB-88 Bituminous Seal Contract to Fahrner Asphalt Sealers, of Wanaukee, Wisconsin in an Amount Not-to-Exceed $97,000.

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

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

d) **RESOLUTION 4113** - A Resolution Approving the Purchase of a Land Pride AFM4522 Batwing Finish Mower from John P. Lochen Co., Inc., of Newburg, Wisconsin in the Amount of $34,900.

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

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

e) **RESOLUTION 4115** - A Resolution Awarding a Contract for an Update to the Comprehensive Park, Recreation & Open Space Plan to MSA Professional Services, Inc., of Mequon, Wisconsin, in an Amount Not-to-Exceed $50,500.

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

Attachment: 04-09-24_Accela minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

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

f) **RESOLUTION 4116** was the first resolution to be addressed.

g) **RESOLUTION 4114** - A Resolution Approving the Southern Ozaukee Fire & EMS Department's Capital Improvement Budget Amendment to Authorize the Purchase of a 2026 Ford Ambulance from Life Line Emergency Vehicles of Sumner, Iowa, in the Amount of $365,144.

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

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

9) Specified Unfinished Business From Prior Meetings: None.

10) Specified New Business: None.

11) Potential Closed Session:

a) Potential Purchase Offer for the Property Located at 11340 N. Cedarburg Road: The Common Council may convene into closed session pursuant to Wis. Stat.19.85(1)(e), for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as deemed appropriate.

Motion to go into Closed Session to discuss the Potential Purchase Offer for the Property Located at 11340 N. Cedarburg Road.

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

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt, Nerbun

The Common Council convened into Closed Session at 8:16 PM.

12) Adjourn

Hearing no objection, the meeting adjourned at 8:39 PM.

Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk

Attachment: 04-09-24_Accela minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

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Office of the City Clerk
Taped and Televised

draft

COMMON COUNCIL
Annual Organizational Meeting
Tuesday, April 16, 2024
7:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order

2) Pledge of Allegiance

3) Roll Call

Present:
Mayor Andrew Nerbun
Alderman Dale Mayr
Alderman Jeffrey Hansher
Alderman Gregg Bach
Alderman Brian Parrish
Alderman Kathleen Schneider
Alderman William Gebhardt
Alderman Robert Strzelczyk - **Excused**
Alderman Kelly Tolocko - **Excused**

Also present: City Administrator Jones, City Attorney Sajdak, City Clerk Fochs, Assistant City Administrator/HR Director Schoenemann, press and interested public.

4) Report of April 2, 2024 Election Results

City Clerk Fochs reported that Brian Parrish was re-elected to District 6 for a three-year term, Peter Bratt was elected to District 7 for a three-year term and Bill Gebhardt was re-elected to District 8 for a three-year term.

5) Recognition of Outgoing Council Member

a) Kathleen Schneider

Mayor Nerbun read a proclamation for outgoing Alderwoman Kathleen Schneider, outlining her seven years of service to the city.

Attachment: 04-16-24_Draft Organizational minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

6) City Clerk to Administer Oaths of Office to:

a) Alderman Brian Parrish, District 6

b) Alderman Peter Bratt, District 7

c) Alderman Bill Gebhardt, District 8

City Clerk Fochs administered the oaths of office to the newly elected aldermen.

7) Election of Common Council President

a) Nominations

Motion to nominate Alderman Dale Mayr for Common Council President.

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

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

b) Election

The Mayor declared Alderman Mayr the new Common Council President.

8) Nominations and Election of Committee Members

a) Nomination by Common Council President

i) Planning Commission

Common Council President Mayr recommended Alderman Strzelczyk as the Aldermanic Representative to the Planning Commission and Alderman Parrish as the Alternate.

ii) Finance-Personnel Committee

Common Council President Mayr recommended Alderman Strzelczyk, Alderman Parrish and Alderman Gebhardt as the Aldermanic Representatives to the Finance-Personnel Committee.

iii) Public Safety Committee

Common Council President Mayr recommended Alderman Tolocko, Alderman Mayr and Alderman Bach as the Aldermanic Representatives to the Public Safety Committee.

iv) Public Welfare Committee

Common Council President Mayr recommended Alderman Mayr, Alderman Bach and Alderman Parrish as the Aldermanic Representatives to the Public Welfare Committee.

Attachment: 04-16-24_Draft Organizational minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

v) Public Works Committee

Common Council President Mayr recommended Alderman Tolocko, Alderman Hansher and Alderman Bratt as the Aldermanic Representatives to the Public Works Committee.

vi) Economic Development Board

Common Council President Mayr recommended Alderman Gebhardt as the Aldermanic Representative to the Economic Development Board and Alderman Hansher as the Alternate.

vii) Frank L. Weyenberg Library Board of Trustees

Common Council President Mayr recommended Alderman Hansher as the Aldermanic Representative to the Frank L. Weyenberg Library Board of Trustees and Alderman Bratt as the Alternate.

viii) Park and Open Space Board

Common Council President Mayr recommended Alderman Bratt as the Aldermanic Representative to the Park and Open Space Board and Alderman Bach as the Alternate.

b) Common Council Confirmation by Majority Vote

Motion to approve all the Common Council President's recommendations for Item 8.

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

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

9) Designation of Official City Newspaper

City Clerk Fochs recommends designating the News Graphics as the City's official newspaper.

Motion to approve the News Graphics as the Official Newspaper.

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

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

10) Mayoral and Aldermanic Appointments

Motion to replace Alderman Mayr with Alderman Bach as the Director of the Southern Ozaukee Fire and EMS Board of Directors and to approve all Mayoral and Aldermanic appointments.

Attachment: 04-16-24_Draft Organizational minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

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

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

11) Other Business: None.

12) Adjourn

Motion to adjourn at 7:26 PM.

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

AYES:	Mayr, Hansher, Bach, Parrish, Gebhardt

Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk

Attachment: 04-16-24_Draft Organizational minutes (9273 : Common Council meeting minutes of April 9 and April 16, 2024)

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INSPECTION DIVISION

Attachment: Arch Brd mins 03-11-24 (9270 : Architectural Boad meeting minutes of March 11, 2024)

ARCHITECTURAL BOARD MINUTES
Monday, March 11, 2024
6:00 PM
Lower-Level Conference Room

Minutes

1. **Call to Order, Roll Call:**

Present:	Chairman Scott Reed
Members at Large:	Michael Wade, Tom Irvin, Janet Ehn
Building Inspector:	Greg Golden

2. **Meeting Minutes**

Minutes from the February 12, 2024, meeting were approved with the condition that Curtis Helm's name should be omitted from the attendance. Motion was approved by District Representative Tom Irvin and seconded by District Representative Michael Wade.

Minutes were approved unanimously.

3. **Application Submittals:**

No.	Alder. District /Time	Type of App	Owner(s) / Project Address	Contractor
1)	Dist. 6 6:00 pm	**Addition:** **1st Floor Sitting Area, Bathroom & 2nd Floor Bedroom Suite**	Gary Skiff 2116 W. Donges Bay Road Subd: N/A	Contractor: Owner Architect: Andrew Risch

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

Conditions: Plans approved as submitted with the following conditions:
1. Add grids to the top half of the windows on the second story to match existing windows.
2. Siding and roof of the addition should be consistent with existing.
3. 4" corner boards to meet new and existing siding for transition. (Similar to garage addition).

2)	Dist. 7 6:10 pm	**Detached Garage**	William Dowsett 4843 W. Glen Cove Court Subd: Sleepy Hollow Estates	Contractor: JD Griffiths Co. Architect: JD Griffiths Co.

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

Conditions: Plans approved as submitted with the conditions:
1. Windows will be single/double hung with grids to match the house.
2. Addition of shutters on all windows.

3)	Dist. 7 6:20 pm	**New Single-Family Residence**	Amul & Breanne Shah 10727 N. Torrey Drive Subd: Torrey Drive Estates	Contractor: Victory Homes of WI Architect: David Pluim

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

Conditions: Plans approved as submitted.

Attachment: Arch Brd mins 03-11-24 (9270 : Architectural Boad meeting minutes of March 11, 2024)

4)	Dist. 7 6:25 pm	**New Single-Family Residence**	Vikram Goyal & Arthi Susai 3600 W. Torrey Drive Subd: Torrey Drive Estates	Contractor: Victory Homes of WI Architect: David Pluim

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

Conditions: Plans approved as submitted with the following condition:
1. On left elevation, add one more window to match existing and then center the two.

5)	Dist. 8 6:30 pm	**New Single-Family Residence**	Mark & Maria Alt 11000 N. Lake Shore Drive Subd: N/A	Contractor: Lakeside Dev. Co. Architect: Todd Rabidoux

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

Conditions: Plans approved as submitted.

6)	Dist. 8 6:35 pm	**Addition: Kitchen & Walk-in Closet**	Jay Schmidt 106 W. Dogwood Court Subd: Beechwoods Farm	Contractor: Owner Architect: Owner

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

Conditions: Plans approved as submitted with the following conditions:
1. All windows should have grids to match existing ones.
2. On front elevation, the upper half-moon window (walk-in closet) will be removed and the new window will match the two lower windows on the garage, including shutters.
3. All new material to match existing.

Attachment: Arch Brd mins 03-11-24 (9270 : Architectural Boad meeting minutes of March 11, 2024)

7)	Dist. 1 6:45 pm	**Addition:** **Attached 2-Car Garage & Living Room**	Kate Brendemuehl 11315 W. Freistadt Road Subd: N/A	Contractor: Owner Architect: Zuern Design Ctr.

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

Conditions: Plans approved as submitted with the following conditions:
1. Materials to match; all windows are being replaced along with new siding.
2. Stone removed on existing.

8)	Dist. 1 6:55 pm	**Detached 2-Car Garage**	Jason & Dawn Moll 12000 W. Highland Road Subd: N/A	Contractor: Owner Architect: Owner

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

Conditions: Plans approved as submitted with the following condition:
1. Add one double-hung window on North (back) elevation so that it matches the window on the East elevation.

9)	Dist. 1 7:05 pm	**New Single-Family Side x Side Condominium**	David Hoff 12452/12458 N. Woods Court Subd: The Woods at Highland Park	Contractor: Northtract Construction Architect: Architectural Dev. Srv.

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

Conditions: Plans approved as submitted.

Attachment: Arch Brd mins 03-11-24 (9270 : Architectural Boad meeting minutes of March 11, 2024)

10)	Dist. 2 7:10 pm	**Addition:** **Breezeway & Pergola**	Omer Ben Avraham 4430 W. Grace Avenue Subd: Community Terrace	Contractor: Owner Architect: Owner

Moved to Approve: Reed
Seconded by: Irvin
Approved: Yes
Vote: 3-Approved, 1-Opposed (Wade)

Conditions: Plans approved as submitted.

11)	Dist. 2 7:20 pm	**New Single-Family Residence**	Vlad Girgul 12645 N. Rotary Park Court Subd: N/A	Contractor: Adamant Homes Architect: Adamant Homes

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

Conditions: Plans approved as submitted with the following condition:
1. Add casement windows on West Elevation to match the rest of elevation windows.

12)	Dist. 3 7:25 pm	**New Single-Family Residence**	Veridian Homes LLC 8040 W. Preserve Parkway Subd: The Enclave	Contractor: Veridian Homes Architect: Veridian Homes

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

Conditions: Plans approved with the following condition:
1. Add a single or double hung window to rear elevation (garage) that is consistent with the kitchen window.

Attachment: Arch Brd mins 03-11-24 (9270 : Architectural Boad meeting minutes of March 11, 2024)

13)	Dist. 3 7:30 pm	**New Single-Family Residence**	Veridian Homes LLC 7980 W. Preserve Parkway Subd: The Enclave	Contractor: Veridian Homes Architect: Veridian Homes

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

Conditions: Plans approved with the following condition:
1. Add window (72 x 24) to left elevation to match garage window with prairie style grids.

14)	Dist. 4 7:35 pm	**Shed**	Timothy Stanford 5253 W. Westfield Road Subd: Cedar Acres	Contractor: Owner Architect: Owner

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

Conditions: Plans approved as submitted with the following conditions:
1. Materials and color to match the house.
2. Windows should contain grids to match home visually.
3. Add a window to the West Elevation to match the window on the South Elevation.

4. **Action:**

District Representative Tom Irvin made a motion to adjourn the meeting.
Chairman Scott Reed seconded the motion.

A vote was taken; vote was passed unanimously.

Meeting adjourned at 7:20 p.m.

Attachment: Arch Brd mins 03-11-24 (9270 : Architectural Boad meeting minutes of March 11, 2024)

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Attachment: 01-04-24 Board of Appeals minutes (9338 : Board of Appeals meeting minutes of January 4, 2024)

BOARD OF APPEALS
Thursday, January 4, 2024
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Chairman Massey called the meeting to order at 6:00 PM.

Present:
Chair Kathleen Massey
Vice Chair Joseph Russell
Board Member Ramona Larson
Board Member Steve Helfer
Board Member Thomas Flanagan -- **Absent**
Board Member Robert Stern -- **Absent**
Board Member Kirsten Hildebrand -- **Excused**

Also present: City Attorney Brian Sajdak, City Clerk Caroline Fochs, Building Inspections Supervisor Greg Golden, Andrej Sitarski, General Manager of About Nature, LLC, and interested public.

2) Approve meeting minutes of November 2, 2023

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Board Member Russell
SECONDED BY: Helfer

AYES: Massey, Russell, Larson, Helfer

3) Hear evidence concerning; debate, deliberate and decide the request of:

a. Applicant: Kevin Walenta
Owner: Kevin Walenta
Appeal: Opportunity will be afforded to all interested in being heard concerning the petition by Kevin Walenta requesting a variance from Section 58-416(c)(2) of the City of Mequon Code of Ordinances in order to construct a floating staircase system at 11300 N. Lakeview Place.

Hearing no objection, Chairman Massey opened the public hearing, stated the variance appeal and the process.

All parties appearing before the Board of Appeals were sworn.

The Building Inspector Supervisor, Mr. Golden, stated that the City believes a floating staircase is a structure and therefore per Mequon Code 58-416(c)(2) shall be set back at least 75 feet from the top edge of the Lake Michigan bluff at the time of construction. The proposed plans for the floating staircase have a less than 75-foot setback. Discussion ensued on the definitions of building vs. structure. City Attorney Sajdak stated that the City's view is that the proposed staircase is a structure and more than 6 inches above ground and therefore subject to the 75-foot setback requirement.

Appellant Mr. Walenta provided an introduction and background about Mr. Sitarski and Above Nature, LLC, the company who designed the proposed staircase. In the past 15 years they have built numerous staircases along the Lake Michigan shoreline, including at Virmond Park, the County-owned park located in Mequon. He explained that the anchors for the staircase are permanently embedded into the ground at 75 feet from the bluff and the staircase can be adjusted with the cables if bluff conditions change. He believes the current ordinance was written to protect homeowners from the dangers of bluff erosion while also providing environmental protection for the bluff. The practical difficulties he faces are: 1) the ordinance is outdated and irrelevant as technology has improved and traditional staircases are not the only option available; 2) the top half of his bluff is too steep to access the bottom half of his bluff without a safe, reliable system; 3) his property is "unique" in that neighboring properties have less steep bluffs; 4) there is no safe access to his property without the proposed staircase and Code 58-419(c)(2) allows structures, other than buildings, which are anchored to supports and less than 4 1/2 feet of height to be constructed within the 75 foot setback.

Discussion ensued on the staircase at Virmond Park. Mr. Sitarski stated that conceptually it is identical to the one proposed by the appellant. City Attorney Sajdak stated that the Virmond Park staircase was not given any permits or approvals by the City of Mequon. There is a legal disagreement between the County and Mequon on whether our zoning codes apply to the county park property. After meetings with the County, both sides have agreed to withhold on enforcement of the code at this time and monitor this as a test case to study the impacts. Mequon's Common Council is scheduled to review the Code as it relates to this case later this year.

Mr. Walenta mentioned the 15-year successful track record of the floating staircase systems. He proposed a staircase seven years ago and discussed the project with City staff. It was disallowed. The costs increase the longer he waits. No one but About Nature, LLC designs the floating staircase. He does not want to wait for the ordinance to be reviewed and amended.

Discussion ensued on the ability of the Board of Appeals to recommend the Common Council to review the current ordinances in a timely manner. Bluff conditions are constantly

Attachment: 01-04-24 Board of Appeals minutes (9338 : Board of Appeals meeting minutes of January 4, 2024)

changing, priorities change while conducting city business, and there is another homeowner that would be interested in an ordinance revision. The system is not designed to be removed between seasons. Mr. Sitarski explained that there is nothing from the edge of the bluff to the 75-foot setback that is above 6 inches. The platform is about 5 inches and sits on the edge of the bluff and the cables lay flat on the ground or are buried under the soil. The anchors are 75 feet from the bluff. He further stated that over the 15 years he has built such staircases there has not been a collapse to-date. The Virmond Park bluff is eroding but the staircase is holding. The staircase maintenance is performed by the homeowners or with company assistance. The structure is not more than 6 inches above ground and therefore does not require a permit. The height of the proposed stairs is 124 feet. The platform is not a necessity but rather a convenience and could be removed from the plan. Stairs are typically 3 feet or wider.

Discussion ensued on the steepness of his bluff and the possibility to grade the bluff. His is not the only really steep bluff. It is thought that in order to grade his bluff he would lose approximately 40 feet of his backyard. He maintains that building a traditional staircase would be money wasted because it could not withstand erosion over the years.

Motion to close the public hearing.

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Board Member Russell
SECONDED BY:	Board Member Larson
AYES:	Massey, Russell, Larson, Helfer

Board discussion ensued.

- The Board can only enforce code 58-416(c)(2), they cannot rewrite it.
- This code may be outdated.
- The platform portion of the proposed staircase is a permanent structure.
- No unique condition on the appellant's property to be able to grant a variance.
- What is the durability of this type of staircase?
- No showing of hardship for the subject property.
- The matter should be addressed by the Common Council regarding amending the ordinance.

Board Member Helfer moved to grant the variance to construct a floating staircase.

The motion died due to a lack of a second.

Motion to deny the request for a variance pursuant to 58-416(c)(2) and a recommendation to the Common Council that they consider this issue of Mr. Walenta, along with the other similar issues, in at their meeting in March.

Attachment: 01-04-24 Board of Appeals minutes (9338 : Board of Appeals meeting minutes of January 4, 2024)

RESULT:	**Approved by Roll Call Vote [3 to 1]**
MOVED BY:	Board Member Massey
SECONDED BY:	Board Member Russell

AYES:	Massey, Russell, Larson
NAYS:	Helfer

4) Adjourn

Motion to adjourn at 7:18 PM.

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Board Member Russell
SECONDED BY:	Board Member Helfer

AYES:	Massey, Russell, Larson, Helfer

Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk
Approved 05-02-24

Attachment: 01-04-24 Board of Appeals minutes (9338 : Board of Appeals meeting minutes of January 4, 2024)

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FESTIVALS COMMITTEE
Wednesday, March 20, 2024
6:30 PM
North Conference Room

Minutes

1) Call to Order, Roll Call

Present:
Chair Miranda White
Committee Member Brett Benson
Committee Member Jenne Hohn
Committee Member Laeh McHenry
Committee Member Christine McLean
Vice Chair Deanna Conaty -- **Absent**
Committee Member Tracy Johnson -- **Absent**
Committee Member Lisa Liljegren -- **Absent**
Committee Member Moshe Luchins -- **Absent**
Vanessa Nerbun -- **Absent**

Also Present: Executive Assistant Enea

2) Approval of Meeting Minutes
   a. February Minutes

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Committee Member McHenry
SECONDED BY:	Committee Member Hohn

AYES:	White, Benson, Hohn, McHenry, McLean
ABSENT:	Conaty, Johnson, Liljegren, Luchins, Nerbun

3) Sponsors

Executive Assistant summarized the current sponsors:
-Kohler Credit Union is back as a top sponsor
-Sommer's Automotive will be the Fireworks Sponsor
-Toss it Disposal will be an in-kind sponsor by providing one complimentary dumpster
-Elite Fitness will be an in-kind sponsor by providing inflatables for the Children's Area

Attachment: Festival Minutes 03-20-24 (9359 : Festivals Committee meeting minuites of March 20, 2024)

At the next meeting, Committee members will be assigned Sponsors to follow-up with.

4) Vendor Update
    1. Vendor List

    The Committee reviewed Frankie's vendor application and moved to accept it.
    RESULT: **Approved by Voice Acclamation [Unanimous]**
    MOVED BY: Committee Member White
    SECONDED BY: Committee Member Hohn

AYES:	White, Benson, Hohn, McHenry, McLean
ABSENT:	Conaty, Johnson, Liljegren, Luchins, Nerbun

5) Contracts
    a. Area Rental
        1. Stage
        RESULT: **Approved by Voice Acclamation [Unanimous]**
        MOVED BY: Committee Member White
        SECONDED BY: Committee Member McLean

AYES:	White, Benson, Hohn, McHenry, McLean
ABSENT:	Conaty, Johnson, Liljegren, Luchins, Nerbun

    b. Photographer
        1. John O'Hara
        RESULT: **Approved by Voice Acclamation [Unanimous]**
        MOVED BY: Committee Member White
        SECONDED BY: Committee Member Benson

AYES:	White, Benson, Hohn, McHenry, McLean
ABSENT:	Conaty, Johnson, Liljegren, Luchins, Nerbun

    c. Dumpsters
        1. Toss It Disposal
        RESULT: **Approved by Voice Acclamation [Unanimous]**
        MOVED BY: Committee Member White
        SECONDED BY: Committee Member McHenry

AYES:	White, Benson, Hohn, McHenry, McLean
ABSENT:	Conaty, Johnson, Liljegren, Luchins, Nerbun

    d. Fireworks
        1. Fireworks Agreement
        RESULT: **Approved by Voice Acclamation [Unanimous]**
        MOVED BY: Committee Member White
        SECONDED BY: Committee Member Hohn

Attachment: Festival Minutes 03-20-24 (9359 : Festivals Committee meeting minuites of March 20, 2024)

AYES:	White, Benson, Hohn, McHenry, McLean
ABSENT:	Conaty, Johnson, Liljegren, Luchins, Nerbun

e. Sound/Lights

1. Kim Guibord

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Committee Member White
SECONDED BY: Committee Member McHenry

AYES:	White, Benson, Hohn, McHenry, McLean
ABSENT:	Conaty, Johnson, Liljegren, Luchins, Nerbun

6) Other Items

Homestead High School has been contacted to confirm the use of their parking lot for festival attendees to use. Johnson Bus has also been confirmed for shuttle service. The reservation for 2 ATMS has been made. Also, PNC approached the Committee about providing volunteers, popcorn, snow cones, etc. at Taste of Mequon and Winter Wonderland. A meeting is scheduled with More Happy Kitchens in April to discuss possible collaboration ideas like they did at Cedarburg's Winter Fest.

7) Next Meeting Date and Time

A. April 22 at 6:30 PM

8) Adjourn

Chair White moved to adjourn at 7:02 PM and Member Hohn seconded.

Respectfully Submitted,

Carrie Enea
Executive Assistant

Attachment: Festival Minutes 03-20-24 (9359 : Festivals Committee meeting minuites of March 20, 2024)

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FINANCE-PERSONNEL COMMITTEE
Tuesday, March 12, 2024
6:00 PM
North Conference Room

Minutes

1) Call to Order, Roll Call

Present:
Mayor Andrew Nerbun
Alderman William Gebhardt
Alderman Brian Parrish
Alderman Robert Strzelczyk

Also Present: William Jones, City Administrator, Jennifer Engroff, Finance Director, Marie Keyser, Assistant Finance Director, Kimberly Tollefson, Community Development Director, Jac Zader, Assistant Community Development Director and Kristen Fish-Peterson, Redevelopment Resources.

2) Approve Meeting Minutes
   a. February 13, 2024 Finance-Personnel Meeting Minutes

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

AYES:	Gebhardt, Parrish, Strzelczyk

3) Vouchers Paid
   a. February 2024 Vouchers Paid List

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

AYES:	Gebhardt, Parrish, Strzelczyk

Attachment: Finance Personnel mins 03-12-24 (9275 : Finance-Personnel Committee meeting mintues of March 12, 2024)

4) Resolutions

a. **RESOLUTION 4104** A Resolution Clearing the Personal Property Tax Roll of Delinquent Accounts Deemed Uncollectible for Tax Roll Year 2022

Director Engroff informed the Committee that delinquent personal property taxes are cleared from the City's tax roll after the end of a two-year collection cycle, as collection efforts to date have not resulted in payment. All closed businesses will be written off and charged back to the proper taxing jurisdictions. All open or doomage businesses will be sent to Waukesha County for further collection efforts.

Wisconsin personal property was repealed effective January 1, 2024. As a result, the annual process of clearing the personal property tax roll will end after next year with the writing off of the 2023 tax bills.

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

AYES:	Gebhardt, Parrish, Strzelczyk

b. **RESOLUTION 4105** A Resolution Authorizing Execution of a Professional Services Agreement for Completion of a Real Estate Market Analysis of the Port Washington Road Corridor Between County Line Road and Glen Oaks Lane with Redevelopment Resources of Madison, Wisconsin, in an Amount Not-to-Exceed $69,710

Assistant Director of Community Development Zader informed the Committee that back in September 2023, the Economic Development Board (EDB) directed staff to develop a RFP for a market analysis for the Port Washington Road commercial corridor. One proposal (Redevelopment Resources) was received after staff extended the RFP deadline to modify the scope of the project. EDB members and staff met with the firm to discuss the proposal in late January. After the discussion, Redevelopment Resources drafted a final version of their proposal based on further learning the needs of the City.

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

AYES:	Gebhardt, Parrish, Strzelczyk

c. **RESOLUTION 4106** A Resolution Amending the City’s FY2024 Compensation Plan, in Connection with Establishment of a Full-Time Management Intern Position During 2024-2025

City Administrator Jones reminded the Committee of the Strategic Plan that was adopted by the Common Council in mid-2022. The plan includes several identified priorities, goals and objectives. With the wide range of initiatives, staff is recommending the City serve as a host community for the 2024-2025 Management Fellow Program administered by the International City County Management Association (ICMA). Under the program, the City would hire a recently graduated student with a master's degree in public administration to work in the community for one year. The Management Intern would receive broad exposure to City operations and provide support to all departments.

Attachment: Finance Personnel mins 03-12-24 (9275 : Finance-Personnel Committee meeting mintues of March 12, 2024)

Committee members encouraged staff to think about a more narrow focus should the City want to complete some larger projects instead of the scope of work/deliverables being too broad.

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

AYES: Gebhardt, Parrish, Strzelczyk

5) Information Items
   a. Review of Proposed Financial Policy Change Recommendations

   One suggestion was proposed to have language in the purchasing policy to not approve contracts that have "automatic renewals" stated in them.

   b. Finance & Personnel Work Plan

6) Adjourn

A motion to adjourn was made at 6:31 PM by Alderman Parrish, seconded by Alderman Gebhardt. All voted in favor "aye."

Respectfully Submitted,

Marie Keyser
Assistant Finance Director

Attachment: Finance Personnel mins 03-12-24 (9275 : Finance-Personnel Committee meeting mintues of March 12, 2024)

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Public Works Department

Joint Mequon-Thiensville Bike and Pedestrian Way Commission
Thursday, March 14, 2024
9:00 AM
North Conference Room

Minutes

1. Call to Order, Roll Call

Present:
Commissioner Kenneth Maciolek
Commissioner Jim Doornek
Commissioner Ron Heinritz
Commissioner Rob Holyoke
Commissioner John Liegeois
Commissioner Kristin Wade

Absent:
Chair T. Azinger

Also in attendance was David Schlageter from Rails to Trails, City Engineer/Director of Public Works Lundeen, Assistant City Engineer McCraw, and Engineering Administrative Assistant Redeker.

2. Approval of Meeting Minutes
   a. February 8 2024 Minutes

David Schlageter was present to announce the Rails to Trails Opening Day.

RESULT: **Approved [Unanimous]**
MOVED BY: Holyoke
SECONDED BY: Commissioner Heinritz

AYES:	Maciolek, Doornek, Heinritz, Holyoke, Liegeois, Wade

Attachment: Joint Bikeway Comm minutes_03-14-24 (9299 : Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes

Attachment: Joint Bikeway Comm minutes_03-14-24 (9299 : Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes

3. Discussion/Action Items

a. Planning Study RFP Scope of Services

The Joint Mequon-Thiensville Bike and Pedestrian Way Commission Planning Study Request for Proposals (RFP) timeline was discussed. Motion to present the RFP to consultants was made by Commissioner Doornek and seconded by Commissioner Holyoke, motion was approved unanimously.

RESULT: **Approved [Unanimous]**
MOVED BY: Commissioner Doornek
SECONDED BY: Holyoke

AYES:	Maciolek, Doornek, Heinritz, Holyoke, Liegeois, Wade

b. Safety Concerns of the Ozaukee Interurban Trail Alignment near the We Energies Substation and Railroad

The safety of the OIT railroad crossing near the WE Energies substation between Highland Rd and Bonniwell Rd was discussed. The safety concerns involve the "maze" of chain-link fence that bicyclists and pedestrians must navigate in order to cross the railroad tracks. Commissioner Heinritz made a motion to draft a letter to the Office of the Commissioner of Railroads expressing the commission's concerns. The motion was seconded by Commissioner Doornek and approved unanimously.

RESULT: **Approved [Unanimous]**
MOVED BY: Commissioner Heinritz
SECONDED BY: Commissioner Doornek

AYES:	Maciolek, Doornek, Heinritz, Holyoke, Liegeois, Wade

c. Update an Review of Existing and Proposed Off-Road Bike and Pedestrian Paths in Mequon, Thiensville, and Surrounding Communities

Commissioner Doornek gave an informational presentation regarding connectivity concerns within Mequon as well as with surrounding communities.

d. Electric Bike Regulation Discussion

Commissioner Liegeois presented information on current e-bike regulations in Wisconsin. Discussion ensued regarding the information provided.

e. Pedestrian and Bicycle Incidents in the City of Mequon

Information was obtained from the Mequon Police Department as well as the Wisconsin State Crash Portal. Decision was made to discuss the information more thoroughly at next month's meeting, 4/11/2024.

4. Other Business

Commissioner Maciolek will reach out to a reporter that has attempted contact regarding a previous meeting agenda item.

David Schlageter annouced that Rails to Trails will hold their opening day festivities in the Spur 16 parking lot on April 27, 2024.

5. Adjourn
   a. Adjourn at 10:38 AM

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Commissioner Wade
SECONDED BY:	Commissioner Heinritz

AYES:	Maciolek, Doornek, Heinritz, Holyoke, Liegeois, Wade

Respectfully Submitted,

Kaye Redeker

Attachment: Joint Bikeway Comm minutes_03-14-24 (9299 : Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes

MEQUON WATER UTILITY

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Water Utility

MEQUON MUNICIPAL WATER UTILITY COMMISSION
Regular Meeting
Monday, October 30, 2023
6:30 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

The meeting was called to order at 6:30 PM.

Present:
Commissioner Andrew Nerbun
Commissioner Kelly Tolocko
Commissioner Dale Mayr
Commissioner Jeffrey Hansher
Commissioner Gregg Bach
Commissioner Brian Parrish
Commissioner Kathleen Schneider
Commissioner William Gebhardt
Commissioner Robert Strzelczyk -- **Excused**

Also present: City Administrator Jones, Director of Public Works/City Engineering Lundeen, Water Utility Supervisor Voigt, Finance Director Engroff, Assistant Finance Director Keyser, and Administrative Assistant Schlereth.

2) Approval of Meeting Minutes

a. October 10, 2023, Minutes

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Commissioner Schneider
SECONDED BY:	Commissioner Gebhardt

Attachment: 10-30-23 Water Utility Minutes (9356 : Mequon Municipal Water Utility Committion meeting minutes of October 30, 2023)

AYES: Nerbun, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
NOT PRESENT: Strzelczyk

3) Discussion and Possible Action

a. Request for the Reassignment of $1,500,000 in Undesignated Cash Reserves to One-Time Capital Projects

Clarification that the accumulated of the excess funds have been acquired since the inception of the water utility.

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

AYES: Nerbun, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
NOT PRESENT: Strzelczyk

b. Proposed FY 2024 Water Utility Budget

RESULT: **Approved by Roll Call Vote [Unanimous]**
MOVED BY: Commissioner Parrish
SECONDED BY: Commissioner Bach

AYES: Nerbun, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
NOT PRESENT: Strzelczyk

c. Authorization to Purchase 250 Water Meters and Associated Appurtenances in an Amount Not-to-Exceed $80,000

Staff clarified that readings are obtained from each water meter using a drive by system.

The past three generations of radios on the meters could use the drive by system, but moving forward the Water Utility will transition to a fixed based network.

The meter reading company, Itron will transition to using Wi-Fi to collect readings. Depending on advancing technology, upgrades to smart meters may be needed for the Water Utility to change over to Advanced Metering Infrastructure (AMI) reading system.

Every 20 years a water meter requires the measurement chamber changed. The radios on the meter also need batteries replaced about every 20 years.

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

Attachment: 10-30-23 Water Utility Minutes (9356 : Mequon Municipal Water Utility Committion meeting minutes of October 30, 2023)

AYES: Nerbun, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
NOT PRESENT: Strzelczyk

d. Authorization for the Mequon Water Utility to Exceed $25,000 for the Purchases and/or Services from Core and Main, Etna Supply, Grunau, Mid-City, MJ Construction and Rozga to Complete Projects as Needed During Fiscal Year 2024

Staff clarified that the Purchasing Policy requires vendors to be authorized to exceed $25,000 in annual work. A list of vendors staff anticipates may exceed for emergency repairs was presented to the Commission.

One Commissioner proposed the Common Council consider an increase to the Purchasing Policy.

RESULT: **Approved by Roll Call Vote [Unanimous]**
MOVED BY: Commissioner Schneider
SECONDED BY: Commissioner Gebhardt

AYES: Nerbun, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
NOT PRESENT: Strzelczyk

4) Adjourn

a. Motion to Adjourn at 6:45 PM

Respectfully Submitted,

Ren Schlereth
Administrative Assistant

Attachment: 10-30-23 Water Utility Minutes (9356 : Mequon Municipal Water Utility Committion meeting minutes of October 30, 2023)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2918
Fax: 262-242-9655

www.ci.mequon.wi.us
Office of Parks and Operations

PARK AND OPEN SPACE BOARD
Tuesday, April 2, 2024
6:30 PM
South Conference Room

Minutes

1) Call to Order, Roll Call

Chair Cain called the meeting to order at 6:30PM

Present:
Chair Jason Cain
Alderman Brian Parrish
Board Member Peter Bratt
Board Member James Lysaught
Board Member Anton Usowski
Board Member David Wolfson
Vice Chair Breanne Plier -- **Excused**
Board Member Gerald Vite -- **Excused**

Also present: Parks and Forestry Superintendent Gies, Administration Assistant Schlereth, Deb Turk from Mequon Thiensville Community Foundation, Lynn Streeter (2826 W. Golf Ci), Jenne Hohn (11607 N Grace Ct), Connie Pukaite (1230 W Estates Dr), Kathleen Schneider (1251 W Glenn Oaks Ln), and virtual attendance of John Wirth (8420 W Daventry Rd).

2) Approval of Meeting Minutes

a. February 21, 2004, Minutes

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

AYES: Cain, Parrish, Bratt, Lysaught, Usowski, Wolfson
NOT PRESENT: Plier, Vite

Attachment: Park and Open Space mins 04-02-24 (9355 : Park and Open Space Board meeting minutes of April 2, 2024)

3) Action Item

a. **RESOLUTION 4116** A Resolution Approving a Pre-Development Agreement with the Rotary Club of Thiensville-Mequon for Development of an All-User Inclusive Playground at Rotary Park

A motion to suspend the rules and discuss Resolution 4116 first was approved.
Moved by Parrish
Second by Cain

Rotary Club member, John Wirth presented the Predevelopment Agreement to the board via Microsoft Team Meetings from 6:35PM- 6:55PM.

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

AYES: Cain, Parrish, Bratt, Lysaught, Usowski, Wolfson
NOT PRESENT: Plier, Vite

b. **RESOLUTION 4115** A Resolution Awarding a Contract for an Update to the Comprehensive Park, Recreation & Open Space Plan to MSA Professional Services, Inc., of Mequon, Wisconsin, in an Amount Not-to-Exceed $50,500

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

AYES: Cain, Parrish, Bratt, Lysaught, Usowski, Wolfson
NOT PRESENT: Plier, Vite

4) Discussion and Possible Action

a. Pukaite Woods Corp Addition

The board agreed that Pukaite Woods and Prairie should be included in the in the 2024 Comprehensive Park Plan.

The board favors a connecting trail between Pukaite Woods and Spirit Lake. Discussion ensued about what signage would be needed for the proposed trail project.

b. Opitz Cemetery 2024

Items to be added to the list: lighting, carbon imaging and Optiz Cemetery having its own board.

Attachment: Park and Open Space mins 04-02-24 (9355 : Park and Open Space Board meeting minutes of April 2, 2024)

c. Katherine Kearney Carpenter Park

Discussion ensued on the three concepts the board has identified.

The Master Plan that has funding to be completed in 2024.

Parking lot reconstruction that has funding to be completed in 2024.

Fencing on the west side of the park. A funding source has not been identified for installation of any type of fence.

Engineering will be invited to attend a future meeting and present design concepts for the parking lot to the board.

5) Adjourn

a. Motion to Adjourn at 8:21 PM

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

AYES: Cain, Parrish, Bratt, Lysaught, Usowski, Wolfson
NOT PRESENT: Plier, Vite

Respectfully Submitted,

Ren Schlereth
Administrative Assistant

Attachment: Park and Open Space mins 04-02-24 (9355 : Park and Open Space Board meeting minutes of April 2, 2024)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2904
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Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, March 18, 2024
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Acting Chairman Alderman Robert Strzelczyk
Alderman Brian Parrish
Commissioner Bruce Barnes
Commissioner Martin Choren
Commissioner Stephanie Hawley
Commissioner John Stoker
Commissioner Nancy Urbani
Commissioner Dan Gentges - **Absent**
Commissioner Rebecca Schaefer - **Absent**

Acting chairman Ald. Strzelczyk called the meeting to order at 6:00 p.m.

a) Approval of Minutes from February 19, 2024

Action
Commissioner Stoker made a motion to approve the meeting minutes from February 19, 2024. Commission Hawley seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker
ABSENT:	Gentges, Schaefer

Attachment: Planning Comm Minutes_03.18.24_ FINAL (9358 : Planning Commission meeting minutes of March 18, 2024)

2) Consent Agenda

a) G3 Development LLC. The applicant is seeking certified survey map approval to allow for a 3-lot land division for the property located at 391 Port Washington Road in the extraterritorial jurisdiction of the Town on Cedarburg.

b) Ann & Gary Skiff. The applicant is seeking minor request approval to allow for a setback waiver for the property located at 2116 W. Donges Bay Road.

Action
Commissioner Stoker made a motion to approve the consent agenda.
Commission Hawley seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker
ABSENT:	Gentges, Schaefer

3) Public Hearing/Regular Meeting

a) Robert Depies for Martin Skills Academy. The applicant is seeking conditional use grant approval for a fitness center for the property located at 6340 W. Donges Bay.

Action
Ald. Parrish made a motion to open a public hearing.
Commission Hawley seconded the motion.
A voice vote was taken; vote passed (7-0)

No public comment.

Action
Ald. Parrish made a motion to close the public hearing.
Commission Choren seconded the motion.
A voice vote was taken; vote passed (7-0)

City Planner Evan Hoier stated that this request is for a fitness center to be located in the business park. It is a skills academy and will mostly consist of 1 on 1 training sessions. The largest class during the week will have up to 12 students and one instructor and there are no concerns regarding parking spaces needed for this use. Staff has included a condition of approval that an updated floorplan be submitted and approved by staff prior to final approval.

The applicant, Chris Martin, introduced himself and stated that the fitness center will be used to train student athletes.

Attachment: Planning Comm Minutes_03.18.24_ FINAL (9358 : Planning Commission meeting minutes of March 18, 2024)

Ald. Strzelczyk made a suggestion that the hours be extended to allow more flexibility for the applicant; and that the CUG reflect the modified hours of 8:00 a.m. to 9:00 p.m.
Staff approved this modification.

Action
Commission Choren made a motion to approve the CUG with the amended operational hours of 8:00 am -9:00 pm.
Commission Hawley seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED WITH CONDITIONS [7 TO 0]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker, Parrish
ABSENT:	Gentges, Schaefer

4) Regular Business

a) Karen & Gerald Splittgerber. The applicant is seeking minor request approval to allow for 2 specimen trees to be removed for the property located at 12360 N. Lake Shore Drive.

Planner Hoier stated that this is a constrained site, but the side yard setbacks can be reduced by 75% to an 18.75 foot setback. This is still 50 feet from the Right-of-Way ("ROW") and 75 feet from the bluff, which does comply with zoning regulations. The applicant did include a report from an engineering consultant stating that the recommended bluff setback be 125 feet.

At the 75 foot bluff setback, the applicant would have a building pad of approximately 11,600 sq.ft. The allowable building pad would be reduced to approximately 8,000 sq. ft. with the 125 foot bluff setback. There is an 18-foot protection zone for the white cedar trees located on site which decreases the width of the buildable pad to around 32 feet.

City Forester, Mike Gies, stated that due to the narrow restrictedness of the lot, he does not believe there is survivability of the white cedar trees. Adding to this is a pre-existing driveway footprint that is roughly within 12-inches of the base of these root zones. Both trees were most likely planted post 1970 as garage screening and both are not in good shape.

In summary, due to the narrowness of the lot, the construction traffic, the pre-existing driveway located so close to the root zone and the fact that the two trees are almost touching, causing defoliation on 2/3 of each side, staff recommends the removal of the trees due to the low chance of their survivability, even with protective zones. Additionally, one of the trees was also previously damaged from a vehicle accident.

Action
Commissioner Stoker made a motion to approve the removal of the two specimen trees subject to staff recommendations.
Commission Hawley seconded the motion.

Attachment: Planning Comm Minutes_03.18.24_ FINAL (9358 : Planning Commission meeting minutes of March 18, 2024)

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

RESULT:	**APPROVED [7 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker, Parrish
ABSENT:	Gentges, Schaefer

5) Policy

1) Chapter 58, Article XI of the Municipal Code related to Floodplain Zoning

Assistant Director Jac Zader gave an overview of the floodplain zoning changes. He explained that a certain number of items need to be adopted by specific dates in order to stay eligible for the National Flood Insurnace Program (”NFIP”). This includes the model ordinance, the updated FEMA maps, flood storage district and maps.

The new FEMA maps must be adopted by July 31, 2024; if this is not done the city will be suspended from the program which would prevent all residents from the city the ability to obtain federally-backed flood insurance.

On March 12, 2024, staff gave a presentation to the Committee of the Whole (video link provided in the staff report) and the Common Council offered some policy direction which was incorporated into the presented model ordinance for the Commission to review and approve so that it can be forwarded to the Council for a first reading in April and a public hearing in May.

The Committee of the Whole approved the following:

1. Adopt the Act 175 Provisions
2. Code language suggested by staff.

Asst. Dir. Zader clarified that the city cannot be less restrictive than the DNR, but the city can be more restrictive. He explained other modifications made to the language in the ordinance.

Ald. Parrish expressed his frustration regarding the rushed timeframe from outside entities to adopt these items and his concern about the affected residents being properly informed of changes that may impact their property. He supports the idea of staff hosting an open house for the residents to have an opportunity to be informed about the changes being made to the floodplain areas.

Asst. Dir. Zader reminded the Commission that it is not required that the city adopt the Maps and ordinance but staff and the Council believe it is the most prudent for the residents to do so.

Ald. Strzelczyk reiterated the sentiments by Ald. Parrish and communicated that the Council feels challenged by these changes and the Council wants to provide the best possible opportunities for the residents.

Attachment: Planning Comm Minutes_03.18.24_ FINAL (9358 : Planning Commission meeting minutes of March 18, 2024)

There was discussion about what the required covered roof area for decks is most appropriate. This item will continue to be discussed and vetted to Common Council.

Ald. Kelly Tolocko spoke about her belief that the city should not adopt the proposed documents until there is confidence that they are correct, and she believes that they need more work.

It was recommended that the city attorney verify whether the residents can keep their current insurance if the city is suspended from the program.

Action
Commissioner Stoker made a motion to recommend this policy item to the Common Council, that the conversation regarding the covered roof square footage continued to be vetted and resolved and that the required NFIP deadlines be met by the city.
Commission Barnes seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED AS AMENDED [7 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	Bruce Barnes, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker, Parrish
ABSENT:	Gentges, Schaefer

2) Chapter 58-303: Arrival Corridor specific development and design standards

Tom Zabjek, representing Lakeside Development Company, stated that he is supportive of the modified text amendment as they own property in this area that would be affected by this modification. He reminded the Commission that he received prior approval for a PUD for two 25,000 sq. ft. office buildings for the portion of the property located in front of the Reserve Apartments fronting Mequon Road along with the 2-acre parcel to the west. He reported that there has been no activity or interest in this location for retail or office use. He believes this area is best suited for residential use and they are interested in proposing 40 townhouses in this 4-acre area. Mr. Zabjek wondered if the policy requiring commercial uses could also be considered.

Director Kim Tollefson stated that the substantive change is the option that in the Arrival Corridor zoning district ("AR"), under a PUD process, allowing a development to have more than 16 units per the development site. She clarified that when referring to a "dwelling" in the text language, it refers to the structure itself. There were some intricacies that needed to be corrected from the 2017 text amendment.

Dir. Tollefson explained some of the specifications required and allowed per the text amendment, including some design standards requirements:

- Only 2-story dwellings are allowed.

Attachment: Planning Comm Minutes_03.18.24_ FINAL (9358 : Planning Commission meeting minutes of March 18, 2024)

- Individual front entrances on the ground level.
- Locational limitations.

The overall intent was to achieve less massing, to be less compact and a bit more spaced out in AC. In the AC no more than 16 dwelling units were allowed. The language was cleaned up, but the policy goal intent has not changed. The only modification is that in the Arrival Corridor, someone would have the legal right to ask for more than 16 units per the entire development, but not have more than 16 per building.

The city has the right to deny a PUD without citing justifications. She communicated that the existing technical and design standards have resulted in high-quality, high-value proposed development projects. She reminded the Commission that since 2015, the tax base of this neighborhood has increased by 286%, and only about half of the parcels have developed.

The Commission provided feedback supporting the text amendment modifications and expressed appreciation that staff are proactive in making these proposed changes. They communicated that clearer code standards help to eliminate confusion for developers and both TC and AC zoning districts have achieved much success due to the standards set. Ald. Strzelczyk highlighted that the Council is focused on achieving as much mixed-use as possible for this district, although residential development is very strong right now.

The Commission discussed maintaining the requirement for commercial uses within development in Town Center (75% required) but support less in AC.
An informal vote was taken and the Commission requested staff bring back a percentage change to the required ground level commercial requirement for the Arrival Corridor at the next meeting.

6) Announcements

The next meeting is Monday, April 29, 2024, at 6:00 p.m.

7) Adjourn

Action
Commissioner Stoker made a motion to adjourn the meeting.
Commission Choren seconded the motion.
A voice was taken; vote passed (7-0)

The meeting concluded at 7:27 p.m.

Respectfully Submitted,

Jac Zader

Attachment: Planning Comm Minutes_03.18.24_ FINAL (9358 : Planning Commission meeting minutes of March 18, 2024)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-242-3500
Fax: 262-242-7655

www.ci.mequon.wi.us Police and Fire Departments

PUBLIC SAFETY COMMITTEE
Tuesday, March 12, 2024
5:30 PM
Lower Conference Room

Minutes

1) Call to Order and Roll Call
   Present:
   Chair Gregg Bach
   Alderman Dale Mayr
   Alderman Kelly Tolocko

   Also Present: Police Chief Pryor, City Attorney Sajdak, Administrative Coordinator Bowen
   Alderman Mayr arrived at 5:34PM.
2) Approve Meeting Minutes
   a. Public Safety Committee - Regular Meeting - Feb 13, 2024 5:30 PM

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Alderman Tolocko
SECONDED BY:	Alderman Bach

AYES:	Bach, Tolocko
ABSENT:	Mayr

3) Ordinances
   Action requested: review and recommend approval
   a. **ORDINANCE 2024-1660** An Ordinance Amending Chapter 14 of the Mequon Municipal Code, in Connection with Reporting Requirements for Auctions and Secondhand Stores

   Police Chief Pryor gave a summary of the proposed changes to the ordinance.

RESULT:	**Approved by Voice Acclamation [Unanimous]**
MOVED BY:	Alderman Tolocko
SECONDED BY:	Alderman Bach

AYES:	Bach, Tolocko
ABSENT:	Mayr

4) Adjourn
   a. Motion to Ajourn

   A motion to adjourn the meeting was made at 5:38 PM.

Attachment: Public Safety mins 3-12-24 (9274 : Public Safety Committee meeting minutes of March 12, 2024)

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

AYES:	Bach, Mayr, Tolocko

Respectfully Submitted,

Melina Bowen

Attachment: Public Safety mins 3-12-24 (9274 : Public Safety Committee meeting minutes of March 12, 2024)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655

www.ci.mequon.wi.us Office of the City Administrator

PUBLIC WELFARE COMMITTEE
Tuesday, March 12, 2024
5:45 PM
Lower Conference Room

Minutes

1) Call to Order, Roll Call

Present:
Chair Dale Mayr
Alderman Gregg Bach
Alderman Kathleen Schneider

Also Present: Assistant City Administrator Schoenemann, City Attorney Sajdak, and Executive Assistant Enea

2) Approval of Meeting Minutes
   a. February Minutes

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

AYES:	Mayr, Bach, Schneider

3) Discussion Items
   a. Community Survey

Executive Assistant of Communications Enea provided the Committee with an overview of the work completed by staff since the last meeting. She and Assistant City Administrator Schoenemann had developed a matrix with criteria deemed important from the Committee of the Whole meeting and previous Public Welfare meetings to compare the four vendors. Ms. Enea and Mr. Schoenemann then had initial presentations from prospective vendors. One of the vendors, ZenCity, was eliminated due to their method of survey distribution, which relied on social media ads. The remaining three vendors, ETC Institute, Magellan Strategies, and Polco, will give the Committee an overview of their products and methodology at the next three meetings in April, May, and June. The Committee briefly discussed sending emails, postcards, and writing a news article so that residents are aware that a survey is coming. They also discussed how the survey would be labeled if mailed, how some people dislike QR codes, and how many have survey fatigue. The Committee also stated the first presentation

Attachment: Public Welfare Mins 03-12-24 (9360 : Public Welfare Committee meeting minutes of March 12, 2024)

would be recorded for whichever Alderman may be appointed after the April organizational meeting. The last item discussed was how staff liaisons for all the other Committees would be contacted by Ms. Enea to get feedback on topics that could be included in the survey.

4) Work Calendar

April- Magellan Strategies Presentation
May- ETC Institute Presentation
June- Polco Presentation

5) Adjourn

Alderman Bach moved to adjourn at 6:09 PM and Alderwoman Schneider seconded.

Respectfully Submitted,

Carrie Enea
Executive Assistant

Attachment: Public Welfare Mins 03-12-24 (9360 : Public Welfare Committee meeting minutes of March 12, 2024)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-8145
Fax: 262-242-9655

www.ci.mequon.wi.us
Public Works Department

PUBLIC WORKS COMMITTEE
Tuesday, March 12, 2024
6:15 PM
South Conference Room

Minutes

1) Call to Order, Roll Call

Meeting called to order by Chair Schneider at 6:15 PM.

Present:
Chair Kathleen Schneider
Alderman Jeffrey Hansher
Alderman Kelly Tolocko

Also present: Director of Public Works/City Engineer Lundeen, Assistant City Engineer McCraw, Engineering Technician Dandy and Administrative Assistant Schlereth.

2) Approval of Minutes

a. February 13, 2024, Minutes

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

AYES:	Schneider, Hansher, Tolocko

3) Resolutions

Action requested: review and recommend approval

a. **RESOLUTION 4107** A Resolution Approving Award of the 2024 Road Improvements Contract to Payne & Dolan, of Jackson, Wisconsin, in the Amount of $1,260,000

Clarification was made that determining the lowest bidder is based on the total base bid. The bid could be awarded with or without the additives. Staff is asking for the board's approval on Essex (additive Bid 1), Wildwood (Additive Bid 2), Highland and Fiesta (Total Base Bid). Essex and Wildwood (Additive Bid 3) is a separate bid that staff is not recommending.

Attachment: Public Works mins 3-12-24 (9357 : Public Works Committee meeting minutes of March 12, 2024)

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

AYES:	Schneider, Hansher, Tolocko

b. **RESOLUTION 4108** A Resolution Awarding the 2024 Crack Sealing Contract to Fahrner Asphalt Sealers, Waunakee, Wisconsin in an Amount Not-to-Exceed $252,000

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

AYES:	Schneider, Hansher, Tolocko

4) Discussion Items

Discussion and Possible Action

a. Public Works Work Plan (3.12.24)

5) Adjourn

a. Motion to Adjourn at 6:24 PM

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

AYES:	Schneider, Hansher, Tolocko

Respectfully Submitted,

Ren Schlereth
Administrative Assistant

Attachment: Public Works mins 3-12-24 (9357 : Public Works Committee meeting minutes of March 12, 2024)

Southern Ozaukee Fire & EMS Board
MINUTES
DATE: Wednesday, May 10, 2023
LOCATION: 11333 N. Cedarburg Road,
Mequon, WI 53092
TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 5:30 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON COMMON COUNCIL PRESIDENT DALE MAYR
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT

III. APPROVAL OF MINUTES

A. March 8, 2023 (att)

MOTION by Alderwoman Schneider, **SECONDED** by Trustee Eckert to approve the March 8, 2023 Minutes with a change to Item VII. C. to change "prior to the May 2023 Board meeting" to "soon." **MOTION CARRIED UNANIMOUSLY.**

IV. PERSONAL APPEARANCES AND PUBLIC COMMENT

There were no residents present for public comment.

V. OPERATIONAL UPDATES

A. Response times and statistics, Quarter 1 (Deputy Chief Zellmann) (att)

Attachment: 5_10_2023 Southern Ozaukee Fire EMS Department Board Minutes (1) (9284 : Southern Ozaukee Fire & EMS Board meeting

Deputy Chief Zellmann presented information on the number of runs by municipality during the first quarter of 2023. Deputy Chief Zellmann will compile information on how the first quarter call volume and response times compare to the prior year. The median response time will be included along with the response time for the top 90 percent.

B. Update on hiring process for Battalion Chief and two full-time Firefighter/Paramedics (Chief Bialk)

Chief Bialk noted the new battalion chief started on May 9, 2023. Two of the three full-time firefighters who were offered jobs have accepted; the third invidiual has not yet responded. Another individual who was offered a job turned down the position.

C. Compensation study for salaried employees (Assistant City Administrator Schoenemann)

Assistant City Administrator Schoenemann noted Mequon engaged Gov HR in 2022 to conduct a compensation study, which included the fire department. There were no recommendations for title changes or changes of positions between hourly and salary. Positions included in the study were Chief, Deputy Chief, Battalion Chiefs and Administrative Assistant. The Fire Chief plans to present a compensation plan that will list the positions that were part of the study as well as the Captain position, firefighters/paramedics, which were not a part of the compensation study.

Administrator Jones shared that the Mequon Common Council reviewed the data and adopted the salary schedule in April.

President Mobley asked if a lot of people have been leaving. Assistant City Administrator Schoenemann noted there are approximately 115 employees and individuals leave for a variety of reasons, including retirement, relocation and family situations.

Alderman Mayr noted that having competitive pay helps with the retention of experienced employees.

Mayor Nerbun would like a report on turnover annually.

D. Quarter 1 budget review (att)

Chief Bialk noted that forms must be completed related to beginning billing for ambulance revenue. Discussions are ongoing with Ozaukee County related to obtaining committed ARPA funds for the department.

Alderwoman Schneider asked why nothing is due to the billing service. Chief Bialk replied that the billing service earns a percentage of the revenue and nothing is owed until bills are generated.

Administrator Jones noted that ambulance revenue is key to remaining in a strong financial position for the remainder of the year.

Attachment: 5_10_2023 Southern Ozaukee Fire EMS Department Board Minutes (1) (9284 : Southern Ozaukee Fire & EMS Board meeting

Assistance from members of Wisconsin's congressional delegation might be useful in getting necessary federal approvals. Alderwoman Schneider noted that elected officials, who have been encouraging consolidation, need to hear that issues related to billing will affect other start-up departments. The second-quarter financial report will be presented at the July 2023 meeting.

E. Fleet consolidation (att)

Chief Bialk noted the department plans to sell an engine, a ladder truck, a tender, two staff vehicles, a boat and an ambulance. Some vehicles already have been sold.

F. Mission, Vision and Values (att)

Lynn Streeter, a former member of the Future of Our Fire Department Committee and an alternate member of the SOFD Board, led a workshop to create the Mission, Vision and Values of the SOFD, on May 1, 2023. It was attended by 32 members of SOFD. The ideas gathered at the meeting will be used to draft a draft mission statement for feedback. Discussion regarding the solicitation of community stakeholders took place. President Mobley and Mayor Nerbun will develop a list of community stakeholders and send a joint letter asking for their participation. Mayor Nerbun suggested board members provide Chief Bialk with ideas for the stakeholder group within a week.

VI. REVIEW AND APPROVE

A. Amendments to the original Southern Ozaukee Fire & Emergency Medical Services Agreement (att)

Administrator Landisch-Hansen noted there has been discussion about adding members to the SOFD Board to have seven voting members. Trustee Eckert noted she would like a citizen member from Thiensville, rather than an elected official. Mayor Nerbun and President Mobley added they are in favor of adding a citizen member from each community.

MOTION by Trustee Eckert, **SECONDED** by Alderman Mayr to approve amendments to the original Southern Ozaukee Fire & Emergency Services Agreement and giving direction to the Board attorney to draft language expanding the SOFD Board and Coimmission to seven members with at least one member from each community who is not an elected official of the Thiensville Board of Trustees or Mequon Common Council. **MOTION CARRIED UNANIMOUSLY.**

B. Approval of grant expenditures (att)

The Chief is seeking retroactive approval of EMS Flex Grant purchases.

MOTION by President Mobley, **SECONDED** by Alderwoman Schneider to approve grant expenditures.

Attachment: 5_10_2023 Southern Ozaukee Fire EMS Department Board Minutes (1) (9284 : Southern Ozaukee Fire & EMS Board meeting

Ayes: Mayor Nerbun, Alderman Mayr, Alderwoman Schneider, President Mobley and Trustee Eckert
Naes: None
MOTION CARRIED UNANIMOUSLY.

C. Grievance procedure (att)

Chief Bialk noted the SOFD Board's labor attorney recommended adopting a grievance procedure that will be part of the employee handbook. Trustee Eckert suggested the Impartial Hearing Officer should be a mutual decision of both communities.

MOTION by Alderman Mayr, **SECONDED** by Alderwoman Schneider to approve the Grievance Procedure with an amendment that the Impartial Hearing Officer will be jointly selected by the Mequon City Administrator and Thiensville Village Administrator. **MOTION CARRIED UNANIMOUSLY.**

VII. ADJOURNMENT

MOTION by Trustee Eckert, **SECONDED** by Alderman Mayr to adjourn the meeting at 7:15 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village of Thiensville
Administrator/Interim Clerk

Attachment: 5_10_2023 Southern Ozaukee Fire EMS Department Board Minutes (1) (9284 : Southern Ozaukee Fire & EMS Board meeting

Southern Ozaukee Fire & EMS Board
MINUTES
DATE: Wednesday, July 12, 2023
LOCATION: 250 Elm Street, Thiensville, WI
TIME: 5:30 PM

I. CALL TO ORDER

President Mobley called the meeting to order at 5:32 PM. Mayor Nerbun arrived at 5:35 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR (ABSENT)
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT

Alternate Mequon member Lynn Streeter attended in place of Alderman Dale Mayr.

III. PERSONAL APPEARANCES AND PUBLIC COMMENT

A. Citizens wishing to address the SOFD Board on any matter not on the agenda may do so at this time. If you desire to be heard on agenda items, you may be heard when that item is considered on the agenda. The time limitation is five minutes.

There were no residents present for public comment.

IV. APPROVAL OF MINUTES

A. May 10, 2023 (att)

MOTION by Alderwoman Schneider, **SECONDED** by Trustee Eckert to approve the May 10, 2023 Minutes. **MOTION CARRIED UNANIMOUSLY.**

V. OPERATIONAL UPDATES

Attachment: 7_12_2023 Southern Ozaukee Fire & EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Attachment: 7_12_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

A. Response Times and Statistics, Q2 and Comparison to 2022

Deputy Chief Zellmann reported on response times for the first and second quarters of 2023 compared to 2022. Mayor Nerbun requested a report on the relationship between response times and dispatch responsibilities being transferred to Ozaukee County. Deputy Chief Zellmann will report on the data at the next meeting.

B. Fleet Consolidation (att)

Chief Bialk provided a fleet consolidation update.

VI. FINANCE AND PERSONNEL

A. Q2 Budget Review (att)

Chief Bialk noted expenditures are lower than budgeted for the first two quarters.

B. Ozaukee County ARPA Funding

County Supervisor Rob Holyoke was present and noted that ARPA funding will be discussed at the upcoming Public Safety Committee and Ozaukee County Board meetings. The County Board has committed funds from the EMS ARPA funds for dispatch expansion. Supervisor Holyoke encouraged applying for capital projects. Other municipalities in the northern portion of the county have applied for and received funding for capital projects.

Mayor Nerbun noted he has had conversations with County Administrator Jason Dzwinel related to getting ARPA funding released. City Administrator Jones, Village Administrator Landisch-Hansen, President Mobley and SOFD staff have had separate meetings with the County Administrator and finance personnel. City Administrator Jones said they obtained clarification on what steps must be taken to start receiving reimbursement for 2022 and 2023. The County will have a request for payments prior to the upcoming meetings.

C. Ambulance Billing Update (att)

Chief Bialk shared EMS Management & Consultants began billing on June 1, 2023. Medicare bills were transmitted on June 29, 2023. It will take 60 to 90 days for Medicare payments to begin arriving.

D. Staffing Update (att)

Chief Bialk provided a staffing update. The third unfilled position will be on hold for now. Chief Bialk suggested the department consider sending existing staff to paramedic school rather than trying to recruit paramedics.

VII. REVIEW AND APPROVE

A. Compensation Plan (Hold Over from May) (att)

MOTION by President Mobley, **SECONDED** by Alderwoman Schneider to approve Compensation Plan.
Ayes: Mayor Nerbun, Alderwoman Schneider, Alternate Lynn Streeter, President Mobley and Trustee Eckert
Naes: None
MOTION CARRIED.

B. MABAS Agreement (att)

Chief Bialk described the resolution for the Southern Ozaukee Fire & EMS Department to participate in the MABAS agreement. Mequon and Thiensville were members of MABAS as separate departments.

MOTION by President Mobley, **SECONDED** by Alderwoman Schneider to approve MABAS Agreement. **MOTION CARRIED UNANIMOUSLY.**

C. Proposed Amendments to SOFD Intergovernmental Agreement (att)

MOTION by Alderwoman Schneider, **SECONDED** by Trustee Eckert to approve the First Amendment to the Southern Ozaukee Fire & Emergency Medical Services Agreement.
MOTION CARRIED UNANIMOUSLY.

VIII. DISCUSSION ITEMS

A. Mission, Vision and Values (att)

Chief Bialk noted this is a continuation of the discussion from the last meeting to include additional input from stakeholders. Lynn Streeter noted stakeholders were identified who represent a significant number of clients served or a significant partner. Next steps are to meet with the department to develop the mission, vision and values, then come back to the Board at the next meeting.

Mayor Nerbun suggested Board members provide feedback within the next several weeks. Findings were shared with the members of the SOFD on July 10 and 11 with an

Attachment: 7_12_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

acknowledgement that they should be proud of the opinions that the community members have of the department.

IX. INFORMATIONAL ITEM

A. City of Mequon Public Safety Space Needs Analysis Request for Proposal

Administrator Jones noted a goal is to develop a long-term facilities plan for the joint department. The City of Mequon also is looking at the current state and future of its facilities, including the East Side Fire Station, the Public Safety Building, as well as the City Hall and Pool Civic Campus. The City has put together a Request for Proposal that should be available in August in order to gather preliminary data relative to future space needs. Southern Ozaukee Fire & EMS is included as part of the RFP. It will be provided to Board members when it is available. President Mobley noted there are currently three fire department spaces that should all be considered in the space assessment: the station on Mequon's east side, the Thiensville fire station and the Public Safety facility on Buntrock Avenue.

X. CLOSED SESSION

A. The Commission may convene into closed session pursuant to Wis. Stat. 19.85(1)(e) for the purpose of conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and/or Wis. Stat. 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, regarding the petition for an election made by the International Association of Firefighters and potential hearing. (att)

MOTION by Trustee Eckert, **SECONDED** by Alderwoman Schneider to Convene in Closed Session at 7:28 PM.
Ayes: Mayor Nerbun, Alternate Streeter, Alderwoman Schneider, President Mobley and Trustee Eckert
Naes: None
MOTION CARRIED UNANIMOUSLY

MOTION by Alderwoman Schneider, **SECONDED** by Alternate Streeter to Reconvene in Open Session at 7:48 PM. **MOTION CARRIED UNANIMOUSLY.**

XI. ADJOURNMENT

MOTION by Alderwoman Schneider, **SECONDED** by Alternate Streeter to adjourn the Meeting at 7:48 PM. **MOTION CARRIED UNANIMOUSLY**.

Submitted by,

Gary Achterberg

Attachment: 7_12_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Village of Thiensville
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village of Thiensville
Administrator/Interim Clerk

Attachment: 7_12_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Southern Ozaukee Fire & EMS Board
MINUTES
DATE: Wednesday, September 13, 2023
LOCATION: 250 Elm Street, Thiensville, WI
TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 5:30 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER
MEQUON CITIZEN MEMBER LYNN STREETER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT (EXCUSED)
THIENSVILLE CITIZEN MEMBER DOUGLAS CHIMENTI
THIENSVILLE ALTERNATE TRUSTEE DAVID LANGE

Trustee Eckert was excused. Thiensville Alternate Trustee Lange was present. Alderwoman Schneider arrived at 5:33 PM.

III. APPROVAL OF MINUTES

A. July 12, 2023 (att)

MOTION by Trustee Lange, **SECONDED** by Alderman Mayr to approve the July 12, 2023 Minutes.

Citizen Member Streeter suggested changing the last sentence in Item VIII A to: "Findings were shared with the members of the SOFD on July 10 and 11 with an acknowledgement that they should be proud of the opinions that the community members have of the department."

MOTION by Citizen Member Streeter, **SECONDED** by Alderman Mayr to make the suggested change as a friendly amendment. **MOTION, AS AMENDED, CARRIED UNANIMOUSLY.**

IV. INTRODUCTION OF NEW SOFD BOARD MEMBERS

Attachment: 9_13_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Attachment: 9_13_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

New members Lynn Streeter and Douglas Chimenti were introduced.

V. PERSONAL APPEARANCES AND PUBLIC COMMENT

A. Citizens wishing to address the SOFD Board on any matter not on the agenda may do so at this time. If you desire to be heard on agenda items, you may be heard when that item is considered on the agenda. The time limitation is FIVE minutes.

Chief Bialk shared a photo of two Department members who participated in a stair climb at Lambeau Field in Green Bay wearing full turnout gear.

VI. OPERATIONAL UPDATES

A. Response Times and Statistics (att)

Deputy Chief Zellman presented data on response times.

B. Fleet Consolidation (att)

Chief Bialk provided an update about vehicles that have been sold and those still on the market. The Chief recommends that the mechanic for the City of Mequon serve as mechanic for the SOFD fleet when that responsibility transitions.

C. Staffing Update (att)

Chief Bialk provided an update about member participation in training programs. The consolidation of the Mequon and Thiensville departments has been beneficial for covering available shifts.

VII. FINANCE AND PERSONNEL

A. Ozaukee County ARPA Funding (att)

Chief Bialk noted that after continuing discussion with the County, SOFD should receive $648,000 in ARPA funding. Approximately half should be received in early October. The remainder is scheduled to be distributed April 1, 2024. The funds are being used for the hiring of full-time paramedics.

VIII. REVIEW AND APPROVE

Attachment: 9_13_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

A. Ambulance Billing Update (att)

Chief Bialk noted a rate survey of eight other fire departments indicates SOFD's rates are approximately in the middle. The proposed ambulance rates would take effect October 1, 2023. The Department will study the number of calls for lift assists and the number from care facilities for a potential future discussion regarding fees.

MOTION by Alderman Mayr, **SECONDED** by Alderwoman Schneider to approve Ambulance Billing Fee Schedule.

Ayes: Mayor Nerbun, Alderman Mayr, Alderwoman Schneider, Citizen Member Streeter, Trustee Lange and Citizen Member Chimenti
Naes: President Mobley
MOTION CARRIED.

B. 2024 Budget (att)

Chief Bialk noted that he, Administrator Landisch-Hansen and Administrator Jones met to study revenues, including ARPA funding, and expenses and drafted a budget with a 4.2% tax increase, which is approximately $57,000 for Mequon and $10,000 for Thiensville.

Administrator Landisch-Hansen added the budget includes the just-approved ambulance fees and $300,000 from the ARPA grant. It accounts for adding one new firefighter/paramedic. The operating contribution for Mequon is about $1.4 million and $258,000 for Thiensville. The capital contribution for Mequon is $110,000 and $20,285 for Thiensville. The non-property tax revenue is a little over $2 million, most of which is ambulance revenue. Total revenue for the Department is budgeted to be $3.9 million in 2024. Operating expenditures are $3.773 million. Capital Projects Fund is budgeted at $130,000.

MOTION by Alderwoman Schneider, **SECONDED** by Citizen Member Streeter to Approve the 2024 Southern Ozaukee Fire & EMS Department Budget.

Ayes: Mayor Nerbun, Alderman Mayr, Alderwoman Schneider, Citizen Member Streeter, President Mobley, Trustee Lange, Citizen Member Chimenti
Naes: None
MOTION CARRIED UNANIMOUSLY.

IX. DISCUSSION ITEMS

A. Mission, Vision and Values (att)

Chief Bialk noted Citizen Member Streeter has contributed a lot of work to developing the Mission, Vision and Values document, which was presented to the Board. Citizen Member Streeter added the Board has committed to developing Mission, Vision and Values as the

basis of a new organization and to guide strategic planning.

Citizen Member Chimenti praised the effort and noted the document is clear and concise. It will guide members and new recruits. It provides the community with information about the Department's Mission, Vision and Values.

President Mobley suggested adding the word "aid" to the Mission Statement so the last sentence would read: "We provide our citizens with reassurance, aid and comfort when they are vulnerable." Other members agreed with the change.

Chief Bialk asked Board members for guidance about operationalizing the Mission, Vision and Values, including making signs, even though the document will not be formally considered for adoption until the November 2023 meeting. Board members had no objection.

B. November Meeting - Review Work Plan for 2023, Vision 2024

Chief Bialk reviewed the completed and open items on the 2023 work plan. A preview of 2024 items includes the strategic plan,employee handbook, financial policy, space needs and building rentals.

X. INFORMATIONAL ITEMS

A. Government Finance Review - Collaboration Between Finance Officers and Fire Chiefs (att)

Administrator Jones discussed an article related to 10 Steps to Better Collaboreation Between Finance Officers and Fire Chiefs.

XI. ANY OTHER MISCELLANEOUS BUSINESS BY MEMBERS AS MAY BE BROUGHT BEFORE THE BOARD

There will be a swearing-in ceremony for new staff at 6:00 PM on October 16, 2023. The next Board meeting will be at 5:30 PM on November 8, 2023.

XII. ADJOURNMENT

MOTION by President Mobley, **SECONDED** by Alderman Mayr to adjourn the meeting at 7:09 PM. **MOTION CARRIED UNANIMOUSLY**.

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Attachment: 9_13_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Colleen Landisch-Hansen
Village of Thiensville
Administrator and Interim Clerk

Attachment: 9_13_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Attachment: 11_8_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Southern Ozaukee Fire & EMS Board
MINUTES
DATE: Wednesday, November 8, 2023
LOCATION: 250 Elm Street, Thiensville, WI
TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 5:30 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER
MEQUON CITIZEN MEMBER LYNN STREETER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT
THIENSVILLE CITIZEN MEMBER DOUGLAS CHIMENTI
THIENSVILLE ALTERNATE TRUSTEE DAVID LANGE (NOT PRESENT)

III. APPROVAL OF MINUTES

A. September 13, 2023 (att)

Citzen member Streeter proposed changes to Discussion Item A., Mission, Vision and Values, to say Chief Bialk asked members for guidance about operationalizing the Mission, Vision and Values, including making signs.

MOTION by Alderwoman Schneider, **SECONDED** by Alderman Schneider to approve the September 13, 2023 Minutes as amended. **MOTION CARRIED UNANIMOUSLY.**

IV. PERSONAL APPEARANCES AND PUBLIC COMMENT

A. Citizens wishing to address the SOFD Board on any matter not on the agenda may do so at this time. If you desire to be heard on agenda items, you may be heard when that item is considered on the agenda. The time limit is five minutes.

Attachment: 11_8_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

John Treffert, 184 Alta Loma Court, Thiensville, commended all parties involved for their accomplishments with the merger of the Departments.

John Kukla, 313 Riverview Drive, Thiensville, president of the Thiensville Volunteer Fire Department Corp., thanked Chief Bialk and others from SOFD for their participation in recent fundraising events. Upcoming community events include the tree lighting and pancake breakfast with Santa.

V. GOVERNANCE

A. Discuss Wisconsin Policy Forum award (att)

Chief Bialk shared Mequon and Thiensville will receive the Intergovernmental Cooperation Award from Wisconsin Policy Forum for the merger of the Mequon and Thiensville Fire Departments.

B. Review and approve Mission, Vision and Values (att)

Chief Bialk noted posters and T-shirts incorporating the Mission, Vision and Values have been produced. Trustee Eckert thanked Citizen Member Lynn Streeter for her work.

MOTION by Trustee Eckert, **SECONDED** by Alderwoman Schneider to approve Mission, Vision and Values. **MOTION CARRIED UNANIMOUSLY.**

C. Review and approve 2023-2024 Work Plan (att)

Chief Bialk reviewed activities in 2023 and plans for 2024. Administrator Jones noted that the Work Plan is a living document that may undergo changes as needs arise.

VI. OPERATIONS

A. Discuss Biennial Ambulance Inspection (att)

Chief Bialk shared that the Department did well in a recent inspection of ambulances. All items of concern during the inspection have been corrected. Application of the Department name on ambulances will occur in January. Alderman Mayr asked about the internal inspection process. Chief Bialk stated checks occur weekly.

B. Staffing Update/Paramedic Training (att)

Attachment: 11_8_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Chief Bialk noted in 2023, 1.5% of shifts were unfilled, compared to 16% in 2022. The 1.5% represents time that cannot be filled by part-time or paid-on-call staff. Chief Bialk emailed all members to gauge interest in who wants to attend paramedic school. Six expressed interest. The cost will be paid by the Department.

C. Discuss Commercial Fire Inspection Fees (att)

A fire inspection fee was created when the Departments merged. There are discrepancies with inspection fees per square foot. Invoices are being calculated based on a smaller square foot scale than what was adopted. Chief Bialk has asked Deputy Chief Zellmann to determine a policy for exempted properties for review in 2024. Mayor Nerbun suggested sending new bills at the lower amount and returning checks for payments made at the higher rate. Deputy Chief Zellmann noted he had received several phone calls on the bills for fire inspection fees and there have been few complaints after the inspection fee was explained.

VII. FINANCE

A. Ozaukee County ARPA Funding Update (att)

Chief Bialk provided an update on Ozaukee County ARPA Funding. The initial installment has been received. A second payment will be sent on April 1, 2024.

B. Ambulance Billing Update (att)

Through October 31, 2023, there have been 468 ambulance transports with about $1.7 million in charges. The Department will be close to projections at the end of the year.

C. Review Third Quarter 2023 Budget (att)

Chief Bialk provided an update on the 2023 Budget. The Department recently received a $4,000 grant that has been spent on pagers. Alderwoman Schneider asked how credit cards are used. Chief Bialk it is primarily for supplies that are purchased online, such as from Amazon. Commissioners discussed a policy for quarterly review of the check register.

VIII. CAPITAL

A. Discuss Capital Equipment Funding/Fleet (att)

A working group has been established to discuss the use and potential sale of fleet vehicles. The Department currently has two ladder trucks. Administrator Jones noted a key question is whether to keep two ladder trucks or sell one and apply the proceeds to the capital account. Alderman Mayr suggested studying the use of the ladder truck to determine if there is a benefit

to keeping one on the east side and the other on the west side. The Board will discuss the ladder trucks in more detail in 2024. Fleet consolidation will continue to be discussed at the January 2024 meeting.

IX. ANY OTHER MISCELLANEOUS BUSINESS BY MEMBERS AS MAY BE BROUGHT BEFORE THE BOARD

A. Review news articles

1. North Shore Fire and Rescue, Milwaukee Journal Sentinel (att)

2. Electric fire truck, Milwaukee Journal Sentinel (att)

Administrator Jones noted the articles were included for members' interest.

B. Review Meeting Date Schedule

1. January 10, 2024

2. Review Proposed SOFD Board Meetings 2024

Members reviewed upcoming meeting dates.

X. ADJOURNMENT

MOTION by Alderwoman Schneider, **SECONDED** by Alderman Mayr to adjourn the meeting at 6:45 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village of Thiensville
Administrator and Interim Clerk

Attachment: 11_8_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Attachment: 11_8_2023 Southern Ozaukee Fire EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May 10,

Southern Ozaukee Fire & EMS Board
MINUTES
DATE: Wednesday, January 10, 2024
LOCATION: 250 Elm Street, Thiensville, WI
TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 6:00 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR (ARRIVED 6:45 PM)
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER
MEQUON CITIZEN MEMBER LYNN STREETER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT
THIENSVILLE CITIZEN MEMBER DOUGLAS CHIMENTI
THIENSVILLE ALTERNATE TRUSTEE DAVID LANGE (NOT PRESENT)

III. APPROVAL OF MINUTES

A. November 8, 2023 (att)

MOTION by President Mobley, **SECONDED** by Citizen Member Streeter to approve the November 8, 2023 Minutes. **MOTION CARRIED UNANIMOUSLY.**

IV. PERSONAL APPEARANCES AND PUBLIC COMMENT

A. Citizens wishing to address the SOFD Board on any matter not on the agenda may do so at this time. If you desire to be heard on agenda items, you may be heard when that item is considered on the agenda. The time limit is five minutes.

There were no citizens to be heard.

V. GOVERNANCE

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May

A. Adoption of the SOFD Fleet Consolidation and Capital Account Plan (Review and Approve) (att)

Chief Bialk noted that the Village of Thiensville and City of Mequon would donate all equipment and fire capital funds to the Southern Ozaukee Fire and EMS Department. A payment would be made to Thiensville to equalize the contributions.

Jerry Deutsch, 11623 N. Grace Court, Mequon, asked about the value of each piece of equipment. Chief Bialk noted that some of the equipment that has been sold was sold for more than the appraisal amount; some sold for less.

MOTION by President Mobley, **SECONDED** by Alderwoman Schneider to Adopt the SOFD Fleet Consolidation and Capital Account Plan

Ayes: Mayor Nerbun, Alderwoman Schneider, Citizen Member Streeter, President Mobley, Trustee Eckert and Citizen Member Chimenti
Naes: None
MOTION CARRIED UNANIMOUSLY.

B. Resolution to Adopt the Second Amendment to the Southern Ozaukee Fire and Emergency Medical Services Agreement (Review and Approve) (att)

MOTION by Citizen Member Chimenti, **SECONDED** by President Mobley to Adopt the Second Amendment to the Southern Ozaukee Fire and Emergency Medical Services Agreement with a change in the effective date to March 31, 2024 and fixing two identified typos. **MOTION CARRIED UNANIMOUSLY.**

VI. FINANCE

A. Ambulance billing update (att)

Chief Bialk noted the number of people transported, the amount billed and collected during 2023.

B. 2023 Budget Review (att)

Chief Bialk noted 86 percent of the $3.5 million 2023 budget was spent. The Department finished the year in the black.

VII. OPERATIONS

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May

A. Mission, Vision and Values update (att)

Chief Bialk discussed ways the Department has incorporated its Mission, Vision and Values with posters in the fire station, T-shirts and orientation packets for new members. Citizen Member Streeter discussed ways to expand the Department's Mission, Vision and Values into the community.

B. Staffing update (att)

Chief Bialk noted that all shifts, other than 1.3%, were filled during 2023. Citizen Member Streeter noted the community should be made aware that staffing levels have significantly improved since the formation of Southern Ozaukee Fire and EMS Department. Administrator Jones added it is a good opportunity share information with the media regarding the first year of the new Department.

C. Year-End Report - Response Statistics (att)

There was a 6% increase for the Southern Ozaukee Fire and EMS Department in 2023, compared to the combined call volume from the Village of Thiensville and City of Mequon Fire Departments the previous year. Approximately two-thirds of the increase was due to the intercept agreement with the City of Cedarburg. Chief Bialk will provide an update to the Mequon Common Council and Thiensville Village Board.

D. Commercial fire inspection fee update (att)

Chief Bialk noted the Department sent refunds for some fire inspection fees after an error was corrected in the initially approved fee schedule. New bills were then issued. Trustee Eckert noted it would be helpful for the Board to discuss similar situations in the future.

E. Paramedic schooling initiative (att)

Chief Bialk reported three SOFD employees are beginning paramedic classes. Another three plan to begin in August. Employees must reimburse the Department if they don't complete the class. Mayor Nerbun praised the program as a way to build from within the Department and provide opportunities to existing employees.

F. Updated workplan 2024 (att)

Chief Bialk noted several updates to the 2024 work plan including paramedic schooling, putting the Mission, Vision and Values statement into operation and finalizing fleet consolidation. Development of a Commercial Fire Inspection Policy will be discussed in March.

G. Thiensville Fire Station usage (att)

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May

Deputy Chief Kurt Zellmann had a discussion with an executive from Bell Ambulance. The company is looking for space in the area to house several ambulances to provide mainly non-emergency hospital-to-hospital transportation. Administrator Landisch-Hansen noted the possibility of the Village renting space was discussed at a Village Board meeting. Trustee Eckert noted the Village could negotiate a one-year lease to gauge how the partnership works and have the flexibility to end it if there are other uses for the space.

VIII. MOTION TO ADJOURN TO CLOSED SESSION

A. Fire Chief Performance Review. The Board may enter into Closed Session pursuant to Wis. Stats. 19.85 (1)(c) Considering employment, promotion, compensation or performance evaluation date of any public employee over which the governmental body has jurisdiction or exercises responsibility, and then may reconvene into Open Session to take such action as it deems necessary. (att)

MOTION by Citizen Member Chimenti, **SECONDED** by Trustee Eckert to adjourn to Closed Session at 6:39 PM.

1. Roll Call Vote

Ayes: Mayor Nerbun, Alderwoman Schneider, Citizen Member Streeter, President Mobley, Trustee Eckert and Citizen Member Chimenti
Naes: None
MOTION CARRIED.

IX. MOTION TO RECONVENE IN OPEN SESSION

A. Motion of Board to Reconvene

MOTION by Citizen Member Chimenti, **SECONDED** by Alderman Mayr to reconvene in Open Session at 7:30 PM. **MOTION CARRIED UNANIMOUSLY.**

B. Review and possible action regarding Closed Session topic

There was no action taken.

X. ADJOURNMENT

MOTION by Citizen Member Chimenti, **SECONDED** by Alderman Mayr to adjourn the Meeting at 7:30 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May

Gary Achterberg
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village Administrator/Interim Clerk

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Board Minutes (9284 : Southern Ozaukee Fire & EMS Board meeting minutes of May

Attachment: 5_10_2023 Southern Ozaukee Fire EMS Department Commission Minutes (9285 : SOFD Commission meeting minutes of May 10,

Southern Ozaukee Fire & EMS Commission
MINUTES

DATE: Wednesday, May 10, 2023

LOCATION: 11333 N. Cedarburg Road,
Mequon WI
IMMEDIATELY FOLLOWING SOUTHERN OZAUKEE FIRE & EMS DEPARTMENT BOARD MEETING

TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 7:15 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON COMMON COUNCIL PRESIDENT DALE MAYR
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT

III. APPROVAL OF MINUTES

A. April 5, 2023 (att)

MOTION by President Mobley, **SECONDED** by Alderman Mayr to approve the March 8, 2023 Minutes. **MOTION CARRIED UNANIMOUSLY.**

IV. BUSINESS

A. Review/Certify Eligibility List for Fire Department

Chief Bialk noted there is always a need to find additional paid-on-call members due to turnover. There are three candidates for consideration.

Trustee Eckert asked about nepotism policies. Chief Bialk noted there are several husbands

and wives and fathers and sons who are Fire Department members. Situations are avoided where a relative would be a direct report to a relative.

MOTION by President Mobley, **SECONDED** by Mayor Nerbun to Certify Eligibility List for Fire Department. **MOTION CARRIED UNANIMOUSLY.**

V. CLOSED SESSION

A. The Commission may convene into closed session pursuant to Wis. Stat. 19.85(1)(c) for the purpose of considering the employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and then may reconvene into open session to take such action as deemed appropriate. Performance expectations for the Fire Chief and comments concerning the same.

MOTION by Alderman Mayr, **SECONDED** by Trustee Eckert to adjourn to Closed Session at 7:21 PM.
Ayes: Mayor Nerbun, Alderman Mayr, Alderwoman Schneider, President Mobley and Trustee Eckert
Naes: None
MOTION CARRIED UNANIMOUSLY.

VI. ADJOURNMENT

MOTION by Alderman Mayr, **SECONDED** by Alderwoman Schneider to adjourn the Meeting at 7:48 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village of Thiensville
Administrator/Interim Clerk

Attachment: 5_10_2023 Southern Ozaukee Fire EMS Department Commission Minutes (9285 : SOFD Commission meeting minutes of May 10,

Southern Ozaukee Fire & EMS Commission
MINUTES

DATE: Wednesday, July 12, 2023

LOCATION: 250 Elm Street, Thiensville, WI

IMMEDIATELY FOLLOWING SOFD BOARD MEETING

TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 7:49 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR (EXCUSED)
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER
MEQUON ALTERNATE LYNN STREETER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT

Mequon Alderman Dale Mayr was excused. Mequon Alternate Lynn Streeter was in attendance.

III. APPROVAL OF MINUTES

A. May 10, 2023 (att)

Approval of the minutes of the May 10, 2023 meeting was tabled to the next meeting.

IV. NEW BUSINESS

A. Review and Action Regarding the Hiring of Paid-On-Call Applicants

MOTION by Alderwoman Schneider, **SECONDED** by Trustee Eckert to Approve Hiring of Paid-On-Call Applicants. **MOTION CARRIED UNANIMOUSLY.**

Attachment: 7_12_2023 Southern Ozaukee Fire EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

V. ADJOURNMENT

MOTION by President Mobley, **SECONDED** by Alderwoman Schneider to Adjourn the Meeting at 7:51 PM. **MOTION CARRIED UNANIMOUSLY**.

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village of Thiensville
Administrator/Interim Clerk

Attachment: 7_12_2023 Southern Ozaukee Fire EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

Southern Ozaukee Fire & EMS Commission
MINUTES

DATE: Wednesday, September 13, 2023

LOCATION: 250 Elm Street, Thiensville, WI

IMMEDIATELY FOLLOWING SOFD BOARD MEETING

TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the Meeting to order at 7:09 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER
MEQUON CITIZEN MEMBER LYNN STREETER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT (EXCUSED)
THIENSVILLE CITIZEN MEMBER DOUGLAS CHIMENTI
THIENSVILLE ALTERNATE TRUSTEE DAVID LANGE

Trustee Eckert was excused. Alternate Lange was present.

III. APPROVAL OF MINUTES

A. May 10, 2023 (att)

B. July 12, 2023 (att)

The July Meeting minutes will be changed to reflect attendance by Alternate Member Streeter in the absence of Alderman Mayr.

MOTION by President Mobley, SECONDED by Alderman Mayr to approve the May 10, 2023 and July 12, 2023 Minutes of the Southern Ozaukee Fire & EMS Commission with the noted change. **MOTION CARRIED UNANIMOUSLY.**

Attachment: 9_13_2023 Southern Ozaukee Fire EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

IV. NEW BUSINESS

A. Review and Action Regarding the Hiring of Paid-On-Call Applicants

MOTION by Alderman Mayr, **SECONDED** by Trustee Lange to Aprove the Hiring of Paid-On-Call Applicants. **MOTION CARRIED UNANIMOUSLY**.

V. ANY OTHER MISCELLANEOUS BUSINESS BY MEMBERS AS MAY BE BROUGHT BEFORE THE COMMISSION

VI. ADJOURNMENT

MOTION by Alderwoman Schneider, **SECONDED** by Alderman Mayr to adjourn the Meeting at 7:15 PM. **MOTION CARRIED UNANIMOUSLY**.

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village of Thiensville
Administrator and Interim Clerk

Attachment: 9_13_2023 Southern Ozaukee Fire EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

Southern Ozaukee Fire & EMS Commission
MINUTES

DATE: Wednesday, November 8, 2023

LOCATION: 250 Elm Street, Thiensville, WI

AMENDED AGENDA

IMMEDIATELY FOLLOWING SOFD BOARD MEETING

TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 6:45 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER
MEQUON CITIZEN MEMBER LYNN STREETER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT
THIENSVILLE CITIZEN MEMBER DOUGLAS CHIMENTI
THIENSVILLE ALTERNATE TRUSTEE DAVID LANGE (NOT PRESENT)

III. APPROVAL OF MINUTES

A. September 13, 2023 (att)

MOTION by Alderman Mayr, **SECONDED** by Alderwoman Schneider to approve the September 13, 2023 Minutes. **MOTION CARRIED UNANIMOUSLY.**

IV. MOTION TO ADJOURN TO CLOSED SESSION

A. Command Staff Performance. The Commission may enter into Closed Session pursuant to Wis. Stats. 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or

Attachment: 11_8_2023 Southern Ozaukee Fire EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

exercises responsibility, and then may reconvene in Open Session to take such action as it deems necessary.

MOTION by President Mobley, **SECONDED** by Citizen Member Streeter to adjourn to Closed Session at 6:47 PM.

1. Roll Call Vote

Ayes: Mayor Nerbun, Alderman Mayr, Alderwoman Schneider, Citizen Member Streeter, President Mobley, Trustee Eckert and Citizen Member Chimenti
Naes: None
MOTION CARRIED.

V. MOTION TO RECONVENE IN OPEN SESSION

A. Motion of Commission to Reconvene

MOTION by Alderwoman Schneider, **SECONDED** by Alderman Mayr to reconvene in Open Session at 8:23 PM. **MOTION CARRIED UNANIMOUSLY.**

B. Review and possible action regarding Closed Session topic

There was no action taken.

VI. ADJOURNMENT

MOTION by Alderwoman Schneider, **SECONDED** by Alderman Mayr to adjourn the Meeting at 8:23 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Colleen Landisch-Hansen
Village of Thiensville
Administrator and Interim Clerk

Attachment: 11_8_2023 Southern Ozaukee Fire EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

Southern Ozaukee Fire & EMS Commission
MINUTES

DATE: Wednesday, January 10, 2024

LOCATION: 250 Elm Street, Thiensville, WI

IMMEDIATELY FOLLOWING SOFD BOARD MEETING

AMENDED AGENDA

TIME: 5:30 PM

I. CALL TO ORDER

Mayor Nerbun called the meeting to order at 7:31 PM.

II. ROLL CALL

MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN DALE MAYR
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER
MEQUON CITIZEN MEMBER LYNN STREETER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT
THIENSVILLE CITIZEN MEMBER DOUGLAS CHIMENTI
THIENSVILLE ALTERNATE TRUSTEE DAVID LANGE (NOT PRESENT)

III. APPROVAL OF MINUTES

A. November 8, 2023 (att)

MOTION by Alderman Mayr, **SECONDED** by Citizen Member Streeter to approve the November 8, 2023 Minutes. **MOTION CARRIED UNANIMOUSLY.**

IV. NEW BUSINESS

A. Review and action regarding the hiring of paid-on-call applicants

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

MOTION by President Mobley, **SECONDED** by Alderman Mayr to approve the hiring of three paid-on-call applicants. **MOTION CARRIED UNANIMOUSLY.**

V. ANY OTHER MISCELLANEOUS BUSINESS BY MEMBERS AS MAY BE BROUGHT BEFORE THE COMMISSION

VI. MOTION TO ADJOURN TO CLOSED SESSION

A. Command Staff Performance. The Commission may enter into Closed Session pursuant to Wis. Stats. 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and then may reconvene in Open Session to take such action as it deems necessary.

MOTION by Trustee Eckert, **SECONDED** by Alderwoman Schneider to adjourn to Closed Session at 7:35 PM.

1. Roll Call Vote

Ayes: Mayor Nerbun, Alderman Mayr, Alderwoman Schneider, Citizen Member Streeter, President Mobley, Trustee Eckert and Citizen Member Chimenti
Naes: None
MOTION CARRIED UNANIMOUSLY.

VII. MOTION TO RECONVENE IN OPEN SESSION

A. Motion of Commission to Reconvene

MOTION by Alderman Mayr, **SECONDED** by Trustee Eckert to reconvene in Open Session at 8:23 PM. **MOTION CARRIED UNANIMOUSLY.**

VIII. ADJOURNMENT

MOTION by Alderman Mayr, **SECONDED** by Trustee Eckert to adjourn the Meeting at 8:23 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Gary Achterberg
Administrative Assistant

Signed by,

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

Colleen Landisch-Hansen
Village Administrator/Interim Clerk

Attachment: 1_10_2024 Southern Ozaukee Fire and EMS Commission Minutes (9285 : SOFD Commission meeting minutes of May 10, July 12,

CODE ENFORCEMENT SUMMARY MAY 1, 2024

	A	B	C	D	E	F	G	I	J	K
1										
2										
3	0									
4	DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION TYPE/COMPLAINT	OTC ISSUED	REQUIREMENT DATE	COURT DATE	COMMENTS (See Key Column)	ACTIVE YES/NO
5	8	151050504000	10843 N PEBBLE LANE	ABBAS OR FATIMA ALI	YARD WASTE LEAVES AND BRANCHES	1/21/2022	6/1/2022		1	NO
6	4	140341500100	6110-6112 W COUNTY LINE ROAD	JEFFERY KRETZ	PARKING	12/1/2021	12/15/2021		#5 CITATION 1,2	NO
7	1	140306060500	12323 W MEQUON ROAD	JONATHON SCHOTTE	PARKING	10/21/2021	11/4/2021		1	NO
8	3	140221000600	11512 N WAUWATOSA ROAD	RICK OR PATRICIA FREYMUTH	TEMPORARY STRUCTURE	10/22/2021	11/5/2021		1	NO
9	4	EXEMPT	11001O N BUNTROCK AVENUE	WILSON SCHOOL	ELECTRONIC MESSAGE SIGN ILLUMINATION	12/8/2021	12/17/2021		1	NO
10	1	141550010000	13760 N BONNIWELL COURT	GAUNA OR MISHA SHEPSHELEVICH	PARKING	ONGOING	ONGOING	NOT SET	#5, CIRCUIT COURT	YES
11	3	RENTAL	6200 W MEQUON ROAD	ST PAULS FISH	BANNER/SIGNS	11/17/2021	11/20/2021		1	NO
12	2	140820648000	2916 W SHOLES DRIVE	DAVID OR ELIZABETH SANDE	HOME BUSINESS	11/22/2021	12/5/2021		1	NO
13	1	141550011000	13702 N BONNIWELL COURT	MICHAEL OR SHELLEY OLSON	PARKING	11/22/2021	11/5/2021		1	NO
14	4	140270101200	10910 INDUSTRIAL DRIVE	SUPER STEEL LLC	BANNER/SIGNS	11/17/2021	11/20/2021		1	NO
15	8	RENTAL	10042 N PORT WASHINGTON ROAD	NEARLY NEW CONSIGNMENT SHOP	BANNER	11/17/2021	11/20/2021		1	NO
16	4	RENTAL	11035 INDUSTRIAL DRIVE	CENTRAL BARK	BANNER/SIGNS	11/17/2021	11/20/2021		1	NO
17	5	EXEMPT	13460 N PORT WASHINGTON ROAD	CHRIST CHURCH	BANNER	11/17/2021	11/20/2021		1	NO
18	4	140340500100	6809 W DONGES BAY ROAD	MEQUON LAWN AND GARDEN	BANNER	11/17/2021	11/20/2021		1	NO
19	6	150191301600	11357 N PORT WASHINGTON ROAD	KOHLER CREDIT UNION	FLAG	11/17/2021	11/20/2021		1	NO
20	8	RENTAL	11018 N PORT WASHINGTON ROAD	MATHNASIUM	BANNER	11/17/2021	11/20/2021		1	NO
21	5	150201001800	11522 N PORT WASHINGTON ROAD	SHELL GAS STATION	BANNER	11/17/2021	11/20/2021		1	NO
22	6	RENTAL	10945 N PORT WASHINGTON ROAD	SPINE PAIN DIAGNOSTICS ASSOCIATES SUITE 101	BANNER	11/17/2021	11/20/2021		1	NO
23	8	RENTAL	10930 N PORT WASHINGTON ROAD	SENDIK'S	BANNER	11/17/2021	11/20/2021		1	NO
24	6	RENTAL	10945 N PORT WASHINGTON ROAD	WISCONSIN RADIOLOGY SPECIALISTS	BANNER	11/17/2021	11/20/2021		1	NO
25	8	RENTAL	10984 N PORT WASHINGTON ROAD	MARSHALLS	BANNER/SIGNS	11/17/2021	11/20/2021		1	NO
26	8	RENTAL	10526 N PORT WASHINGTON ROAD	DERIAH BOUTIQUE	BANNER	11/17/2021	11/20/2021		1	NO
27	6	RENTAL	10501 N PORT WASHINGTON ROAD	ALLSTATE INSURANCE	FLAG	11/17/2021	11/20/2021		1	NO
28	8	RENTAL	10916 N PORT WASHINGTON ROAD	ELITE NUTRITION	BANNER	11/17/2021	11/20/2021		1	NO
29	6	RENTAL	11649 N PORT WASHINGTON ROAD	MEQUON SMILE DESIGN	BANNER	11/17/2021	11/20/2021		1	NO
30	6	RENTAL	11042 N PORT WASHINGTON ROAD	X GOLF MEQUON	FLAG	11/17/2021	11/20/2021		1	NO
31	8	150290600200	11150 N PORT WASHINGTON ROAD	CULVER'S	BANNER/SIGN	11/17/2021	11/20/2021		1	NO
32	4	140270201000	11130 N BUNTROCK AVENUE	ARTESA APARTMENTS	BANNER/SIGN	11/17/2021	11/20/2021		1	NO
33	8	RENTAL	10992 N PORT WASHINGTON ROAD	GREAT CLIPS	BANNER	11/17/2021	11/20/2021		1	NO
34	3	RENTAL	6930 W SPUR ROAD	SPUR 16	FLAG	11/17/2021	11/20/2021		1	NO
35	4	RENTAL	10503 N CEDARBURG ROAD	THE COLOUR BOWL SALON AND WELLNESS	FLAG	11/17/2021	11/20/2021		1	NO
36	4	140500612000	5616 W DONGES BAY ROAD	LIBBY MONTANA	BANNER	11/17/2021	11/20/2021		1	NO
37	6	150300600500	2635 W MEQUON ROAD	THE RANGE LINE INN	BANNER/SIGN	11/17/2021	11/20/2021		1	NO
38	6	151530001000	1505 W MEQUON ROAD	EAST TOWNE SQUARE MALL	FLAG	11/17/2021	11/20/2021		1	NO
39	6	RENTAL	1839 W MEQUON ROAD	SOVEREIGN SELECT LLC	BANNER	11/17/2021	11/20/2021		1	NO
40	3	RENTAL	7602 W MEQUON ROAD	IN BALANCE YOGA	BANNER	11/17/2021	11/20/2021		1	NO
41	6	RENTAL	1340 W MEQUON ROAD	AC ZUKERMAN JEWELERS	BANNER	11/17/2021	11/20/2021		1	NO
42	6	RENTAL	1300 W MEQUON ROAD	PANERA BREAD	BANNER/SIGNS	11/17/2021	11/20/2021		1	NO
43	6	RENTAL	1424 W MEQUON ROAD	NORTH SHORE COMPUTER	BANNER	11/17/2021	11/20/2021		1	NO
44	6	RENTAL	1402 W MEQUON ROAD	KUMON MATH AND READING	BANNER	11/17/2021	11/20/2021		1	NO
45	8	RENTAL	10530 N PORT WASHINGTON ROAD	FIDDLEHEADS COFFEE	BANNER/SIGNS	11/17/2021	11/20/2021	4/6/2022	#5, CITATION 1	NO
46	6	RENTAL	11525 N PORT WASHINGTON ROAD	JIMMY JOHNS	BANNER/FLAGS	11/17/2021	11/20/2021	3/2/2022	#5, CITATION 1	NO
47	6	RENTAL	11511 N PORT WASHINGTON ROAD	TACO BELL	BANNER	11/17/2021	11/20/2021	4/6/2022	#5, CITATION 1,2	NO
48	4	140500903002	10360 N CEDARBURG ROAD	KWIK TRIP	TRASH/LITTER	12/23/2021	12/27/2021	4/6/2022	#5, CITATION 1,2,3	NO
49	4	140500903002	10360 N CEDARBURG ROAD	KWIK TRIP	BANNER/FLAGS	11/17/2021	12/20/2021	3/2/2022	#5, CITATION 1,2,	NO
50	8	150291100550	10500 N PORT WASHINGTON ROAD	HOLD HOLDINGS	PUBLIC NUISANCE	4/14/2021	4/23/2021	4/6/2022	#5, CITATIONS 1,2,3	NO
51	4	140840107000	9712 N MEQUON PLACE	TOUA YANG	PARKING	10/25/2021	11/5/2021	4/6/2022	#5 CITATIONS 1, 2,3,4, 5,6	YES
52	7	140250600600	11050 N RIVER ROAD	ROBERT STERN	OUTSIDE STORAGE	11/17/2021	11/24/2021		#5 CITATION 1	NO
53	4	140501204000	10056 N CEDARBURG ROAD	WILLIAM WISTH	OUTSIDE STORAGE	ONGOING	ONGOING	NOT SET	#5 CIRCUIT COURT	YES
54	3	140870805000	11715 N SILVER AVENUE	LUESS	PARKING	ONGOING	ONGOING	NOT SET	#5 CIRCUIT COURT	YES
55	6	151000203000	12339 N ISLAND DRIVE	WILLIAM WISTH	OUTSIDE STORAGE	ONGOING	ONGOING	NOT SET	#5 CIRCUIT COURT	YES
56	8	151070412000	819 W SIERRA LANE	VANN FAMILY TRUST	OUTSIDE STORAGE	2/25/2022	3/11/2022		1	NO
57	8	151070412000	819 W SIERRA LANE	VANN FAMILY TRUST	PARKING	2/25/2022	3/11/2022		1	NO
58	2	140241201000	11249 N RIVERLAND ROAD	PAUL FREDERICK	OUTSIDE STORAGE	2/25/2022	3/11/2022		1	NO
59	2	140241201000	11249 N RIVERLAND ROAD	PAUL FREDERICK	PARKING	2/25/2022	3/11/2022		#5 CITATION 1	NO
60	1	140121200300	3500 W HIGHLAND ROAD	THOMAS LEMENS	OUTSIDE STORAGE	2/25/2022	3/11/2022		1	NO
61	1	140121200300	3500 W HIGHLAND ROAD	THOMAS LEMENS	PARKING	2/25/2022	3/11/2022		1	NO

Attachment: Zoning Enforcement Site Compliance through May 1, 2024 (9339 : Zoning Enforcement and Site Compliance Report Through May 1, 2024)

	A	B	C	D	E	F	G	I	J	K
62	1	14019150020	11206-11210 W MEQUON ROAD	JORDON OR KRISTY LARSON	PARKING	2/25/2022	3/11/2022	1	1	NO
63	1	14019150020	11206- 11210 W MEQUON ROAD	JORDON OR KRISTY LARSON	OUTSIDE STORAGE	2/25/2022	3/11/2022	1	1	NO
64	1	14019150020	11206-11210 W MEQUON ROAD	JORDON OR KRISTY LARSON	OUTSIDE MAINTANCE	2/25/2022	5/30/2022	1	1	NO
65	2	14095060700	10931 W RENEE COURT	IGOR OR MARGARITA LETKIN	PARKING	3/8/2022	3/22/2022	1	1	NO
66	6	15030080400	10941 N ORIOLE LANE	NICHOLAS OR LAURA MEYER	OUTSIDE STORAGE	3/14/2022	3/31/2022	1	1	NO
67	6	15030080400	10941 N ORIOLE LANE	NICHOLAS OR LAURA MEYER	GENERAL MAINTENANCE	3/14/2022	5/30/2022	1	1	NO
68	6	14095060700	2030 W SUNNYDALE LANE	DIANNE MCCLELLAN	PARKING	3/14/2022	3/31/2022	1	1	NO
69	6	14095060700	2030 W SUNNYDALE LANE	DIANNE MCCLELLAN	OUTSIDE STORAGE	3/14/2022	3/31/2022	1	1	NO
70	4	14027120040	6926 W DONGES BAY ROAD	GO RITEWAY	PARKING	3/17/2022	3/21/2022	1	1	NO
71	4	14027120040	6926 W DONGES BAY ROAD	GO RITEWAY	ADVERTISING FLAG	3/17/2022	3/21/2022	1	1	NO
72	4	14084025000	9612 W MEQUON PLACE	LEWIS OR JEAN BIRKEL	OUTSIDE MAINTENANCE	3/23/2022	6/1/2022	1	1	NO
73	7	15085000002	3100 W COUNTRY CLUB DRIVE	NORTH SHORE COUNTRY CLUB	LANDSCAPING	3/23/2022	6/1/2022	1	1	NO
74	4	14050070900	1863/461 N 1/2 LOT 9 BLK 7 CEDARBURG ROAD	WILLIAM CONLEY	MAINTENANCE	3/24/2022	7/1/2022	1	1	NO
75	4	14027090120	10541-10601 N COMMERCE STREET	MEGAL DEVELOPMENT CORPORATION	BUSINESS OCCUPANCY PERMIT	3/31/2022	4/8/2022	1	1	NO
76	2	14024070120	11610 N RIVER ROAD	MARILYN MANKE	OUTSIDE STORAGE	3/31/2022	4/7/2022	1	1	NO
77	5	RENTAL	11700 N PORT WASHINGTON ROAD	MARCUS NORTH SHORE CINEMA	LITTER	4/6/2022	4/13/2022	1	1	NO
78	5	15020070110	11616 N PORT WASHINGTON ROAD	ELITE HIGHLANDER MEQUON INC	LITTER	4/6/2022	4/13/2022	1	1	NO
79	5	RENTAL	11598 N PORT WASHINGTON ROAD	METRO MARKET	LITTER	4/6/2022	4/13/2022	1	1	NO
80	3	14086020700	11345 N SOLAR AVE	JEFFREY MCCLONE	PARKING	4/21/2022	4/28/2022	1	#5 CITATION 1,2	NO
81	3	14098240200	11425 N VEGA AVE	DENNIS HERRERA	PARKING	4/21/2022	4/28/2022	1	1	NO
82	3	14021010100	11392 N VEGA AVE	JOHN OR STACEY MURRAY	PARKING	4/21/2022	4/28/2022	1	1	NO
83	3	14122000400	11912 N SOLAR AVE	JAMES MCNICHOL	PARKING	4/21/2022	4/28/2022	1	#5 CITATION 1,2	NO
84	3	14087070800	11625 N VEGA AVE	ROBERT MACKIEWICZ	PARKING	4/21/2022	4/28/2022	1	1	NO
85	3	14098140200	8509 W POPLAR DR	WILLIAM BLATZ	PARKING	4/21/2022	4/28/2022	1	1	NO
86	4	14084059300	4808 W HIAWATHA DR	PAUL SCHUMACHER	HOOP HOUSE	4/21/2022	5/5/2022	1	1	NO
87	2	14116001000	12395 N WOODFIELD CT	JEFFREY OR SUSAN POMERANTZ	OUTSIDE STORAGE	4/22/2022	4/29/2022	1	1	NO
88	3	14050210202	6714 W MEQUON ROAD	MICHAEL OR TRACY LALONDE	OUTSIDE STORAGE	4/28/2022	5/13/2022	1	#6 CITATION 1,2	NO
89	7	15056020500	11425 W ZEDLER LANE	BRADFORD FREG	GARBAGE	5/10/2022	5/13/2022	1	#5 CITATION 1	NO
90	2	14116001000	12395 N WOODFIELD COURT	JEFFERY OR SUSAN POMERANTZ	PARKING	5/17/2022	5/24/2022	1	1	NO
91	5	RENTAL	11740 N PORT WASHINGTON ROAD	BANK FIRST	BANNER	5/17/2022	5/21/2022	1	1	NO
92	5	EXEMPT	13800 N PORT WASHINGTON ROAD	UNITARIAN CHURCH	BANNER/FLAG	5/17/2022	5/21/2022	1	1	NO
93	3	RENTAL	6006 W MEQUON ROAD	SPUR 16	BANNER/FLAG	5/17/2022	5/21/2022	1	1	NO
94	3	RENTAL	10900 N PORT WASHINGTON ROAD	THE FEED BAG	BANNER	5/17/2022	5/21/1955	1	1	NO
95	2	EXEMPT	3906 W MEQUON ROAD	ST BONIFACE CHURCH	BANNER	5/17/2022	5/21/2022	1	1	NO
96	5	15100121400	1630 W DOROTHY PLACE	DAVID OR SHELLY HAUGH	OUTSIDE MAINTENANCE	5/25/2022	6/18/2022	1	1	NO
97	5	15100121400	1630 W DOROTHY PLACE	DAVID OR SHELLY HAUGH	OUTSIDE STORAGE	5/25/2022	7/1/2022	1	1	NO
98	3	14087050400	11739 N WAUWATOSA ROAD	DELORES FILAFER	OUTSIDE STORAGE	5/25/2022	6/15/2022	1	1	NO
99	3	14087050400	11739 N WAUWATOSA ROAD	DELORES FILAFER	OUTSIDE MAINTENANCE	6/7/2022	7/5/2022	1	1	NO
100	4	14034160020	BAEHR AND COUNTY LINE/ NO ADDRESS	BILL FINE/COUNTY LINE HOLDINGS	PARKING	6/13/2022	6/29/2022	1	1	NO
101	6	15057060200	1424 W ZEDLER LANE	ROSEMARY KOLLER	GRASS	6/15/2022	6/22/2022	1	#5 CITATION 1,2	NO
102	8	15107041200	819 SIERRA LANE	VANN FAMILY TRUST	GRASS	6/15/2022	6/22/2022	1	1	NO
103	7	14151000300	9853 N RANGE LINE ROAD	CYNTHIS COAKLEY	OUTSIDE STORAGE	6/15/2022	6/29/2022	1	1	NO
104	5	15109021400	12707 N EAST SHORELAND DRIVE	GARMAN LIVING TRUST	PARKING	6/15/2022	6/29/2022	1	1	NO
105	5	15109021100	12731 N EAST SHORELAND DRIVE	TED RUEHL	OUTSIDE STORAGE	6/15/2022	6/29/2022	1	1	NO
106	4	14064020900	10811 N SHERWOOD DRIVE	CHARLES CONRAD	YARD WASTE BRANCHES	6/21/2022	6/28/2022	1	1	NO
107	8	15107041200	819 W SIERRA LANE	VANN FAMILY TRUST	TRASH/LITTER	6/21/2022	6/28/2022	1	1	NO
108	6	15071041100	11604 N HILLSIDE LANE	MICHAEL GMIREK OR SUZANNE PEPLINSKI	TURF GRASS	6/21/2022	6/28/2022	1	1	NO
109	6	15071040500	11433 N COUNTRY LANE	WILLIAM GENSNICK	TEMPORARY STRUCTURE	6/21/2022	6/28/2022	1	1	NO
110	6	15071040500	11433 N COUNTRY LANE	WILLIAM GENSNICK	PARKING	6/21/2022	6/28/2022	1	1	NO
111	6	15063010800	11320 N VALLEY DRIVE	JONATHAN SCHULTZ	PARKING	6/21/2022	6/28/2022	1	1	NO
112	7	14070080300	3327 BURGANDY COURT	LYNN VORBECK	PARKING	6/21/2022	6/28/2022	1	1	NO
113	6	15059070100	12345 N EAST SHORELAND DRIVE	ANDREW OR WENDY PETZOLD	OUTSIDE MAINTENANCE	6/23/2022	7/29/2022	1	1	NO
114	6	15059070100	12345 N EAST SHORELAND DRIVE	ANDREW OR WENDY PETZOLD	TURF GRASS	6/23/2022	7/14/2022	1	1	NO
115	5	15006090100	13804 N MARTIN WAY SUITE 2400	13804 N MARTIN WAY LLC	POOL FENCE	7/7/2022	7/29/2022	1	#5 CITATION 1	YES
116	5	15030150090	1908 W BONNIWELL ROAD	RAVI NARAYAN OR SOWMYA SUBRAMANIAN	POOL FENCE	8/11/2021	8/26/2022	1	1	NO
117	2	15091100100	2517 W CHESTNUT ROAD	TAOFIKI OR KERRY ALABI	PARKING	7/15/2022	7/22/2022	1	1	NO
118	4	14050130500	9807 N CEDARBURG ROAD	RYAN OR KATHERINE KAUTZER	TURF GRASS	7/15/2022	7/22/2022	1	1	NO
119	6	XXXXXXXXX	NORTH SHORE ESTATES	DEBRA NEWELL PRESIDENT	OUTSIDE STORAGE	7/14/2022	8/5/2022	1	1	NO
120	3	14201005100	10879 N WILDCAT WAY	AMBER SCHROEDER	FENCE	5/16/2022	5/27/2022	1	#5 CITATION 1,2	YES
121	3	14086020500	11413 N SOLAR AVENUE	DUANE OR JULIE WAGNER	PARKING	7/21/2022	8/4/2022	1	1	NO
122	8	RENTAL	10930 N PORT WASHINGTON ROAD	SENDIKS	BANNERS	7/21/2022	7/28/2022	1	1	NO

A	B	C	D	E	F	G	I	J	K
123	XXXXXXXXX	HIGHLANDS LOT 8	KINGS WAY HOMES	OUTSIDE MAINTENANCE	7/22/2022	7/29/2022		1	NO
124	14027023031500	6836 W MEQUON ROAD	RESERVE FRONT LOT	LANDSCAPING	7/22/2022	8/15/2022		1	NO
125	14027020302000	6729 W MEQUON ROAD	STORYPOINT SENIOR LIVING	SIGNS	7/22/2022	8/19/2022		1	NO
126	15085000002	3100 W COUNTRY CLUB DRIVE	NORTH SHORE COUNTRY CLUB	LANDSCAPING	7/22/2022	10/5/2022		1	NO
127	XXXXXXXXX	10930 N PORT WASHINGTON ROAD	MEQUON PAVILIONS	FLAGS	7/22/2022	7/29/2022		1	NO
128	14028021001	3016 W SHOLES DRIVE	THOMAS OR CAPTOLA BACHER	2 SHEDS	8/11/2022	9/11/2022		1	NO
129	15112029000	13837 N LAKE SHORE DRIVE	GREGORY OR NICOLE PATERSON	OUTDOOR STORAGE	8/11/2022	8/26/2022		1	NO
130	15039080302300	2212 W SUNNYDALE LANE	AARON OR PETER KINNEY	POOL FENCE	8/11/2022	8/26/2022		1	NO
131	XXXXXXXXX	10806 N PORT WASHINGTON ROAD	NORTH SHORE BANK	BANNER	8/19/2022	8/25/2022		1	NO
132	14027023001	1505 W MEQUON ROAD	EAST TOWNE SQUARE MALL	FLAGS	8/19/2022	8/25/2022		1	NO
133	14027021000	1505 W MEQUON ROAD	FAYE'S MEQUON	FLAGS	8/19/2022	8/25/2022		1	NO
134	14027021000	1505 W MEQUON ROAD	THE LEMON TREE	FLAGS	8/19/2022	8/25/2022		1	NO
135	14027021000	1516 W MEQUON ROAD	ZARLETTI MEQUON	FLAGS	8/19/2022	8/25/2022		1	NO
136	14027021000	1330 W MEQUON ROAD	COCOA TREE CONFECTIONARY	BANNER	8/19/2022	8/25/2022		1	NO
137	14027021000	1402 W MEQUON ROAD	KUMON MATH AND READING	BANNER	8/19/2022	8/25/2022		1	NO
138	XXXXXXXXX	1650 W MEQUON ROAD	FIFTH MAIN	A FRAME	8/19/2022	8/25/2022		1	NO
139	14027021601200	11035 N PORT WASHINGTON ROAD	PICARDY SHOE PARLOUR	BANNER	8/19/2022	8/25/2022		1	NO
140	14144002201	10433 N BAEHR ROAD	NORTH SHORE DANCE	SIGNS	7/7/2022	7/29/2022		#5 CITATION 1	NO
141	14144002201	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	PLUMBING PERMIT	8/24/2022	9/7/2022		EXTENSION	YES
142	14144002201	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	ELECTRIC PERMIT	8/24/2022	9/7/2022		EXTENSION	YES
143	14144002201	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	BUILDING PERMIT	9/7/2022	9/7/2022		EXTENSION	YES
144	14144002201	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	FILL PERMIT	8/24/2022	9/7/2022		EXTENSION	YES
145	14144002201	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	SURVEY	8/24/2022	9/7/2022		EXTENSION	YES
146	15050011600	1828 W FIESTA LANE	CHARLES MAYER	GRASS	8/31/2022	9/8/2022	1	NO	NO
147	14070345000	3631 W LEGRANDE BLVD	WILLIAM GRUBER	HOME BUSINESS	9/6/2022	9/16/2022	1	NO	NO
148	XXXXXXXXX	10601 N COMMERCE STREET	GOOD LAND PREMIUM FOODS PROVISIONS INC	BUILDING AND SITE PLAN AMENDMENT	9/6/2022	9/19/2022	1	NO	NO
149	XXXXXXXXX	1339 W MEQUON ROAD	REMAX LAKESIDE	WALL SIGN	9/8/2022	10/28/2022	1	NO	NO
150	15101010106001	12866 N SHORELAND PARKWAY	NANCY TOLOCKO	DECK	9/13/2022	12/14/2022	1	NO	NO
151	15097003119000	12848 N RIVER FOREST CIRCLE	JOHN OR JULIE HENNINGS	PARKING	9/13/2022	9/23/2022	1	NO	NO
152	15097003119000	12848 N RIVER FOREST CIRCLE	JOHN OR JULIE HENNINGS	OUTSIDE MAINTENANCE	9/13/2022	9/27/2022	1	NO	NO
153	EXEMPT	10370 N WILDWOOD COURT	OZAUKEE WASHINGTON COUNTY LAND TRUST	OUTSIDE MAINTENANCE	9/14/2022	10/14/2022	1	NO	NO
154	XXXXXXXXX	7160 W DONGES BAY ROAD	WARREN BARNETT INTERIORS	CONDITIONAL USE GRANT	9/20/2022	10/4/2022	#5 CITATION 1	NO	NO
155	15019040400	11743 N PORT WASHINGTON ROAD LOT 1	SHELY 2012 IRREVOCABLE TRUST	GRASS	9/22/2022	10/7/2022	1	NO	NO
156	15019040500	11743 N PORT WASHINGTON ROAD LOT 2	SHELY 2012 IRREVOCABLE TRUST	GRASS	9/22/2022	10/7/2022	1	NO	NO
157	15019040600	11743 N PORT WASHINGTON ROAD LOT 3	SHELY 2012 IRREVOCABLE TRUST	GRASS	9/22/2022	10/7/2022	1	NO	NO
158	XXXXXXXXX	1550 W MEQUON ROAD	FIFTH-MAIN	MONUMENT SIGN	9/29/2022	10/13/2022	#5 CITATION 1,2,3	NO	NO
159	15074012000	317 E CIRCLE ROAD	JEFFREY OR JENNIFER PARLISKI	PARKING	9/29/2022	10/13/2022	#5 CITATION 1	NO	NO
160	14084058000	4904 W COUNTY LINE ROAD	SHAWN OR RUTH RUBINSTEIN	SUMP PUMP	9/29/2022	10/7/2022	1	NO	NO
161	XXXXXXXXX	11431 N PORT WASHINGTON ROAD SUITE 207	DAYALUV COSMETICS	CONDITIONAL USE GRANT	10/5/2022	11/14/2022	1	NO	NO
162	XXXXXXXXX	11431 N PORT WASHINGTON ROAD SUITE 135	EMBRACE YOUR FACE	CONDITIONAL USE GRANT	10/5/2022	11/14/2022	1	NO	NO
163	XXXXXXXXX	11431 N PORT WASHINGTON ROAD SUITE 101E	CEDAR CREEK MASSAGE	CONDITIONAL USE GRANT	10/5/2022	11/14/2022	1	NO	NO
164	XXXXXXXXX	11431 N PORT WASHINGTON ROAD SUITE 106A	JANET HALONEN-ACJUSTICS	CONDITIONAL USE GRANT	10/5/2022	11/14/2022	1	NO	NO
165	XXXXXXXXX	11431 N PORT WASHINGTON ROAD SUITE 108	DRAGON FLY MEDITATION AND WELLNESS	CONDITIONAL USE GRANT	10/5/2022	11/14/2022	1	NO	NO
166	XXXXXXXXX	11431 N PORT WASHINGTON ROAD SUITE 101	THERPUTIC MASSAGE AND WELLNESS CENTER	CONDITIONAL USE GRANT	10/5/2022	11/14/2022	1	NO	NO
167	XXXXXXXXX	11431 N PORT WASHINGTON ROAD SUITE 212	WYNTER CO. BEAUTY	CONDITIONAL USE GRANT	10/5/2022	11/14/2022	1	NO	NO
168	15030060309X0	2505 W MEQUON ROAD	NORTH SHORE DENTAL	BANNER	10/6/2022	10/13/2022	1	NO	NO
169	XXXXXXXXX	7606 W MEQUON ROAD	HOMESTEAD FAMILY DENTISTRY	BANNER	10/6/2022	10/13/2022	1	NO	NO
170	15071040500	11433 N COUNTRY LANE	WILLIAM OR CAROL GENSRICK	OUTSIDE STORAGE	10/6/2022	10/27/2022	1	NO	NO
171	15071040500	11433 N COUNTRY LANE	WILLIAM OR CAROL GENSRICK	OUTSIDE MAINTENANCE	10/6/2022	11/10/2022	1	NO	NO
172	15031010311100	10355 N PORT WASHINGTON ROAD	CLARK GAS STATION	OUTSIDE MAINTENANCE	10/12/2022	11/12/2022	1	#5 CITATION 1	NO
173	14020060007X0	10505 W FREISTADT ROAD	HERMAN OR SANDRA STERN	PARKING	10/19/2022	11/11/2022	1	NO	NO
174	14017110111X0	10516 W FREISTADT ROAD	JENNIFER JOHNSON OR JOSHUA COMFORT	PARKING	10/19/2022	11/11/2022	1	NO	NO
175	14030040400	11135 N CEDARBURG ROAD	MEQUON AUTO TECH	WATER TO FACILITY	10/19/2022	11/25/2022	#5 CITATION 1	YES	NO
176	15017080050X	12531 N LAKESHORE DRIVE	STEVEN OR KIMBERLY BROWN	SHED PERMIT	10/19/2022	11/4/2022	1	NO	NO
177	14027160120X	10433 N BAEHR ROAD	NORTH SHORE DANCE STUDIO	MONUMENT SIGN	10/21/2022	11/30/2022	1	NO	NO
178	XXXXXXXXX	11120 N SUNTROCK AVENUE	PRESTIGE AUTO SERVICE	PARKING COMMERCIAL	10/26/2022	11/21/2022	1	EXTENSION	YES
179	15093020310000	11404 N PINEHURST CIRCLE	US BANK	GRASS	10/27/2022	11/4/2022	1	NO	NO
180	15093020310000	11404 N PINEHURST CIRCLE	US BANK	OUTSIDE MAINTENANCE	10/27/2022	11/27/2022	1	NO	NO
181	15107011120X2	1027 W DONGES BAY	MARY JOHNSON	OUTSIDE MAINTENANCE	10/27/2022	11/27/2022	1	NO	NO
182	15126010500X0	10451 N STRATFORD PLACE	STEFAN OR SARAH GEINDELMAN	BUILDING PERMIT	10/28/2022	11/21/2022	1	NO	NO
183	15120001700X	11633 N LAKE SHORE DRIVE	BARBARA PFAFF	OUTSIDE MAINTENANCE	1/19/2022	5/30/2022	# 5 CITATION 1	YES	YES

Attachment: Zoning Enforcement Site Compliance through May 1, 2024 (9339 : Zoning Enforcement and Site Compliance Report Through May 1, 2024)

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	A	B	C	D	E	F	G	I	J	K
184	5	15120001017000	11693 N LAKE SHORE DRIVE	BARBARA PFAFF	OUTSIDE STORAGE	3/19/2022	2/9/2022		#5 CITATION 1	YES
185	1	14009080302000	14015 N CEDARBURG ROAD	WHITE RABBIT RESTAURANT	MONUMENT SIGNS	11/9/2022	11/23/2022		1	NO
186	6	15019160220000	1400 W MEQUON ROAD	CONCORD 37 LLC	OUTSIDE MAINTENANCE	11/10/2022	12/2/2022	1	1	NO
187	6	15019160230000	1350 W MEQUON ROAD	CONCORD 37 LLC	OUTSIDE MAINTENANCE	11/10/2022	12/2/2022	1	1	NO
188	8	15032070020000	10000 N PORT WASHINGTON ROAD	PARK AVENUE PLAZA OF MEQUON	OUTSIDE MAINTENANCE	11/10/2022	12/2/2022	1	1	NO
189	6	15185000010000	1511 MARKET STREET	LAKESIDE DEVELOPMENT COMPANY	OUTSIDE MAINTENANCE	11/10/2022	12/2/2022	1	1	NO
190	5	15020110210000	11300 N PORT WASHINGTON ROAD	(PNS) SCHMIDT MEQUON LLC	OUTSIDE MAINTENANCE	11/15/2022	12/16/2022		EXTENSION NEW OWNER	YES
191	7	14050140300003	10015 N RIVER ROAD	JEFF OR BETH ASTEWBORSKI	OUTSIDE STORAGE	11/17/2022	12/2/2022	1	1	NO
192	4	14034110040000	9716 N WAUWATOSA ROAD	ANDREW BERGMAN	PARKING	11/17/2022	12/2/2022	1	1	NO
193	4	14034110040400	9716 N WAUWATOSA ROAD	ANDREW BERGMAN	OUTSIDE STORAGE	11/17/2022	12/2/2022	1	1	NO
194	4	14034050030800	10146 N WAUWATOSA ROAD	ROBERT PETZOLD JR	PARKING	11/17/2022	12/2/2022	1	1	NO
195	4	14034050320800	10146 N WAUWATOSA ROAD	ROBERT PETZOLD JR	OUTSIDE STORAGE	11/17/2022	12/2/2022	1	1	NO
196	1	14018130300800	12081 N GRANVILLE ROAD	LINDENWOOD FARMS	PARKING	11/17/2022	12/2/2022	1	1	NO
197	1	14018130080800	12081 N GRANVILLE ROAD	LINDENWOOD FARMS	OUSTIDE STORAGE	11/17/2022	12/2/2022	1	1	NO
198	8	RENTAL	10840 N PORT WASHINGTON ROAD	TOBIN JEWELERS	BANNER	11/30/2022	12/8/2022	1	1	NO
199	6	15153000010000	1505 W MEQUON ROAD	EAST TOWNE SQUARE MALL	BANNER/FLAGS	11/30/2022	12/8/2022	1	1	NO
200	3	14086021900O	11428 N VEGA AVENUE	MARK KRUEGER	OUTSIDE STORAGE	12/6/2022	12/20/2022	1	1	NO
201	3	14086021900O	11428 N VEGA AVENUE	MARK KRUEGER	PARKING	12/6/2022	12/20/2022	1	1	NO
202	3	14086022000O	7907 W WILLOWBROOK DRIVE	BENJAMIN AHANGER	OUTSIDE STORAGE	12/6/2022	12/20/2022	1	1	NO
203	6	15019150030O	1836 W MEQUON ROAD	REGINALD FLETCHER	OUTSIDE STORAGE	12/6/2022	12/20/2022	1	1	NO
204	3	14088160200O	11329 N MEADOWBROOK DRIVE	JEREMY GONZALES	PARKING	12/7/2022	12/14/2022	1	1	NO
205	3	14088160200O	11309 N MEADOWBROOK DRIVE	KIMBERLY SCIDMORE OR KERRY HANSEN	PARKING	12/7/2022	12/14/2022	1	1	NO
206	3	14087080700O	11730 N RIDGEWAY AVENUE	DAVID WOZNIAK	PARKING	12/7/2022	12/14/2022	1	1	NO
207	3	14088170800O	11310 N MEADOWBROOK DRIVE	GREEN HILL PROPERTIES	PARKING	12/7/2022	12/14/2022	1	#5 CITATION 1,2	YES
208	3	14087100100O	11932 N SILVER AVENUE	DANIEL MUELLER	PARKING	12/7/2022	12/14/2022	1	1	NO
209	4	14027020120O	11030 N BUNTROCK AVENUE	SANG WOO NAM	PARKING	12/9/2022	12/16/2022	1	1	NO
210	5	15083001300I	13560 N LAKESHORE DRIVE	MICHAEL COLE	PARKING	12/13/2022	12/27/2022	1	1	NO
211	2	15038060050O	12750 N SHORELAND PARKWAY	GRANTIT REMODELS LLC	PARKING	12/14/2022	12/29/2022	1	1	NO
212	8	RENTAL	10038 N PORT WASHINGTON ROAD	MOMS ALTERATIONS	BANNER	12/22/2022	12/30/2022		#5 CITATION 1,	NO
213	2	14014040010O	12435 N RIVER ROAD	JOSEPH OR MELANIE DEVORKIN	BUILDING PERMIT	12/22/2022	1/6/2023		#5 CITATION 1	YES
214	1	14144002200I	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	ACCESSORY STRUCTURE (2)	12/29/2022	1/27/2023	1	#5 CITATION 1	YES
215	1	14144002200I	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	SURVEY	12/29/2022	1/12/2023	1	1	NO
216	6	15065021600O	10212 SUNNYCREST DRIVE	HPA III ACQUISITIONS 1 LLC	PARKING	1/6/2023	1/19/2023	1	1	NO
217	4	14034060900O	7227 W DONGES BAY ROAD	ANTOINETTE JACKSON	PARKING	1/11/2023	1/27/2023	1	1	NO
218	4	14034060090O	7227 W DONGES BAY ROAD	ANTOINETTE JACKSON	OUTSIDE STORAGE	1/11/2023	1/27/2023	1	1	NO
219	3	14051010400O	11201 N SOLAR AVENUE	CHRISTOPHER BESLER	OUTSIDE MAINTENANCE	1/12/2023	1/19/2023	1	#5 CITATION #1	NO
220	8	15179000100O	10526 N PORT WASHINGTON ROAD	CONCORD 34 LLC	ELECTRIC	1/19/2023	2/17/2023	1	1	NO
221	8	15179000100O	10526 N PORT WASHINGTON ROAD	CONCORD 34 LLC	DUMPSTER DOORS	1/19/2023	4/15/2023	1	1	NO
222	8	15179000100O	10526 N PORT WASHINGTON ROAD	CONCORD 34 LLC	STORAGE CONTAINER	1/19/2023	2/17/2023	1	1	NO
223	4	14050050600O	11100 N GREEN BAY ROAD	EW DEVELOPMENT CORP	REFUSE	1/20/2023	2/3/2023	1	#5 CITATION 1	YES
224	4	14050050600O	11100 N GREEN BAY ROAD	EW DEVELOPMENT CORP	OUTSIDE MAINTENANCE	1/20/2023	5/1/2023	1	1	NO
225	6	15019040040O	11743 N PORT WASHINGTON ROAD	SHELY 2012 IRREVOCABLE TRUST	OUTSIDE MAINTENANCE	1/26/2023	2/7/2023	1	#5 CITATION 1,2	YES
226	3	14051010400O	11201 N SOLAR AVENUE	CHRISTOPHER BESLER	PARKING	2/2/2023	2/9/2023	1	1	NO
227	6	15129000100O	11001 N PORT WASHINGTON ROAD	ACE HARDWARE	COMMUNITY SPIRIT LETTER	2/9/2023	OPEN	1	1	NO
228	6	15030010070O	1425 W MEQUON ROAD	BMO HARRIS BANK	COMMUNITY SPIRIT LETTER	2/9/2023	OPEN	1	1	NO
229	6	15129001700O	1317 W TOWNE SQUARE ROAD	MEQUON UNIT 17 LLC	COMMUNITY SPIRIT LETTER	2/9/2023	OPEN	1	1	NO
230	8	15175001010O	10144 N PORT WASHINGTON ROAD	SSRF LLC	COMMUNITY SPIRIT LETTER	2/9/2023	OPEN	1	1	NO
231	6	15171000200O	10602 N PORT WASHINGTON ROAD	PJL 10835 LLC	COMMUNITY SPIRIT LETTER	2/9/2023	OPEN	1	1	NO
232	5	15020060010O	1025 W GLEN OAKS LANE	GLEN OAKS OFFICE PARK LLC	COMMUNITY SPIRIT LETTER	2/9/2023	OPEN	1	1	NO
233	3	14050020200I	6200 W MEQUON ROAD	ST PAULS FISH COMPANY	OUTSIDE STORAGE	2/14/2023	2/28/2023	1	1	NO
234	4	14027160060O	6130 W DONGES BAY ROAD	JWI LLC	OUTSIDE STORAGE	2/16/2023	3/10/2023	1	1	NO
235	4	14026110070O	10412 N BAEHR ROAD	MEHTA PROPERTIES LLC	COMMUNITY SPIRIT LETTER	2/16/2023	OPEN	1	1	NO
236	4	RENTAL	9900 W MEQUON ROAD	CAFÉ HOLLANDER	BANNER	2/21/2023	2/28/2023	1	1	NO
237	6	15100131000O	12510 N PILOT DRIVE	JEAN GORSKI	OUTSIDE MAINTENANCE	2/22/2023	5/31/2023	1	1	NO
238	1	14144002200I	7421 RIDGEVIEW DRIVE	YOUSSEF BERRADA	BUILDING PERMIT	2/27/2023	3/14/2023	1	EXTENSION	YES
239	3	14089230200O	11435 N TOWER LANE	JULIS OR ALICE HOLDEN	SUMP PUMP	2/28/2023	3/8/2023	1	1	NO
240	1	14017110120O	10545 W HEATHER DRIVE	STEPHANIE WELDON	BUILDING PERMIT	3/1/2023	3/14/2023	1	1	NO
241	6	15029110070O	10510 N PORT WASHINGTON ROAD	PETU	HVAC AND ELECTRIC PERMITS	3/7/2023	4/7/2023	1	1	NO
242	2	14013050680O	12602 N RIVER ROAD	GARY OR JUNE GEIGER	BASKETBALL COURT	3/9/2023	5/31/2023	1	1	NO
243	8	15029110020O	10404 N PORT WASHINGTON ROAD	FERRANTES PIZZA	OUTSIDE MAINTENANCE	3/16/2023	7/28/2023	1	1	NO
244	8	RENTAL	10972 N PORT WASHINGTON ROAD	THE JOINT CHIROPRACTIC	SIGN	3/16/2023	3/23/2023	1	1	NO

	A	B	C	D	E	F	G	I	J	K
245	8	RENTAL	10916 N PORT WASHINGTON ROAD	ELITE NUTRITION	SIGN	3/16/2023	3/23/2023		1	NO
246	8	RENTAL	10902 N PORT WASHINGTON ROAD	NEROLI SALON	SIGN	3/16/2023	3/23/2023		1	NO
247	8	RENTAL	429 W THORNAPPLE LANE	FRANK TRUST	PARKING	4/4/2023	4/11/2023		1	NO
248	8	RENTAL	10984 N PORT WASHINGTON ROAD	MARSHALLS MEQUON	COMMUNITY SPIRIT LETTER	4/10/2023	OPEN		1	NO
249	8	RENTAL	10964 N PORT WASHINGTON ROAD	PET SUPPLIES PLUS MEQUON	COMMUNITY SPIRIT LETTER	4/10/2023	OPEN		1	NO
250	8	RENTAL	10930 N PORT WASHINGTON ROAD	SENDIKS MARKET MEQUON	COMMUNITY SPIRIT LETTER	4/10/2023	OPEN		1	NO
251	8		10930 N PORT WASHINGTON ROAD	BRIXMOR MEQUON	COMMUNITY SPIRIT LETTER	4/10/2023	OPEN	1		NO
252	4	1407140027000	4807 W ELMDALE ROAD	OLEG KONOVCHKO	PARKING	4/18/2023	5/31/2023	#5 CITATION 1,2,3		YES
253	6	1512305502000	12010 N RIVER GLENN LANE	KENNETH R NASON OR LESLEY A SCHWARTZ-NASON	OUTSIDE STORAGE	4/18/2023	4/28/2023	1		1
254	4	1405090905004	10240 N CEDARBURG ROAD	SYBARIS	OUTSIDE MAINTENANCE	4/26/2023	5/15/2023	1		NO
255	4	1405010001000	10365 N CEDARBURG ROAD	TAYLOR AND DUNNS	OUTSIDE MAINTENANCE	4/26/2023	6/1/2023	1	#5 CITATION 1	NO
256	2	1405050404000	9403 W COLETTE COURT	PAWEL WYDRA	OUTSIDE STORAGE	5/1/2023	5/15/2023	1	#5 CITATION 1	YES
257	8	1502911005050	10500 N PORT WASHINGTON ROAD	LISA HOLDEN	PARKING	5/10/2023	OPEN	1	#5 CITATION 1	YES
258	1	1403006605050	12323 W MEQUON ROAD	JONATHAN SCHOTTE	PARKING	5/12/2023	5/19/2023	1		NO
259	8	1503206003200	10353 N PORT WASHINGTON ROAD	SOBELMANS 10952 LLC	OUTSIDE MAINTENANCE	5/12/2023	EXTENSION		EXTENSION NEW OWNER	YES
260	7	1402506006800	11152 N RIVER ROAD	STROLI REAL ESTATE LLC	OUTSIDE MAINTENANCE	5/12/2023	5/22/2023	1		NO
261	1	1403005004000	11805-11807 W MEQUON ROAD	MAE BRIELMAIER	PARKING	5/16/2023	5/26/2023	1		NO
262	1	1403005004000	11805-11807 W MEQUON ROAD	MAE BRIELMAIER	OUTSIDE STORAGE	5/16/2023	5/26/2023	1		NO
263	2	1402330400100	11761 N RIVER ROAD	EVAN OR SANDRA MORGAN	OUTSIDE LIGHTING	5/23/2023	6/2/2023		#5 CITATION	YES
264	5	1501708003500	12531 N LAKE SHORE DRIVE	STEVEN OR KIMBERLY BROWN	GARBAGE	5/23/2023	5/30/2023	1		NO
265	5	1501702002000	12730 N LAKE SHORE DRIVE	FREDERICK REED	GARBAGE	5/23/2023	5/30/2023	1		NO
266	7	1402507007000	109092 N RIVER ROAD	JEFFREY OR JAMY LEVESQUE	SUMP PUMP	5/24/2023	6/2/2023	1		NO
267	2	1402402003500	11808 N RIVERLAND ROAD	BORIS PERMITIN	OUTSIDE STORAGE	6/8/2023	7/7/2023	1		NO
268	4	1405013004006	9839 N ARROWWOOD ROAD	THOMAS OR MARY CONNOLLY	PARKING	6/8/2023	6/23/2023	1		NO
269	2	1408206048000	2916 W SHOLES DRIVE	DAVID OR ELIZABETH SANDE	PARKING	6/8/2023	6/16/2023	1		NO
270	2	1408202114000	2911 W SHOLES DRIVE	JOHN OR BARBARA MULGREW	PARKING	6/8/2023	6/16/2023	1		NO
271	2	1408201031000	11855 N AUER LANE	JAMES OR JOANNE GUTHRIE PETERSON	PARKING	6/8/2023	6/16/2023	1		NO
272	3	1412200007000	11909 N SOLAR AVENUE	BRANDON OR SARAH ZELAZOSKI	PARKING	6/8/2023	6/16/2023	1		NO
273	2	1411600318000	3134 W WOODFIELD DRIVE	SCOTT EDISON	GRASS	6/8/2023	6/16/2023	1		NO
274	7	1407009145000	3531 W LE GRANDE BLVD	LAC DU GRUBER LLC	OUTSIDE MAINTENANCE	6/8/2023	6/29/2023	1	#5 CITATION 1	NO
275	7	1505502025000	1425 W ZEDLER LANE	BRADFORD FIGG	GRASS	6/19/2023	6/26/2023	1	#5 CITATION 1	YES
276	5	1500514002200	13920 N LAKE SHORE DRIVE	RAPHAEL OR IRENE BRUNETTE	OUTSIDE STORAGE	6/21/2023	7/12/2023	1		NO
277	1	RENTAL	14015 N CEDARBURG ROAD	THE WHITE RABBIT	CONDITIONAL USE GRANT	6/21/2023	6/29/2023	1	EXTENSION	YES
278	6	RENTAL	1402 W MEQUON ROAD	KUMON MATH AND READING	BANNER	6/28/2023	7/1/2023	1		NO
279	6	RENTAL	1340 W MEQUON ROAD	NORTH SHORE JEWELERS	BANNER	6/28/2023	7/1/2023	1		NO
280	6	RENTAL	1406 W MEQUON ROAD	LITTLE SPROUTS PLAY CAFE	BANNER	6/28/2023	7/1/2023	1		NO
281	6	RENTAL	1330 W MEQUON ROAD	COCOA TREE CONFECTIONARY	BANNER	6/28/2023	7/1/2023	1		NO
282	6	RENTAL	1300 W MEQUON ROAD	PANERA BREAD	BANNER	6/28/2023	7/1/2023	1		NO
283	4	1405609005000	5103 W WESTFIELD ROAD	DAVID KRIEGEL	OUSIDE STORAGE	6/29/2023	7/6/2023	1		NO
284	4	1405609005000	5103 W WESTFIELD ROAD	DAVID KRIEGEL	PARKING	6/29/2023	7/13/2023	1		NO
285	4	1408402055000	9612 N MEQUON PLACE	JUSTIN BIRKEL	OUTSIDE STORAGE	6/29/2023	7/6/2023	1		NO
286	4	1408402055000	9612 N MEQUON PLACE	JUSTIN BIRKEL	GRASS	6/29/2023	7/6/2023	1		NO
287	6	1509006093000	11541 N LAGUNA DRIVE	INA PETROVICI	PARKING	7/6/2023	7/20/2023	1		NO
288	6	1407714001000	2716 W CHESTNUT ROAD	HOWARD DUBOFF	PERMITS	7/19/2023	8/20/2023	1		NO
289	6	1503809002000	13418 LAKEWOOD DRIVE	SAMUAL OR NINA KIRK	OUTSIDE MAINTENANCE	8/4/2023	9/4/2023	1		NO
290	6	1502002007000	326 SEACROFT COURT	DANIEL DOMAGALA	PARKING	8/4/2023	8/11/2023	1	#5 CITATION 1	YES
291	8	1505405063000	10903 N SAN MARINO DRIVE	KARSTEN OR KELLY HUTTELMAIER	OUTSIDE MAINTENANCE	8/4/2023	8/18/2023	1		NO
292	4	1407140007000	4707 W ELMDALE ROAD	MALACHY TOAL	OUTSIDE MAINTENANCE	8/4/2023	8/18/2023	1		NO
293	5	1501806003500	12750 N SHORELAND PARKWAY	GRANTIT REMODELS LLC	GRASS	8/9/2023	8/19/2023	1		NO
294	8	1510606002000	429 W THORNAPPLE LANE	FRANK TRUST	OUTSIDE STORAGE	8/9/2023	8/19/2023	1		NO
295	7	1402506001000	11006 N RIVER ROAD	JUAN OR DANA OZOZCO	PARKING	8/23/2023	9/1/2023	1		NO
296	1	1403001007000	11031 N GRANVILLE ROAD	MIROSLAW OR IWONA PAWELEC	HOME OCCUPATION BUSINESS	8/23/2023	9/1/2023	1		NO
297	8	1503206000200	10352 N PORT WASHINGTON ROAD	GUZAW PROPERTIES LLC	COMMUNITY SPIRIT LETTER	8/31/2023	10/1/2023	1		NO
298	4	1405013005007	9807 N CEDARBURG ROAD	RYAN OR KATHERINE KAUTZER	GRASS	9/1/2023	9/14/2023	1		NO
299	4	1405010010000	10365 N CEDARBURG ROAD	10365 LLC	OUTSIDE STORAGE	9/1/2023	9/14/2023	1		NO
300	7	1408501003000	4429 W TARRYTOWN LANE	THOMAS OR RUBY AHMANN	PARKING	9/1/2023	9/14/2023	1		NO
301	6	1503002005000	11122 N ORIOLE LANE	NICOLAS ERDMANN	SHED PERMIT	9/1/2023	9/14/2023	1		NO
302	4	1405013005006	9809 N CEDARBURG ROAD	BONNIWELL 9807 LLC	GRASS	9/6/2023	9/20/2023	1		NO
303	6	CONDO ASSN	IVY COURT GREENBRIER CONDO ASSN	HUNT MANAGEMENT	COMMUNITY SPIRIT LETTER	10/5/2023	OPEN	1		YES
304	2	1402304005100	11761 N RIVER ROAD	SANDRA MORGAN	LIGHTING	10/25/2023	11/1/2023	#5 CITATION 1,2,3		YES
305	3	1405001008001	6614 W MEQUON ROAD	ERIKA JANIK	LIGHTING	10/25/2023	11/1/2023	1		NO

Attachment: Zoning Enforcement Site Compliance through May 1, 2024 (9339 : Zoning Enforcement and Site Compliance Report Through May 1, 2024)

	A	B	C	D	E	F	G	I	J	K
306	7	15085000C002	3100 W COUNTRY CLUB DRIVE	NORTH SHORE COUNTRY CLUB	COMMUNITY SPIRIT LETTER	10/25/2024	OPEN	1	NO	
307	6	15030010101500	11147 N PORT WASHINGTON ROAD	BP GAS STATION	COMMUNITY SPIRIT LETTER	11/2/2023	OPEN	EXTENSION	YES	
308	6	15020111012200	11210 N PORT WASHINGTON ROAD	MOBIL GAS STATION	COMMUNITY SPIRIT LETTER	11/2/2023	OPEN	EXTENSION	YES	
309	5	15031010101100	10355 N PORT WASHINGTON ROAD	CLARK GAS STATION	COMMUNITY SPIRIT LETTER	11/2/2023	OPEN	EXTENSION	YES	
310	3	RENTAL	6000 W MEQUON ROAD	RUBY TAP	LETTER WINE TASTING	11/15/2023	OPEN	1	NO	
311	1	14002212001000	5320 W BONNIWELL ROAD	PETER OR KRISTA BEAUDOIN	LETTER WINE TASTING	11/15/2023	OPEN	1	NO	
312	3	14088161800000	11344 N GLENWOOD DRIVE	DEXTER OR CYNTHIA JONES	OUTDOOR LIGHTING	11/16/2023	11/23/2016	1	NO	
313	6	RENTAL	11400 W MEQUON ROAD	GF SMOOTHIES ALAN MC FADYEN	BANNER	5/1/2023	11/26/2023	#5 CITATION 1,2,3	YES	
314	6	15031916003000	1550 W MEQUON ROAD	FIFTH-MAIN	BANNER	11/29/2023	12/7/2023	1	NO	
315	5	15092020310000	11404 N PINEHURST CIRCLE	EMMA LASKOWSKI	OUTSIDE MAINTENANCE	11/29/2023	4/1/2024	1	NO	
316	2	14074011110000	5310 W HILLCREST DRIVE	PATRICK OHARE	GRASS	11/29/2023	5/1/2024	1	NO	
317	2	14074011110000	5310 W HILLCREST DRIVE	PATRICK OHARE	OUTSIDE STORAGE	11/29/2023	12/10/2023	1	NO	
318	4	14027020310000	6751 W MEQUON ROAD	STORYPOINT SENIOR LIVING	FLAGS	12/7/2023	12/14/2023	1	NO	
319	6	15030010101500	11147 N PORT WASHINGTON ROAD	BP GAS STATION	FLAG	12/7/2023	12/14/2023	#5 CITATION 1	YES	
320	3	RENTAL	6200 W MEQUON ROAD	ST PAULS FISH COMPANY	FLAG	12/7/2023	12/14/2023	1	NO	
321	6	15030040200000	10911 N PORT WASHINGTON ROAD	ARBYS	FLAG	12/7/2023	12/14/2023	1	NO	
322	8	RENTAL	10930 N PORT WASHINGTON ROAD	JERSEY MIKE'S SUBS	FLAG/BANNER	12/7/2023	12/14/2023	1	NO	
323	6	15153000302000	1505 W MEQUON ROAD	MIDLAND MANAGEMENT	FLAGS/BANNER	12/7/2023	12/14/2023	#5 CITATION 1	YES	
324	3	RENTAL	5900 W MEQUON ROAD	CAFE HOLLANDER	BANNER	12/7/2023	12/14/2023	1	NO	
325	3	14020115003800	11246 N FARMDALE ROAD	DENNIS OR MARIE MYLER	PARKING	12/7/2023	12/14/2023	1	NO	
326	1	14017090115000	12243 N FARMDALE ROAD	GREGORY OR SUSAN ERNST	PARKING	12/7/2023	12/14/2023	1	NO	
327	1	14020070103000	11713 N FARMDALE ROAD	PAUL OR MARY BRISKI	PARKING	12/7/2023	12/14/2023	1	NO	
328	6	15031912001000	2110 W MEQUON ROAD	DOUGLAS KOLLER	PARKING	12/7/2023	12/14/2023	1	NO	
329	3	14022110001000	11512 N WAUWATOSA ROAD	RICK OR PATRICIA FREYMUTH	PARKING	12/7/2023	12/14/2023	#5 CITATION 1	YES	
330	6	15090011130000	11396 N ARBOR LANE	JOSHUA BRUCKNER	PARKING	12/7/2023	12/14/2023	1	NO	
331	8	15093206020200	10352 N PORTWASHINGTON ROAD	GUZANI PROPERTIES LLC	OUTSIDE MAINTENANCE	12/11/2023	2/29/2024	#5 CITATION 1	YES	
332	8	15076011050000	221 E MEQUON ROAD	CHARLES MITCH	BUILDING PERMIT	12/21/2023	1/15/2024	1	NO	
333	8	15076011070000	11115 N LAKESHORE DRIVE	NICOLAS PASCHKE	BUILDING PERMIT	12/21/2023	1/15/2024	1	NO	
334	8	15020020210400	428 W SEACROFT COURT	JOHN LINSCOTT	POD	12/26/2023	1/10/2024	#5 CITATION 1	YES	
335	6	15019050500600	1714 W MEQUON ROAD	JOE WALTER PROPERTIES LLC	LANDSCAPING TREE	1/3/2024	1/31/2024	1	NO	
336	4	14084010170000	9712 N MEQUON PLACE	TOUA YANG	OUTSIDE STORAGE	1/5/2024	1/12/2024	1	NO	
337	4	14109032800000	9939 N CONCORD DRIVE	PAUL DOMAZ	PARKING	1/5/2024	1/19/2024	1	NO	
338	2	14073001000000	11399 N PARKVIEW DRIVE	PLANTINUM POINT PROPERTIES LLC	OUTSIDE LIGHTING	1/11/2024	1/25/2024	1	NO	
339	2	14074031000000	5520 W PLEASANT DRIVE	PHILIP NJELIK	OUTSIDE LIGHTING	1/11/2024	1/25/2024	1	NO	
340	1	14164000010000	14195 N TWIN OAKS LANE	ENID TROTMAN ANYANWU	BUILDING PERMIT	10/6/2023	10/23/2023	#5 CITATION 1	YES	
341	2	14094021500000	3217 W FLEUR DE LIS DRIVE	ADEEB OR SIBA RAHMAN	STRUCTURE	1/31/2024	2/7/2024	1	NO	
342	2	14094021500000	3217 W FLEUR DE LIS DRIVE	ADEEB OR SIBA RAHMAN	PARKING	1/31/2024	2/7/2024	1	NO	
343	7	14025070070000	10962 N RIVER ROAD	JEFFREY OR JAMY LEVESQUE	PARKING	2/13/2024	27-Feb	NO	NO	
344	6	RENTAL	1402 W MEQUON ROAD	KUMON MATH AND READING	BANNER	2/20/2024	2/27/2024	#5 CITATION 1	YES	
345	6	15019160003000	1550 W MEQUON ROAD	FIFTH-MAIN	BANNER	2/20/2024	2/27/2024	1	NO	
346	8	15134002500	211 W TRILLIUM ROAD	SCOTT OR SANDRA STERN	OUTSIDE STORAGE	2/22/2024	3/1/2024	1	NO	
347	3	14087080500000	11750 N SILVER AVENUE	LUISS LLC - JESSE HYCHE	OUTSIDE MAINTENANCE	2/27/2024	3/14/2024	EXTENSION	YES	
348	5	15017080650000	12591 N LAKE SHORE DRIVE	STEVEN BROWN	REFUSE CONTAINER	3/7/2024	3/12/2024	1	NO	
349	3	14028060400200	8813 W MEQUON ROAD	TOLULOPE OLANDINI OR VICTORIA HANNEMAN	OUTSIDE STORAGE	3/22/2024	4/5/2024	1	NO	
350	2	14058040910000	4618 W GRACE AVENUE	GAIL SKIFF	BUILDING PERMITS	3/22/2024	4/5/2024	1	NO	
351	8	15107011200	1027 W DONGES BAY ROAD	MARY JOHNSON	OUTSIDE MAINTENANCE	4/2/2024	4/30/2024	EXTENSION	YES	
352	2	14023160300	11307 N RIVER ROAD	JOHN OR KATHLEEN LEFEBER NELSON	OUTSIDE STORAGE	4/18/2024	4/25/2024	EXTENSION	YES	
353	2	14023160300	11307 N RIVER ROAD	JOHN OR KATHLEEN LEFEBER NELSON	OUTSIDE MAINTENANCE	4/18/2024	5/18/2024	EXTENSION	YES	
354	2	14024070120	11610 N RIVER ROAD	MARILYN MANKE	OUTSIDE MAINTENANCE	4/18/2024	5/18/2024		YES	
355	2	14024070140	11611 N GRACE COURT	MARY JO JANSEN OR STEVEN SHAPSON	OUTSIDE MAINTENANCE	4/18/2024	5/18/2024		YES	
356	8	15029060100	10930 N PORT WASHINGTON ROAD	BRIXMOR GROUP	OUTSIDE MAINTENANCE	4/25/2024	5/31/2024		YES	
357		XXXXXXXXXX	224 N 76TH STREET	BRIARWOOD CONDO ASSOCIATION	OUTSIDE MAINTENANCE	5/3/2024	6/3/2024		YES	
358		15031010101100	10355 N PORT WASHINGTON ROAD	CLARK GAS STATION	TEMPORARY STRUCTURE	5/3/2024	5/31/2024		YES	
359		15020110112000	11210 N PORT WASHINGTON ROAD	MOBIL GAS STATION	TEMPORARY STRUCTURE	5/3/2024	5/31/2024		YES	
360		15030010115000	11147 N PORT WASHINGTON ROAD	BP GAS STATION	TEMPORARY STRUCTURE	5/3/2024	5/31/2024		YES	
361										
362										
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364										
365										
366										

11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-236-2914
Fax: 262-242-9655

www.ci.mequon.wi.us **Office of City Clerk**

TO: **Common Council**
FROM: **Caroline Fochs, City Clerk**
DATE: **April 2, 2024**
SUBJECT: **ORDINANCE 2024-1663 An Ordinance Repealing and Recreating the City of Mequon Aldermanic District Map, Due to 2024 Senate and Assembly Redistricting**

Background

In December 2023, the Wisconsin Supreme Court ruled that the existing state legislative maps must be redrawn. Accordingly, Wisconsin 2023 Act 94 was signed by the Governor in February of this year, which adopted new Senate/Assembly districts. Due to the new boundaries, several wards have changed within their Aldermanic Districts.

Analysis

The new assembly boundaries bisect Wards 7 and 11, creating new Wards 7A and 11A. In addition, wards previously split by the former assembly districts (Ward 2A and Ward 11A) will be absorbed into pre-existing wards. The end result will eliminate Ward 2A and existing Ward 11A and create new Ward 7A and new Ward 11A. Attached is the revised Aldermanic District Map with the updated wards. It should be noted that no County Supervisory Districts or Aldermanic District boundaries will change due to this readjustment.

Fiscal Impact

No fiscal impact.

Recommendation

On April 9, 2024, the Public Welfare Committee approved a recommendation in favor of adopting the proposed ordinance by a vote of 3-0.

Attachments:
Aldermanic (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2024-1663

An Ordinance Repealing and Recreating the City of Mequon Aldermanic District Map, Due to 2024 Senate and Assembly Redistricting

RECITALS

A. The City of Mequon adopted new Aldermanic Districts with Ordinance 2021-1598, following completion of the 2020 Federal Census.

B. This map was revised with Ordinance 2022-1622 due to the drawing of new Senate and Assembly Districts by the Legislature.

C. On December 22, 2023, the Wisconsin Supreme Court ruled these maps to be unconstitutional.

D. On February 19, 2024, a new Senate and Assembly map was signed into law, creating a redistricting plan for Wisconsin Congressional, Assembly and Senate districts.

E. The new map divides Ward 7 into Ward 7 and Ward 7A, and Ward 11 into Ward 11 and Ward 11A, due to Assembly boundaries bisecting these wards.

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

SECTION I

The Aldermanic District Map established and maintained in effect heretofore, is hereby repealed and recreated to readjust and relocate the wards within the City's eight (8) Aldermanic Districts, as shown on the map attached hereto and incorporated herein by reference.

SECTION II

The terms and provision 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 ordinances 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: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

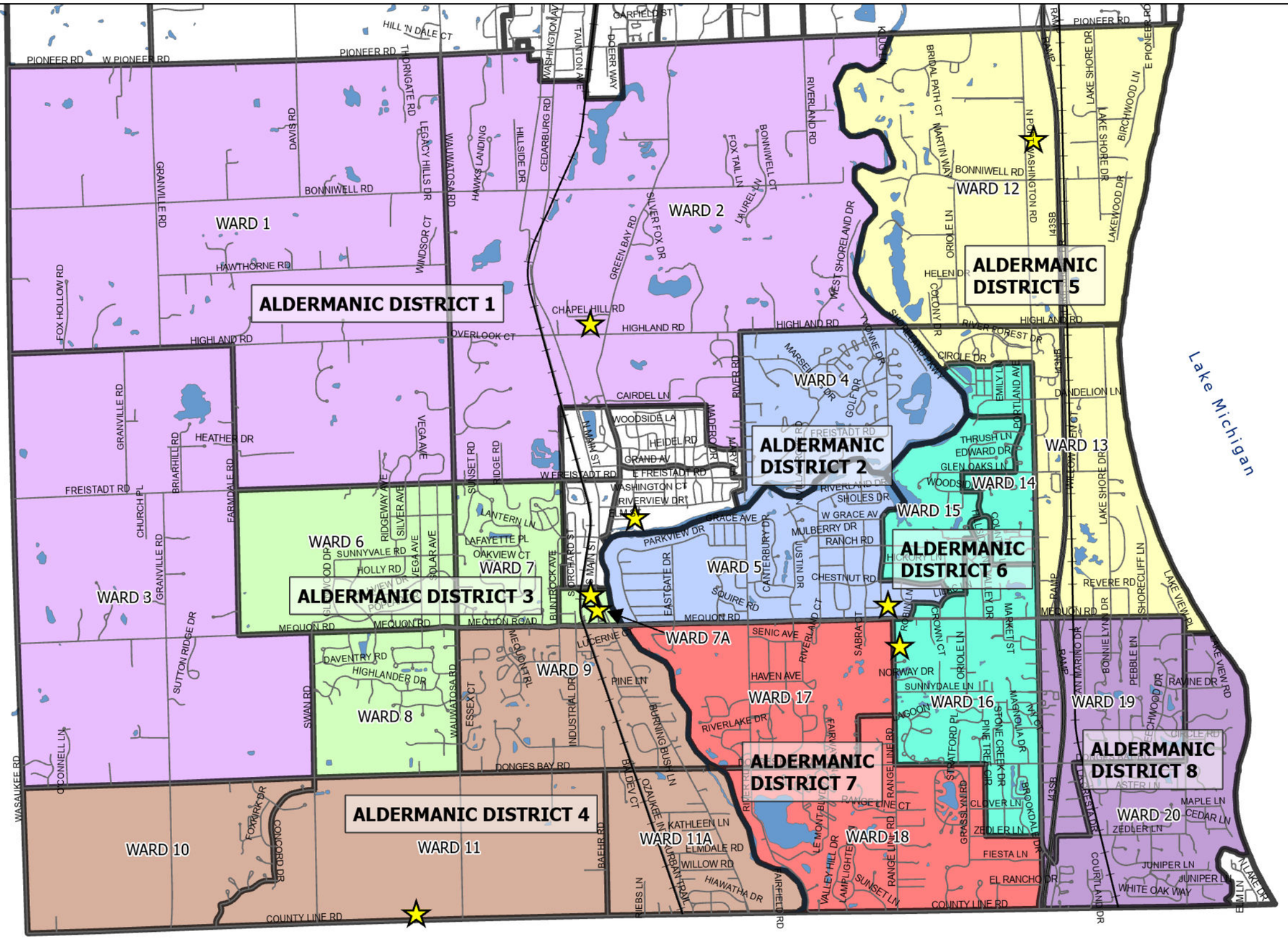
I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

Caroline Fochs, City Clerk

Published: _____

CITY OF MEQUON

Aldermanic Districts, Voting Wards & Polling Places



N

Date: 4/1/2024

Polling Locations

Wards

Crossroads Church, 6031W Chapel Hill Rd (wards 1-3) Ald Dist 1
City Hall, 11333N Cedarburg Rd (wards 4-5) Ald Dist 2
Frank L. Weyenberg Library, 11345N Cedarburg Rd (wards 6-8) Ald Dist 3
Pieper Power Education Center, 8200W County Line Rd (wards 9-11) Ald Dist 4
Unitarian Church North, 13800N Port Washington Rd (wards 12-13) Ald Dist 5
Range Line School, 11040N Range Line Rd (wards 14-16) Ald Dist 6
Lumen Christi Church, 2750W Mequon Rd (wards 17-18) Ald Dist 7
Range Line Community Center, 11040N Range Line Rd (wards 19-20) Ald Dist 8

OZAUKEE COUNTY

Attachment: Aldermanic (ORDINANCE 2024-1663 : Aldermanic District Wards)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655
www.ci.mequon.wi.us **Office of Administration**

TO: **Common Council**
FROM: **Carrie Enea, Executive Assistant**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4117 A Resolution Appointing Marie A. Keyser to the Position of Acting Finance Director/City Treasurer**

Background

After a nearly three-year career with the City of Mequon, Finance Director Jennifer Engroff left the organization to accept a position as Senior ERP Consultant with Heartland Business Systems. Ms. Engroff began her duties as City Finance Director on August 23, 2021. Her last day with the City was May 2, 2024.

Analysis

Upon Director Engroff's departure, the City's current Assistant Finance Director, Marie Keyser, has assumed the role of Acting Finance Director. Ms. Keyser has been with the City since February of 2020. Presently, the City Administrator's Office is working to fill the vacant Finance Director position, prior to the onset of the 2025 budget development process later this year.

Recommendation

A recommendation is forthcoming from the Finance-Personnel Committee on May 14, 2024.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4117

A Resolution Appointing Marie A. Keyser to the Position of Acting Finance Director/City Treasurer

RECITALS

A. Pursuant to Wis. Stats. § 62.09, the City of Mequon is required to have certain statutory officers, including a Treasurer.

B. In Mequon, the City's Director of Finance is also the City Treasurer.

C. The office of the City Treasurer was vacated on May 2, 2024, as a result of the incumbent's resignation.

D. The City Administrator recommends the appointment of Marie A. Keyser to the position of the Acting Director of Finance and Acting City Treasurer, retroactive to May 3, 2024.

E. The Common Council, based upon the recommendation of the City Administrator, desires to make an appointment to the office of City Treasurer pursuant to § 2-63(b) of the Mequon Municipal Code.

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

1. Marie A. Keyser is appointed as the City of Mequon's Acting Director of Finance and the Acting City Treasurer pursuant to § 2-63(b) of the Municipal Code, retroactive to May 3, 2024.

2. Resolution 3824 Designating Port Washington State Bank as the Public Depository for the City of Mequon is amended to replace Jennifer Engroff as an authorized signatory on withdrawal or disbursement checks with Marie Keyser, retroactive to May 3, 2024.

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

Caroline Fochs, City Clerk

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2934
Fax: 262-242-9655
www.ci.mequon.wi.us
Office of Engineering

TO: **Common Council**
FROM: **Cole McCraw, Assistant City Engineer**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4118 A Resolution Awarding a Contract for Completion of a Joint Mequon-Thiensville Bicycle & Pedestrian Way Planning Study to GRAEF of Milwaukee, Wisconsin in an Amount Not-to-Exceed $70,000 and Authorizing Execution of a Memorandum of Understanding with the Village of Thiensville for the Project's Local Share**

Background

The Joint Mequon-Thiensville Bike & Pedestrian Way Commission and City staff developed a request for proposals (RFP) for an update to the Commission's 20-year master plan. In 2022, the City solicited proposals for the update and received only one proposal. In February 2023, the Bikeway Commission determined that the proposal should not be awarded, and that the City should submit a Transportation Alternatives Program (TAP) grant application prior to moving forward with the plan update.

The City of Mequon was selected for grant funds through the Wisconsin Department of Transportation (WisDOT) solicitation for the with the 2023 - 2026 Bipartisan Infrastructure Law (BIL) Program. Mequon Common Council provided a resolution of support as part of Resolution 4039 in April 2023. The State/Municipal Financial Agreement (SMFA) for the project was approved by the Common Council in September 2023 as part of Resolution 4070.

Analysis

The City solicited consultant services for the master plan update in March 2024 using a Quality-Based Selection (QBS) process that is required if the project is utilizing TAP grant funds. The City received three proposals which were reviewed and ranked by the Bikeway Commission members. The proposals received were from:

- GRAEF
- MSA
- Vandewalle & Associates

The City provided each Commission member with a scoring form based on objective criteria used to assess the proposals. The Bikeway Commission recommended GRAEF be awarded the contract based on a quality-based evaluation of the proposals.

Fiscal Impact

As defined by the SMFA for this project, TAP program grant funds will cover 80% of the estimated cost. The Master Plan Update submittal contained a total project estimate of $70,000.

The grant would fund $56,000 (80%) of the total and the local (City) share will make up the remaining amount.

GRAEF submitted a draft contract with a lump sum cost of $69,371.23.

The local share costs will be split between the City of Mequon and the Village of Thiensville. Included in this approval is a Memorandum of Understanding (MOU) with the Village of Thiensville contributing 12% of the local share, as recommended by the Bikeway Commission.

The grant funding is a reimbursement, so the City will pay the consultant fees and subsequently request reimbursement from WisDOT and invoice the Village of Thiensville for their respective portion.

A summary of the anticipated final cost contributions based on the lump sum cost is as follows:

Contributor	**Contribution**
City of Mequon	$ 12,209.34
Village of Thiensville	$ 1,664.91
WisDOT TAP Funds	$ 55,496.98
Total	$ 69,371.23

Staff recommends that the Public Works Committee and Common Council award the "Development of the City of Mequon-Village of Thiensville Bicycle and Pedestrian Way Commission Planning Study" Project to GRAEF for an amount not to exceed of $70,000 and the Memorandum of Understanding with the Village of Thiensville for their contribution to the local share of the contract cost.

Recommendation

A recommendation is forthcoming from the Public Works Committee on May 14, 2024.

Attachments:
Bikeway Planning Study Village of Thiensville MOU Draft(PDF)
Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal(PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4118

A Resolution Awarding a Contract for Completion of a Joint Mequon-Thiensville Bicycle & Pedestrian Way Planning Study to GRAEF of Milwaukee, Wisconsin in an Amount Not-to-Exceed $70,000 and Authorizing Execution of a Memorandum of Understanding with the Village of Thiensville for the Project's Local Share

RECITALS

A. The City of Mequon was selected to receive Transportation Alternatives Program (TAP) funds from the Wisconsin Department of Transportation (WisDOT). The TAP grant is a reimbursable grant in the amount of $70,000 ($56,000 state funds/$14,000 local share) for the Joint Mequon-Thiensville Bike and Pedestrian Way Planning Study.

B. The City of Mequon had entered into a State Municipal Financial Agreement with WisDOT to utilize TAP funds for the planning study.

C. The City of Mequon solicited and reviewed proposals using a quality-based selection process, and the Joint Mequon-Thiensville Bike & Pedestrian Way recommended GRAEF for contract award.

D. The City of Mequon and the Village of Thiensville will split the local share of the contract cost in accordance with the Memorandum of Understanding for this project.

E. Adequate funds for the local share portion of this contract are available from the Capital Project Account: 410780-469001-10001 (Right-of-Way Assets).

F. The Public Works Committee at its meeting on May 14, 2024, approved staff's recommendation.

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

1. The Joint Mequon-Thiensville Bike and Pedestrian Way Planning Study is awarded to GRAEF of Milwaukee, Wisconsin, in an amount not-to-exceed $70,000, subject to any clerical, technical and/or legal changes deemed necessary and appropriate by WisDOT and as approved by the City Attorney.

2. The Memorandum of Understanding with the Village of Thiensville for the shared cost for the Joint Mequon-Thiensville Bike and Pedestrian Way Planning Study is approved, subject to any clerical, technical and/or legal changes deemed necessary and appropriate by the City Attorney.

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

Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

Caroline Fochs, City Clerk

Attachment: Bikeway Planning Study Village of Thiensville MOU Draft (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF MEQUON AND
THE VILLAGE OF THIENSVILLE

Articles of agreement made and entered into this _____ day of_____, 20__, by and between the Village of Thiensville, hereinafter called the Village, and the City of Mequon, a municipal corporation of Ozaukee County, Wisconsin, hereinafter called the City and collectively called the Parties.

RECITALS

1. The City has plans to request proposals to update the Joint Mequon-Thiensville Bike & Pedestrian Way Commission Master Plan. The project scope includes both the City and the Village areas.

2. This project will be funded using WisDOT Transportation Alternatives Program (TAP) grant funds and local funds, and therefore requires that the project follow applicable federal funding and WisDOT requirements.

3. The grant funds are awarded on a 20%-80% cost share with WisDOT. The local sponsor is responsible for 20% of the project cost.

4. The project is estimated at $80,000 with a maximum federal funding amount of $64,000. The remaining 20% local share would be approximately $16,000. The local sponsor is responsible for all costs exceeding $64,000.

5. The project contract must be approved by June 30, 2024.

NOW, THEREFORE, in consideration of these Recitals, the mutual agreements, benefits, and responsibilities outlined herein, and other good and valuable consideration, receipt, or sufficiency of which is hereby acknowledged, the Parties agree:

1. The City will complete the proposal solicitation and contract administration.

2. There is a shared expense for the Village, which shall be responsible for 12% of the local share.

3. There are sufficient funds in the Village's budget to pay for Village's portion of the local share. The Village shall reimburse the City no later than December 31, 2024, or within 30 days of the final invoice, whichever is later.

4. Upon approval of this agreement, as indicated by the signatures below, City staff will facilitate the negotiation process with the selected consultant and enter into a contract with the consultant and WisDOT. It is the intent of the City to have the master plan updated prior to the deadline for the contract.

CITY OF MEQUON

By_____
Andrew Nerbun, Mayor

By_____
Caroline Fochs, City Clerk

VILLAGE OF THIENSVILLE

By_____
John Rosing, President

By_____
Colleen Landisch-Hansen, Village Clerk

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this _____ day of_____, 20_, the above named Andrew Nerbun, Mayor and Caroline Fochs, City Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____

_____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is)_____

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this_____day of_____, 20_, the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____

_____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is)_____

Approved by: _____
Brian Sajdak, City Attorney

Attachment: Bikeway Planning Study Village of Thiensville MOU Draft (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES

ENGINEERING SERVICES CONTRACT

BETWEEN THE WISCONSIN DEPARTMENT OF TRANSPORTATION, CITY OF MEQUON (MUNICIPALITY)

AND GRAEF-USA INC (CONSULTANT) FOR

Project ID 2697-23-00
Development of the City of Mequon-Village of Thiensville
Bicycle and Pedestrian Way Commission Planning Study
Ozaukee County

This CONTRACT made and entered into by and between the DEPARTMENT, MUNICIPALITY and the CONSULTANT provides for those SERVICES described in the Scope of Services and Special Provisions and is generally for the purpose of providing the SERVICES solicited by the MUNICIPALITY in Professional services in the creation of a Mequon-Thiensville Bicycle and Pedestrian Master Plan and review, update, revision to the existing 2010-2030 Recommendations. This Qualification Based Selection was made based on the CONSULTANT'S Notice of Interest response and any interviews conducted.

The DEPARTMENT and MUNICIPALITY deem it advisable to engage the CONSULTANT to provide certain engineering SERVICES and has authority to contract for these SERVICES under sec. 84.01(13), Wis. Stats.

The DEPARTMENT REPRESENTATIVE is: Greg Hafeman, P.E.; Local Program Project Manager – Design, Division of Transportation System Development; WisDOT SE Region, 141 NW Barstow St., Waukesha, WI 53188; greg.hafeman@dot.wi.gov; (262) 548-8677.

The MUNICIPALITY REPRESENTATIVE is: Cole McCraw, P.E.; Assistant City Engineer; 11333 N. Cedarburg Road, Mequon, WI 53092; cmccraw@ci.mequon.wi.us; 262-236-2957

The CONSULTANT REPRESENTATIVE is: Craig Huebner, AICP; Project Manager; 275 West Wisconsin Avenue, Suite 300, Milwaukee, WI 53222; craig.huebner@graef-usa.com; 414-266-9228

The CONSULTANT SERVICES will be performed for the DEPARTMENT's Southeast Region office located in Waukesha, WI and will be completed by December 31, 2025. Deliver PROJECT DOCUMENTS to 141 NW Barstow St., Waukesha, WI 53188,, unless other directions are given by the DEPARTMENT.

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT will be from the:

☒ DEPARTMENT ☐ MUNICIPALITY

A. For basic design services including preparation of the Bicycle and Pedestrian planning study, collecting traffic field data, public involvement and meetings performed by CONSULTANT, a lump sum of $69,371.23.

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed $ 69,371.23.

The CONSULTANT does and will comply with the laws and regulations relating to the profession of engineering and will provide the desired engineering SERVICES.

This CONTRACT incorporates and the parties agree to all of the standard provisions of the Three Party Design Engineering Services Contract, dated October 18, 2023 and referenced in Procedure 8-15-1 of the State of Wisconsin Department of Transportation Facilities Development Manual. CONSULTANT acknowledges receipt of a copy of these standard provisions.

This CONTRACT incorporates all of the MANUALS defined in the CONTRACT.

The parties also agree to all of the Special Provisions which are annexed and made a part of this CONTRACT, consisting of 4 pages.

Nothing in this CONTRACT accords any third party beneficiary rights whatsoever on any non-party that may be enforced by any non-party to this contract.

For the CONSULTANT

By:_____

Title: _____

Date:_____

For the DEPARTMENT

By: _____

Contract Manager, WisDOT

Date: _____

For the MUNICIPALITY

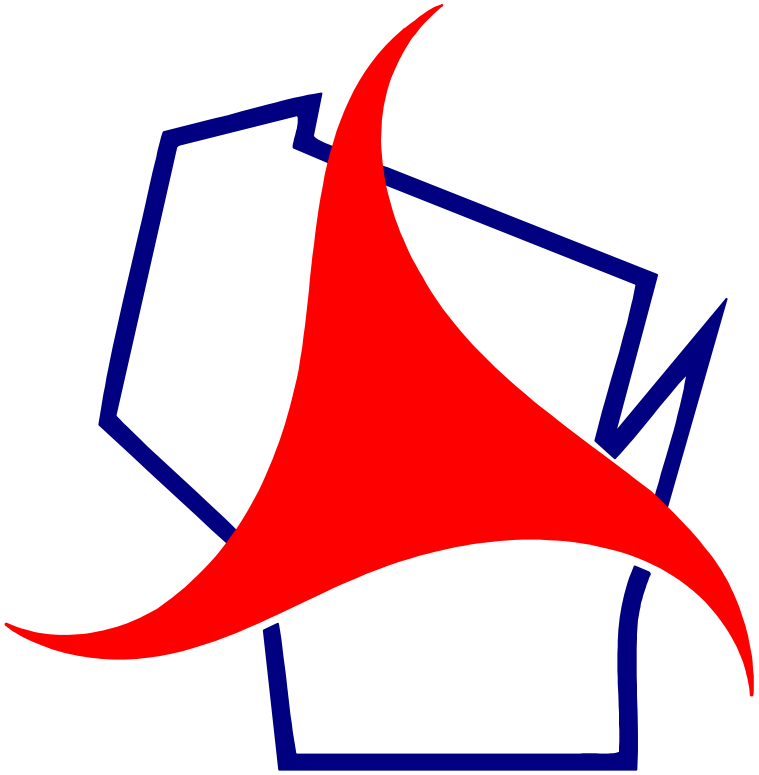
By:_____

Title: _____

Date:_____

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

Three-Party Design Contract Special Provisions



January 03, 2017

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

SCOPE OF SERVICES 1
A. DESIGN REPORTS 1
B. ENVIRONMENTAL DOCUMENTATION : Not Included 1
C. AGENCY COORDINATION: Not Included 1
D. RAILROAD/ UTILITY INVOLVEMENTS: Not Included 1
E. PUBLIC INVOLVEMENT 1
F. MEETINGS 2
G. LOCATING: Not Included 2
H. SURVEYS: Not Included 2
I. SOILS AND SUBSURFACE INVESTIGATIONS: Not Included 2
J. ROAD PLANS: Not Included 2
K. STRUCTURE PLANS: Not Included 3
L. PLATS: Not Included 3
M. HIGHWAY SYSTEM CHANGES: Not Included 3
N. TRAFFIC 3
O. SERVICES PROVIDED BY THE MUNICIPALITY 3
P. MISCELLANEOUS LAND USE STUDIES 3
PROSECUTION AND PROGRESS 4

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

THREE PARTY DESIGN CONTRACT SPECIAL PROVISIONS
Revised 05/26/16

The following are recommended special provisions for the design contract to be inserted behind the standard provisions.

VI. SPECIAL PROVISIONS

The following sections are amended to substitute the DEPARTMENT for the MUNICIPALITY.

SCOPE OF SERVICES

A. DESIGN REPORTS

(1) Request for Exceptions to Design Standards: Not included.

(2) Encroachment Report: Not included.

(3) Other Reports:

Prepare the following engineering reports/analyses as directed by the MUNICIPALITY:

- A Mequon-Thiensville Bike and Pedestrian Master Plan planning report that documents the results of each task as outlined in the Scope of Services.

B. ENVIRONMENTAL DOCUMENTATION: Not Included

C. AGENCY COORDINATION: Not Included

D. RAILROAD/ UTILITY INVOLVEMENTS: Not Included

E. PUBLIC INVOLVEMENT

(1) Public Involvement Meetings:

(a) Conduct or assist the MUNICIPALITY in holding one public involvement meeting(s) and introduce the study area and obtain feedback on existing conditions, goals/objectives, and community priorities.

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

(b) Prepare all exhibits and supplementary handout material and provide the equipment necessary to conduct the public involvement meeting(s).

(c) Prepare a summary report after the public involvement meeting(s).

(d) Discuss with the MUNICIPALITY the comments received and recommend the possible disposition of these comments and suggestions after the public involvement meeting(s).

(e) Provide the MUNICIPALITY with copies of all public involvement correspondence and file notes.

(f) Coordinate meeting schedules with the MUNICIPALITY'S representative.

(2) The CONSULTANT shall conduct one (1) online survey to garner input from the community and serve as the Needs Assessment input method.

F. MEETINGS

(1) Attend or hold kick-off meeting to discuss the organization and processing of the Services under this CONTRACT.

(2) The CONSULTANT shall attend monthly progress meetings with the Joint Mequon-Thiensville Bike & Pedestrian Way Commission (5 anticipated). Each meeting will include an update on project status.

(3) The CONSULTANT shall conduct two (2) virtual meetings with Village of Thiensville staff.

(4) The CONSULTANT shall conduct two (2) virtual meetings with City of Mequon staff.

(5) The CONSULTANT shall conduct one (1) virtual meeting with Ozaukee County staff.

(6) The CONSULTANT shall conduct two (2) virtual meeting with neighboring jurisdictions.

G. LOCATING: Not Included

H. SURVEYS: Not Included

I. SOILS AND SUBSURFACE INVESTIGATIONS: Not Included

J. ROAD PLANS: Not Included

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

K. STRUCTURE PLANS: Not Included

L. PLATS: Not Included

M. HIGHWAY SYSTEM CHANGES: Not Included

N. TRAFFIC

(1) Collect bicycle and pedestrian volumetric data to determine volume at useful locations within the study area and incorporate data into identified travel corridors. The CONSULTANT may propose as few or as many locations as they feel are useful to the study (four out of the total eighteen corridors anticipated). The Ozaukee Interurban Trail will not be counted.

O. SERVICES PROVIDED BY THE MUNICIPALITY

The MUNICIPALITY will provide to the CONSULTANT the following for the PROJECT:

1. Existing designated bike routes (on-street & off-street) in their community.
2. Existing street network map
3. Existing roadway capital improvements plan
4. Any future roadway, bike, and pedestrian facility design plans within the study area
5. Securing PIM location
6. Public meeting notices and advertisements
7. Previous studies for bike and pedestrian development
8. Any background data regarding future development, safety concerns, community input on bicycle and pedestrian facilities

P. MISCELLANEOUS LAND USE STUDIES

1. The CONSULTANT shall conduct two (2) site visits to review field conditions.
2. The CONSULTANT shall create an existing inventory of roadway, bike, and pedestrian facilities in a ESRI GIS-compatible format with data provided by City, Village, and County.
3. The CONSULTANT shall assemble and evaluate both quantitative and qualitative inventory information for both existing needs and potential future accommodations.
4. The CONSUTLANT shall assist the Commission in updating the Vision, Goals, Objectives, and Policies of the Plan.
5. The CONSULTANT shall identify bicycle travel corridors.
6. The CONSULTANT shall evaluate and select specific route alternatives and concept-level design treatments.

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

7. The CONSULTANT shall conduct safety audit of historical bicycle and pedestrian crashes or incidents.
8. The CONSULTANT shall create a phasing plan inclusive of “priority corridor segments” and all recommended bike/ped facilities.
9. The CONSULTANT shall provide preliminary capital and ongoing maintenance cost ranges for recommended bike and pedestrian facility types (not including ROW or property acquisitions).
10. The CONSULTANT shall perform an impact fee evaluation for City of Mequon.

PROSECUTION AND PROGRESS

(1) The MUNICIPALITY shall report on the progress of the PROJECT as stipulated in the contract agreement. Standard benchmarks, consistent with DEPARTMENT’S internal staff benchmarks, will be reported monthly to the DEPARTMENT. The actual start, projected or actual finish date, and percent of work complete will be included for all relevant benchmarks on any project report required for delivery to DEPARTMENT staff. The report can be delivered in electronic format consistent with current DEPARTMENT standards (Microsoft Project), or on paper.

(2) The following items of work will be completed and submitted to the MUNICIPALITY by the indicated dates, if CONSULTANT has received the Notice to Proceed by July 1, 2024. (Date)

Report Title	Date
Commission Kick-off Meeting	July 11, 2024
Community Online Survey	August 8, 2024
Public Involvement Meeting	September 2024
Draft Planning Report	November 7, 2024
Final Planning Report	December 5, 2024

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

GRAEF

EXHIBIT 1A

5/6/24 4:50 PM

CONSULTANT DIRECT LABOR RATES

Name or Employee Number	CLASSIFICATION	CURRENT RATE (AS OF APRIL 1, 2024)	DATE OF NEXT SALARY ADJUSTMENT	DATE OF NEXT SALARY ADJUSTMENT	PAY INCREASE PERCENT ON APRIL 1, 2025	PAY RATE AFTER APRIL 1, 2025	PERCENT WORK AT 2024 (CURRENT) RATE	PERCENT WORK AT 2025 RATE	WEIGHTED AVERAGE HOURLY RATE FOR THE LENGTH OF THE PROJECT
1783	Project Manger	$49.04	April 15, 2025	April 1, 2025	3.5	$50.76	100%	0%	$49.04
Average	Landscape Architect	$45.81	April 15, 2025	April 1, 2025	3.5	$47.41	100%	0%	$45.81
Average	Traffic Engineer	$47.53	April 15, 2025	April 1, 2025	3.5	$49.19	100%	0%	$47.53
1494	Transportation Engineer	$69.93	April 15, 2025	April 1, 2025	3.5	$72.38	100%	0%	$69.93
Average	Planner	$34.98	April 15, 2025	April 1, 2025	3.5	$36.20	100%	0%	$34.98

CONTRACT COMPLETION DATE: December 31, 2025

Project ID: 2697-23-00
DEVELOPMENT OF THE CITY OF MEQUON-VILLAGE OF THIENSVILLE BICYCLE AND PEDESTRIAN WAY COMMISSION PLANNING STUDY
Ozaukee County

Exhibit 1A

GRAEF

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway

GRAEF
5/6/24 4:50 PM

Exhibit 1B

Employee Classification
Weighted Average Direct Labor Rates

Classification:	Landscape Architect		
Name or Employee Number	Current Rate (a)	Percent Contribution (b)	(a x b)
1548	$ 71.35	30	$ 21.41
2014	$ 34.86	70	$ 24.40
		100	$ 45.81

Classification:	Traffic Engineer		
Name or Employee Number	Current Rate (a)	Percent Contribution (b)	(a x b)
2048	$ 49.76	70	$ 34.83
1863	$ 42.31	30	$ 12.69
		100	$ 47.53

Classification:	Planner		
Name or Employee Number	Current Rate (a)	Percent Contribution (b)	(a x b)
2095	$ 38.46	50	$ 19.23
1956	$ 31.49	50	$ 15.75
		100	$ 34.98

Project ID: 2697-23-00
DEVELOPMENT OF THE CITY OF MEQUON-VILLAGE OF THIENSVILLE BICYCLI
AND PEDESTRIAN WAY COMMISSION PLANNING STUDY
Ozaukee County

Exhibit 1B

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

GRAEF

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Exhibit 1C

DIRECT EXPENSES BY ITEM

ITEM	UNIT	NO. OF UNITS	UNIT COST	TOTAL COST
Employee Vehicle Mileage	Each	330	$0.670	$221.10
			TOTAL:	**$221.10**

Project ID: 2697-23-00
DEVELOPMENT OF THE CITY OF MEQUON-VILLAGE OF THIENSVILLE BICYCLE AND PEDESTRIAN WAY COMMISSION PLANNING STUDY
Ozaukee County

Exhibit 1C

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

GRAEF

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Exhibit 1D

SUMMARY OF STAFF HOURS AND DIRECT LABOR COSTS

Classification:		Project Manger		Landscape Architect		Traffic Engineer		Transportation Engineer		Planner		Total Direct Labor	
Avg. Hourly Wage:		$49.04		$45.81		$47.53		$69.93		$34.98			
TASK	Activity Code	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars
Miscellaneous Land Use Studies	286	72	$3,530.88	32	$1,465.92	24	$1,140.72	8	$559.44	200	$6,996.00	336	$13,692.96
Collect Traffic Field Data	347	2	$98.08			40	$1,901.20	2	$139.86			44	$2,139.14
Manage Project Stakeholders	743	60	$2,942.40	12	$549.72	4	$190.12	1	$69.93	40	$1,399.20	117	$5,151.37
Manage Project Scope and Schedule	887	32	$1,569.28					4	$279.72	32	$1,119.36	68	$2,968.36
TOTALS		166	$8,140.64	44	$2,015.64	68	$3,232.04	15	$1,048.95	272	$9,514.56	565	$23,951.83

Project ID: 2697-23-00
DEVELOPMENT OF THE CITY OF MEQUON-VILLAGE OF THIE
AND PEDESTRIAN WAY COMMISSION PLANNING STUDY
Ozaukee County

Exhibit 1D

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway

GRAEF

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Exhibit 1E

FEE COMPUTATION SUMMARY BY ENGINEERING TASK

TASK	Activity Code	Direct Labor Costs	Overhead Costs	Fixed Fee	Direct Expenses	Total
Miscellaneous Land Use Studies	286	$13,692.96	$23,015.13	$2,824.17		$39,532.26
Collect Traffic Field Data	347	$2,139.14	$3,595.47	$441.20	$221.10	$6,396.91
Manage Project Stakeholders	743	$5,151.37	$8,658.42	$1,062.47		$14,872.26
Manage Project Scope and Schedule	887	$2,968.36	$4,989.22	$612.22		$8,569.80
TOTALS		$23,951.83	$40,258.24	$4,940.06	$221.10	$69,371.23

Home Office Indirect Cost Rate of : 1.6808

Standard Overhead Rate to Compute Fixed Fee: 1.500

Fixed Fee: 8.25

Project ID: 2697-23-00

DEVELOPMENT OF THE CITY OF MEQUON-VILLAGE OF THIENSVILLE BICYCLE AND PEDESTRIAN WAY COMMISSION PLANNING STUDY

Ozaukee County

Exhibit 1E

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway

GRAEF

Exhibit 2

5/6/24 4:50 PM

CONSULTANT CONTRACT TOTAL FEE COMPUTATION

	Project I.D. 2697-23-00	TOTAL CONTRACT
Number of Staff Hours	**565**	**565**
Total Direct Labor	$ 23,951.83	$ 23,951.83
Total Overhead Costs	$ 40,258.24	$ 40,258.24
Fixed Fee	$ 4,940.06	$ 4,940.06
Non-Labor Direct Charges	$ 221.10	$ 221.10
Contract Sub-Total	**$ 69,371.23**	**$ 69,371.23**
	$ 0.00	$ 0.00
Subcontract Total	**$ 0.00**	**$ 0.00**
CONTRACT TOTAL COST	**$ 69,371.23**	**$ 69,371.23**

Project ID: 2697-23-00

DEVELOPMENT OF THE CITY OF MEQUON-VILLAGE OF THIENSVILLE BICYCLE AND PEDESTRIAN WAY COMMISSION PLANNING STUDY

Ozaukee County

Exhibit 2

Attachment: Mequon Thiensville Bike Ped Plan_GRAEF Draft Proposal (RESOLUTION 4118 : Bikeway Planning Study Award and Thiensville

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: **Justin Bodoh, Building Superintendent**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4119 A Resolution Rejecting Bids Received for the Replacement of Various HVAC Units and Other Upgrades within the Council Chambers at City Hall**

Background

On July 13, 2023, City Hall air conditioning condensing units outside the original City Hall building failed. As a result of their failure, a 6T and a 15T air handling unit also sustained major coil damage. The City's HVAC preventative maintenance contractor made emergency repairs, but considering the age and condition of the equipment, it was recommended that the City pursue eventual replacement of the system. The emergency repair was understood to be temporary.

At its August 8, 2023, meeting, the Common Council ratified the cost of the HVAC repairs. Staff recommended consideration of more permanent repairs or replacement, but the discussion was delayed to be considered with the 2024 capital budget.

The 2018 EMG Facilities Condition Assessment of City-owned facilities identified the City Hall 1936 vintage HVAC system for complete replacement. Since that time several components of the HVAC system have been replaced on an as-needed basis, most notably the boiler in 2019, and two rooftop 2T air handling units in 2020. The study also included a number of additional capital projects that could be included in the scope of work.

The failed condensing units are located outside near the northwest corner of the building, and the air handling units are located in the attic above the ceiling of the small conference room directly west of the council chamber's dais.

Because of the age of the existing units and the differences in older vs. newer technologies, parts for the system simply can't be replaced in kind. Units, controls, fittings, and mounting systems all need to be designed to work with the system, and to meet current safety requirements, including building a new platform & catwalk to access the units.

The 2024 capital budget included an allocation for the repair based upon the recommendation of the City's HVAC preventative maintenance contractor. Due to the custom nature of the City's HVAC system and outdated components, a design firm was hired to ensure the functionality of a new system. At the time of design award, staff considered requesting that the Common Council determine project components to include in the bid package, but ultimately recommended design of all project components. The bid was structured such that the Common Council could determine the project components at the time of award, and the design for the remaining

components could be utilized in a future bid package.

In February staff started working with Strang to engineer and design a permanent solution for the HVAC system in the Council Chambers. Along with the HVAC system, Strang designed multiple option upgrades throughout the Council Chambers that were identified in the 2018 EMG Facilities Condition Assessment and by building maintenance staff (see attached).

Analysis

The full plan set is available here: <https://www.ci.mequon.wi.us/sites/default/files/fileattachments/public_works/page/27055/2024024_city_of_mequon_city_hall_hvac_and_chambers_upgrade_-_cd_set_2.pdf>.

The bid package includes:

- Replacement of AHU's and condensing units with updated controls.
- Ceiling replacement of the Council Chambers with a base item concept and 2 alternative concepts.
    - Item 2 - Ceiling replaced with acoustical drywall - (attached)
    - Alternate 1 - Suspended metal panels with woodgrain look - (attached)
    - Alternate 2 - Wood veneer ceiling with soffits - (attached)
- Lighting / Electrical upgrades - power being brought over from addition, (BAS) Building Automation System lighting controls, LED lighting.
- Replacement of 8 Windows in Council Chambers.
- Flooring replacement with carpet tile with City of Mequon Logo (black/grey/white)

All aspects of Strang's engineering and design of the Common Council Chambers have efficiency and aesthetics in mind. Building Staff is working with the IT Department on all future upgrades of the Audio/Video needed in the Council Chambers, ceiling alternates 1 & 2 are designed to ensure the longevity of the Council Chambers. All options have been reviewed and passed by the State Historic Preservation Office, and the HVAC design was approved by E-Plan.

In April of this year, the Building Maintenance division issued an invitation for bids for City Hall HVAC and Chamber Upgrades based on Strang's design. Initially, the contract completion date was to be October 4, 2024. Due to manufacturing timelines, air handling unit (AHU) lead-times increased from 16 weeks to 32 weeks. With the lead-time and installation timeline nearing the end of November, an amendment was issued to revise the project start and end dates to March 17 and May 30, 2025, respectively. In light of the construction timeline changes, multiple construction companies refused to bid on the project not knowing the labor rates for the upcoming 2025 year.

Prior to bidding, Strang's construction cost estimate ranged from $384,152 to $647,483.52 depending on what options were chosen. Stang's construction cost estimate for HVAC including all options, was $647,483.52. All vendor/manufacture pricing was considered, and industry standard labor rates were used to produce the construction estimate. The bids received ranged from $495,000 to $1,233,000. The bid pricing and option breakdown and Strang's construction cost estimate are also attached.

The low bid was approximately 57% higher than Strang's estimate. The post-bid analysis determined that the bids received reflect labor market uncertainty due to an extended timeline (completion date being a full year after the bidding date), and project uncertainty due to contractors not knowing what additive options might be included in the project. Therefore, staff is recommending rejection of the bids, with the request that the Common Council determine the scope of the project to be rebid later this year.

Fiscal Impact

The Building Division's City-wide Capital Buildings Account currently has a balance of $217,270.69. It is anticipated that the balance of the project will be funded through a 2025 capital budget allocation.

If awarded, the 2025 capital budget allocation would be $277,729.31 - 815,373.89, depending on the selection of alternates. As the design consultant and staff believe the bid pricing is inflated, staff is recommending rejecting the bids in favor of rebidding later this year.

Recommendation

Staff recommends the rejection of the two bids received, one from Tri-North Builders and one from Selzer-Ornst Construction.

Staff further recommends re-bidding the project at a later date with the same project schedule. Staff requests that the Common Council provide direction on the scope to be rebid:

- Selection of the ceiling replacement:
  - Acoustical drywall
  - Suspended metal panels with woodgrain look
  - Wood veneer ceiling with soffits
- Inclusion or exclusion of the lighting / electrical upgrades
- Inclusion or exclusion of the replacement of 8 windows
- Inclusion or exclusion of the flooring replacement with carpet tile with City of Mequon Logo (black/grey/white)

A recommendation is forthcoming from the Public Works Committee on May 14, 2024.

Attachments:
Ceiling Item 2 - Ceiling replaced with acoustical drywall (PNG)
Ceiling Alternate 1 - Suspended metal panels with woodgrain look (PNG)
Ceiling Alternate 2 - Wood veneer ceiling with soffits (PDF)
Bidder List CHN HVAC and Upgrades (PDF)
Engineer Cost Estimate (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4119

A Resolution Rejecting Bids Received for the Replacement of Various HVAC Units and Other Upgrades within the Council Chambers at City Hall

RECITALS

A. The City of Mequon Buildings Division has advertised and received bids for the 2024 Common Council HVAC and Chamber Upgrades.

B. Staff have reviewed the various bids and contractor qualifications for the contracts.

C. Since all bids are substantially higher than the Engineer's original project estimates, staff recommends that the Public Works Committee reject the bids.

D. The Public Works Committee at it meeting on May 14, 2024, agreed with staff's recommendation.

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

1. The bids for the City of Mequon's 2024 Common Council HVAC and Chamber Upgrades are rejected.

2. Staff is authorized to re-advertise to solicit bids for the project.

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

_____
Caroline Fochs, City Clerk

Attachment: Ceiling Item 2 - Ceiling replaced with acoustical drywall (RESOLUTION 4119 : City Hall HVAC and Chamber Upgrade - Bid Rejection)

Attachment: Ceiling Alternate 1 - Suspended metal panels with woodgrain look (RESOLUTION 4119 : City Hall HVAC and Chamber Upgrade - Bid Rejection)

Attachment: Ceiling Alternate 2 - Wood veneer ceiling with soffits (RESOLUTION 4119 : City Hall HVAC

City of Mequon City Hall 2024 CHN HVAC AND UPGRADES

11333 N. Cedarburg Road Mequon, WI 53092

Bidders List

Company Name	Contact Name	Email Address	Phone Number	Item 1 Replacement of AHU's & Condensing units with updated controls	Item 2 Ceiling Acoustical Drywall	Alternate 1 - Suspended Metal panels w/ woodgrain look	Alternate 2 - Wood Veneer ceiling with Soffits	Alternate 3 - Aldermant Conf. Room Flooring	Item 3 Lighting / Electrical	Item 4 Window Option	Item 5 Flooring Option	Total Bid Items 2-5	Base Bid + All Options	Prequalifiation & Bid Bond
Tri-North	Andy Rice	Arice@tri-north.com	262-549-1300	495,000	155,000	415,000 (260,000.00)	412,500 (257,500)	102,500 (7,500)	125,000	98,000	95,000	473,000	968000	Prequal./ Bid Bond
Selzer-Ornst Construction	Karen / Kate Krakow	estimates@selzer-ornst.com / k	414-258-9900	571,091	42,548	344,941 (302,393.00)	227,075.28 (184,527.28)	59,332 (12,704)	109,814.30	65,332	46,628	264,322.30	835413.3	Prequal. / Bid Bond

Attachment: Bidder List CHN HVAC and Upgrades (RESOLUTION 4119 : City Hall HVAC and Chamber

Options	*Selzer-Ornst Construction*	*Tri- North*
Item 1 Replacement of AHU's & Condensing units with updated controls	$571,091	$495,000
Item 1 + Item 2 Acoustical Drywall Ceiling	$613,639.00	$650,000.00
Item 1 + Item 2 + Item 3 Lighting and Electrical Upgrades	$723,453.30	$775,000.00
Item 1 + Item 2 + Item 3 + Item 4 Window's	$788,785.30	$873,000.00
Item 1 + Item 2 + Item 3 + Item 4 + Item 5 Flooring	$835,413.30	$968,000.00
Item 1 + Item 2 + Item 3 + Item 4 + Item 5 + Alt. 3 Conferenece room flooring	$848,117.30	$975,500.00
Item 1 + Item 4	$636,423.00	$593,000.00
Item 1 + Item 5	$617,719.00	$590,000.00
Item 1 + Item 5 + Alt. 3	$630,423.00	$597,500.00
Item 1 + Alt. 1 Suspended Metal panels w/ woodgrain look	$916,032.00	$910,000.00
Item 1 + Alt. 1 + Item 3	$1,025,846.30	$1,035,000.00
Item 1 + Alt. 1 + Item 3 + Item 4	$1,091,178.30	$1,133,000.00
Item 1 + Alt. 1 + Item 3 + Item 4 + Item 5	$1,137,806.30	$1,228,000.00
Item 1 + Alt. 1 + Item 3 + Item 4 + Item 5 + Alt. 3	$1,150,510.30	$1,235,500.00
Item 1 + Alt. 2 Wood Veneer ceiling with soffits	$798,166.28	$907,500.00
Item 1 + Alt. 2 + Item 3	$907,980.58	$1,032,500.00
Item 1 + Alt. 2 + Item 3 + Item 4	$973,312.58	$1,130,500.00
Item 1 + Alt. 2 + Item 3 + Item 4 + Item 5	$1,019,940.58	$1,225,500.00
Item 1 + Alt. 2 + Item 3 + Item 4 + Item 5 + Alt. 3	$1,032,644.58	$1,233,000.00

Item 1 - Replacement of AHU's & Condensing units with updated controls
Item 2 - Acoustical Drywall Ceiling
Item 3 - Lighting / Electrical upgrade
Item 4 - Window Replacement
Item 5 - Flooring (Carpet Squares)
Alt. 1 Suspended Metal panels w/ woodgrain look ceiling
Alt. 2 - Wood Veneer ceiling with soffits ceiling
Alt. 3 Alderman Conference room flooring

Attachment: Bidder List CHN HVAC and Upgrades (RESOLUTION 4119 : City Hall HVAC and Chamber

City of Mequon- Remodel

Division	Description	Total Incl O&P
Demolition		$ 10,000.00
Exterior	concrete pad and bollard	$ 3,000.00
Windows	(8) Three panel single hung Windows	$ 16,400.00
Mezzanine	New planking and misc framing.	$ 2,347.00
Ships ladder	Ships ladder with mounting brackets.	$ 6,805.00
Miscellaneous Carpentry	Blocking, wall remove for mechanical access	$ 5,000.00
Ceiling Base Bid	USG ensemble acoustical drywall system - including installation by their factory-certified installers.	$ 75,000.00
Carpeting	Carpet squares throughout Chamber and Elevatior lobby 325 yards	$ 18,244.00
Carpet	City of Mequon logo	$ 4,000.00
Ceiling in Alderman Conference Room 103 and Storage Room 104		$ 7,740.00
Mechanical System		$ 180,000.00
Electrical System		$ 75,000.00
		$403,536.00
Contractor Fee		$ 28,247.52
General Conditions		$ 60,530.40
Construction Contingency		$ 40,353.60
Owner Contingency		$ -
		$532,667.52
Alternate #1-Ceiling	USG wood-look metal ceiling for material, including installation by their factory-certified installers.	$ 110,000.00
Alternate #2-Ceiling	¼" drywall on drywall grid over existing popcorn ceiling, level 5 finish and wood veneer wallcovering	$ 73,392.00
Alternate #3-Carpet in Alderman room		$ 4,816.00

Attachment: Engineer Cost Estimate (RESOLUTION 4119 : City Hall HVAC and Chamber Upgrade - Bid

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2934
Fax: 262-242-9655
www.ci.mequon.wi.us
Office of Engineering

TO: **Common Council**
FROM: **Jeremy Dandy, Engineering Technician**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4120 A Resolution Authorizing Execution of a Memorandum of Understanding with the Village of Brown Deer for Road Improvements on County Line Road Between Cedarburg Road and the Railroad Tracks East of 52nd Street/Garden Drive, in the Estimated Amount of $445,000**

Background

Each year, the Engineering Division rates the surface condition rating of roads, generally in the late fall. These ratings are used over the winter to evaluate which roads will be recommended for inclusion in the annual road program.

At its February meeting, the Public Works Committee authorized staff to advertise the 2024 Road Improvements contract, a part of the Annual Road and Parking Lot Program. This bid included County Line Road (Cedarburg Road west to railroad) as a joint project with the Village of Brown Deer, with the City's portion of the total base bid estimated at $460,000.

Please see the attached location map for the joint project.

County Line Road is a multi-jurisdictional road. The City has worked with adjacent municipalities to reconstruct portions of County Line Road over several years. County Line Road, by surface condition rating and resident input, is one of the most deteriorated roads in the City. The City of Mequon and the Village of Brown Deer share the section of County Line Road between North Cedarburg Road west to the railroad tracks. The City and Village are both able to include this section in their 2024 Capital Improvement Plans to complete reconstruction work.

While the reconstruction will be accomplished as a pulverize and overlay project, additional design and analysis was required to provide proper drainage, address private property impacts, identify any utility conflicts, accommodate a potential widening for safety and/or bicycle lanes and to review the Village's desire to provide additional pedestrian and/or bicycle facilities on the south side of the road. At this time, staff is requesting approval of the Memorandum of Understanding (MOU) for the City's portion of construction costs.

Analysis

The Village of Brown Deer received five bids for the 2024 Road Improvements contract with the low base bid of $843,291.25 from All-Ways Contractors of Menomonee Falls, Wisconsin. The City's portion of the low bid is approximately 4% less than staff's estimate. Based on the available funds for the 2024 Road Improvements contract, staff is recommending award of the City's portion.

All-Ways Contractors has performed acceptable work of this type for the City in the past.

Work on this contract can start as soon as the contract is fully executed and has a final completion date of November 15, 2024. The bid summary is attached.

Fiscal Impact

On February 8, 2022, the Common Council approved a $5.0 million bond issuance for a 3-year borrowing for right-of-way capital assets between 2022 and 2024. This is the third year of the aforementioned three-year program funded by long term bonding. The approximate balance of the Right-of-Way Assets account is $2,014,000.

As a result of several recent contract awards, the Public Works Committee and Common Council have requested adding a contingency to the award amounts. Therefore, staff is recommending that the resolution approve an amount not-to-exceed $445,000 which includes a contingency of 10% for additionally authorized efforts. The contingency provides for additional services that may result from unknown field conditions.

A memorandum of understanding (MOU) is included with this item as an agreement for the City of Mequon to reimburse the Village of Brown Deer for actual construction costs.

The City and the Village have agreed to a cost breakdown for the construction services. Please note that the breakdown is based on construction item locations. For example, the sidewalk on the south side of County Line Road will be a Village of Brown Deer cost. However, since the municipal boundary is the street centerline, most items will result in a 50/50 share of the costs.

Recommendation

A recommendation is forthcoming from the Public Works Committee on May 14, 2024.

Attachments:
Area Map_County Line Rd (PDF)
Construction MOU - County Line Road (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4120

A Resolution Authorizing Execution of a Memorandum of Understanding with the Village of Brown Deer for Road Improvements on County Line Road Between Cedarburg Road and the Railroad Tracks East of 52nd Street/Garden Drive, in the Estimated Amount of $445,000

RECITALS

A. The City of Mequon Engineering Division and the Village of Brown Deer have advertised and received bids for the County Line Road Reconstruction

B. Staff has reviewed the various bids and contractor qualifications for the contracts.

C. Staff has determined that the bids received are reasonable and that adequate funds are available to accomplish the work, and on that basis has made a recommendation to the Public Works Committee.

D. Adequate funds for this contract are available from the Capital Project Account - 410780-469001-10001 (Right-of-Way Assets).

E. To provide for additional services that may result from the spring thaw or other unforeseen conditions, the City of Mequon portion shall be affirmed with a contingency for a total not-to-exceed cost of $445,000.

F. Through a Memorandum of Understanding, the City of Mequon agrees to reimburse the Village of Brown Deer for the portions of County Line Road within the City of Mequon.

G. The Committee on Public Works at its meeting on May 14, 2024, approved staff's recommendation.

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

1. Staff is authorized to enter into the Memorandum of Understanding with the Village of Brown Deer.

2. Staff is authorized to reimburse the Village of Brown Deer for construction costs associated with the City of Mequon’s portion of the project.

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

Approved by: Andrew Nerbun, Mayor

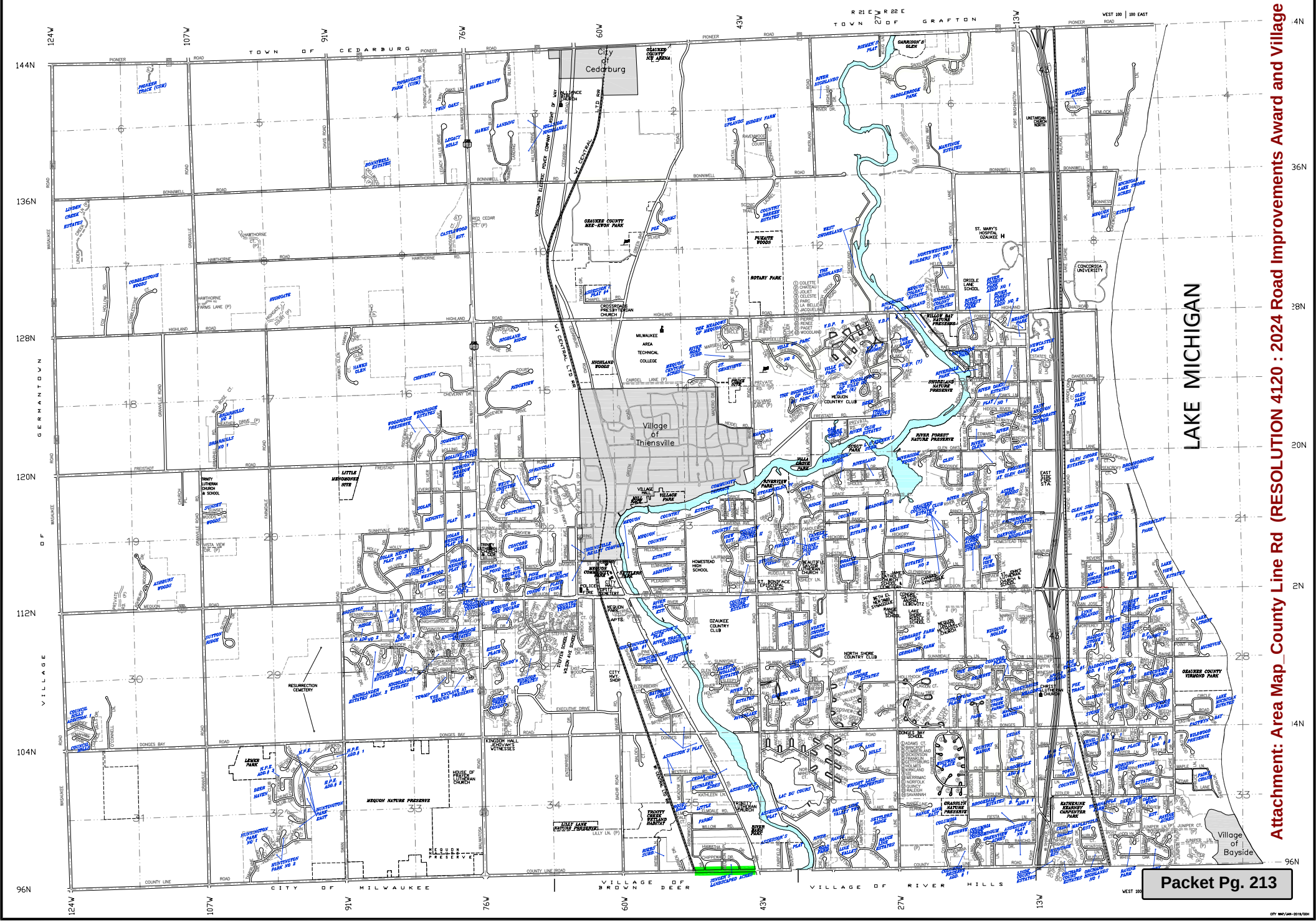
Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

Caroline Fochs, City Clerk

CITY OF MEQUON

2024 Joint Project with Village of Brown Deer



MEMORANDUM OF UNDERSTANDING
COST SHARE AGREEMENT
COUNTY LINE ROAD RECONSTRUCTION
VILLAGE OF BROWN DEER/CITY OF MEQUON MULTI-JURISDICTIONAL PROJECT

WHEREAS, the City of Mequon (City) and Village of Brown Deer (Village) previously entered into a Memorandum of Understanding (MOU) for the roles, responsibilities and financial obligations for the design services associated with a road reconstruction project on County Line Road from the railroad tracks east of N. 52nd Street/Garden Drive to N. Green Bay Road/N. Cedarburg Road/STH 57.

WHEREAS, the Village and the City agreed to commit to a second MOU to address the cost of construction once the design work was complete and both municipalities understood the cost implications of construction.

WHEREAS, the existing roadway was constructed in 1962 and has been resurfaced and maintained and is in very poor condition.

WHEREAS, the Village and the City have budgeted funds for the improvements of County Line Road and the project was bid within the confines of those budgets.

WHEREAS, the Village and the City agreed to an overall cross section for the roadway, with cost of reconstruction to be split by the municipalities and the improvements beyond the basic road reconstruction projects to be paid for by each municipality.

WHEREAS, upon completion of the construction of this project, maintenance of this roadway shall resume as usual with each community maintaining their designated section of roadway.

NOW, THEREFORE, BE IT RESOLVED that the Village and the City share jurisdiction of the road and therefore outline the participation in the reconstruction improvements as herein described.

Project Description
The roadway is under joint jurisdiction and is a boundary road between the City of Mequon and the Village of Brown Deer. Project includes 0.5 miles of pavement pulverizing, grading and compacting, asphalt paving both lower and upper layers, shouldering, concrete sidewalk, ditching, culvert replacement, asphalt pavement removal, tree removal and concrete sidewalk addition on the south side (Village).

Financial Obligations
Generally, the cost of the reconstruction of the roadway will be distributed evenly as a 50%/50% split between the Village and the City, respectively. The exceptions to the cost share relates to the Village's desire to pursue bicycle and pedestrian facilities on the south side of the roadway and each municipality's utility maintenance. The items of the bid form shall be paid for as outlined on the following page:

Attachment: Construction MOU - County Line Road (RESOLUTION 4120 : 2024 Road Improvements Award and Village of Brown Deer MOU)

W. County Line Road Reconstruction

Opinion of Probable Construction Cost - 5/2/24 - Post Bid

Section Reference	Bid Item No.	Description	Unit of Measure	Estimated Quantity	Estimated Unit Price	Budget Cost	% Mequon	Mequon Cost	% Brown Deer	Brown Deer Cost
General										
01 30 00	1	Performance & Payment Bonds	LS	1	$ 3,500.00	$ 3,500.00	50%	$ 1,750	50%	$ 1,750
01 30 00	2	Mobilization	LS	1	$15,840.00	$ 15,840.00	50%	$ 7,920	50%	$ 7,920
31 23 16	3	Traffic Control and Signage	LS	1	$12,740.00	$ 12,740.00	50%	$ 6,370	50%	$ 6,370
01 50 00	4	Utility Company Coordination	LS	1	$ 1,500.00	$ 1,500.00	50%	$ 750	50%	$ 750
01 55 26	5	Temporary Mailboxes	LS	1	$ 1,875.00	$ 1,875.00	50%	$ 938	50%	$ 938
31 10 00	6	Remove and Reinstall Signs	EA	16	$ 40.00	$ 640.00	50%	$ 320	50%	$ 320
01 22 00	7	Remove and Replace Mailboxes	LS	15	$ 125.00	$ 1,875.00	50%	$ 938	50%	$ 938
33 05 14	8	Adjust Existing Sanitary Manhole	EA	9	$ 1,140.00	$ 10,260.00	50%	$ 5,130	50%	$ 5,130
01 22 00	9	Adjust Water Valve Box	EA	2	$ 740.00	$ 1,480.00	0%	$ -	100%	$ 1,480
					Subtotal General:	**$ 49,710.00**		$ 24,115		$ 25,595
Demolition & Removals										
31 10 00	10	Clearing & Grubbing	LS	1	$ 1,665.00	$ 1,665.00	50%	$ 833	50%	$ 833
31 10 00	11	Tree Removal	EA	25	$ 253.00	$ 6,325.00	50%	$ 3,163	50%	$ 3,163
31 10 00	12	Remove Pavement - Asphalt	SY	1300	$ 5.70	$ 7,410.00	50%	$ 3,705	50%	$ 3,705
31 10 00	13	Remove Pavement - Concrete	SF	400	$ 1.95	$ 780.00	50%	$ 390	50%	$ 390
31 10 00	14	Sawcut - Concrete or Asphalt	LF	580	$ 3.00	$ 1,740.00	50%	$ 870	50%	$ 870
33 41 00	15	Remove & Dispose Culvert (any material)	EA	17	$ 245.00	$ 4,165.00	50%	$ 2,083	50%	$ 2,083
01 22 00	16	Remove Brick / Stone Retaining Wall in R/W	LS	1	$ 200.00	$ 200.00	50%	$ 100	50%	$ 100
32 12 16	17	Pulverize and Relay Asphalt	SY	6450	$ 1.50	$ 9,675.00	50%	$ 4,838	50%	$ 4,838
					Subtotal Demolition & Removals:	**$ 31,960.00**		$ 15,980		$ 15,980
Earthwork										
31 23 16	18	Common Excavation	CY	1450	$ 27.70	$ 40,165.00	50%	$ 20,083	50%	$ 20,083
31 23 16	19	General Fill - Trucked-In	CY	375	$ 15.00	$ 5,625.00	50%	$ 2,813	50%	$ 2,813
31 23 16	20	Strip Topsoil	SY	1480	$ 2.00	$ 2,960.00	50%	$ 1,480	50%	$ 1,480
31 23 16	21	Topsoil - Respread	SY	7350	$ 3.40	$ 24,990.00	50%	$ 12,495	50%	$ 12,495
					Subtotal Earthwork:	**$ 73,740.00**		$ 36,870	100%	$ 36,870
Erosion & Sediment Control										
31 25 13	22	Restoration - Seed, Fertilizer & Mulch	SY	7300	$ 1.15	$ 8,395.00	50%	$ 4,198	50%	$ 4,198
31 25 13	23	Erosion Mat Class I, Urban Type A	SY	1370	$ 1.30	$ 1,781.00	50%	$ 891	50%	$ 891
31 25 13	24	Erosion Mat Class I, Urban Type B	SY	5930	$ 1.40	$ 8,302.00	50%	$ 4,151	50%	$ 4,151
31 25 13	25	Sediment Control Wattle - Ditches	EA	4	$ 75.00	$ 300.00	50%	$ 150	50%	$ 150
31 25 13	26	Sediment Control Wattle - Endwalls	EA	19	$ 65.00	$ 1,235.00	50%	$ 618	50%	$ 618
31 25 13	27	Silt Fence	LF	700	$ 1.65	$ 1,155.00	50%	$ 578	50%	$ 578
31 25 13	28	Rip-rap - Medium	SY	100	$ 13.80	$ 1,380.00	50%	$ 690	50%	$ 690
31 25 13	29	Dust Control - Watering	1000 Gal	15	$ 1.00	$ 15.00	50%	$ 8	50%	$ 8
					Subtotal Erosion & Sediment Control:	**$ 22,563.00**		$ 11,282		$ 11,282
Storm Sewer & Stormwater Management										
33 41 14	30	Storm Sewer - 6" PVC	LF	60	$ 47.00	$ 2,820.00	0%	$ -	100%	$ 2,820
33 41 14	31	Storm Sewer - 8" HDPE	LF	40	$ 48.00	$ 1,920.00	33%	$ 637	67%	$ 1,283
33 41 14	32	Storm Sewer - 10" HDPE	LF	50	$ 52.00	$ 2,600.00	0%	$ -	100%	$ 2,600
33 41 14	33	Storm Sewer - 12" HDPE	LF	100	$ 50.00	$ 5,000.00	0%	$ -	100%	$ 5,000
33 41 14	34	Storm Sewer - 15" HDPE	LF	80	$ 54.00	$ 4,320.00	0%	$ -	100%	$ 4,320
33 41 14	35	Storm Sewer - 18" HDPE	LF	80	$ 59.00	$ 4,720.00	0%	$ -	100%	$ 4,720
33 41 14	36	Apron Endwall - 12" CMP (for HDPE Storm Sewer)	EA	2	$ 260.00	$ 520.00	0%	$ -	100%	$ 520
33 41 14	37	Apron Endwall - 21" x 15" CMP	EA	2	$ 300.00	$ 600.00	60%	$ 360	40%	$ 240
33 41 14	38	Storm Sewer - 15" CMP (Aluminized)	LF	30	$ 65.00	$ 1,950.00	0%	$ -	100%	$ 1,950
33 41 14	39	Storm Sewer - 21"x15" CMP Arch (Aluminized)	LF	120	$ 79.00	$ 9,480.00	100%	$ 9,480	0%	$ -
33 41 14	40	Storm Sewer - 12" RCP, Class III	LF	160	$ 96.00	$ 15,360.00	100%	$ 15,360	0%	$ -
33 41 14	41	Storm Sewer - 15" RCP, Class III	LF	190	$ 105.00	$ 19,950.00	100%	$ 19,950	0%	$ -
33 41 14	42	Storm Sewer - 21" RCP, Class III	LF	115	$ 145.00	$ 16,675.00	100%	$ 16,675	0%	$ -
33 41 14	43	Storm Sewer Manhole - 48"	EA	1	$ 2,585.00	$ 2,585.00	100%	$ 2,585	0%	$ -
33 41 14	44	Field Inlet - 36" RCP w/ Frame & Grate	EA	1	$ 4,355.00	$ 4,355.00	0%	$ -	100%	$ 4,355
33 41 14	45	Apron Endwall - 12" RCP (No Grate)	EA	5	$ 1,225.00	$ 6,125.00	0%	$ -	100%	$ 6,125
33 41 14	46	Apron Endwall - 15" RCP (No Grate)	EA	6	$ 1,270.00	$ 7,620.00	50%	$ 3,810	50%	$ 3,810
33 41 14	47	Apron Endwall - 21" RCP (No Grate)	EA	4	$ 1,400.00	$ 5,600.00	79%	$ 4,400	21%	$ 1,200
33 41 14	48	Gabion Basket (3 x 3 x 12) with Stone, Low Flow Pipe and Fabric	EA	6	$ 1,330.00	$ 7,980.00	50%	$ 3,990	50%	$ 3,990
					Subtotal Storm Sewer & Stormwater Management:	**$ 120,180.00**		$ 77,247		$ 42,933
Streets & Pavements										
32 11 23	49	Base Aggregate Dense - 1-1/4"	TON	2160	$ 21.50	$ 46,440.00	50%	$ 23,220	50%	$ 23,220
32 11 23	50	Base Aggregate Dense - 3"	TON	3440	$ 23.15	$ 79,636.00	50%	$ 39,818	50%	$ 39,818
32 23 16	51	Excavation Below Subgrade (EBS) Undercut	CY	2520	$ 17.25	$ 43,470.00	50%	$ 21,735	50%	$ 21,735
32 23 16	52	Excavation Below Subgrade (EBS) Backfill - 3" Breaker Run	TON	2650	$ 21.95	$ 58,167.50	50%	$ 29,084	50%	$ 29,084
32 11 23	53	Geotextile Fabric - WisDOT Type SR (Subgrade Reinforcement)	SY	2430	$ 1.20	$ 2,916.00	50%	$ 1,458	50%	$ 1,458
32 11 23	54	Base Aggregate Dense - 3/4" (Shouldering)	TON	340	$ 31.25	$ 10,625.00	50%	$ 5,313	50%	$ 5,313
32 11 23	55	Shaping Shoulders	LF	4330	$ 0.90	$ 3,897.00	50%	$ 1,949	50%	$ 1,949
32 11 23	56	Prepare Base for Asphaltic Paving	LF	2325	$ 5.20	$ 12,090.00	50%	$ 6,045	50%	$ 6,045
32 11 23	57	HMA (4 LT 58-28 S) - 2.0" Surface Layer	TON	930	$ 73.25	$ 68,122.50	50%	$ 34,061	50%	$ 34,061
32 11 23	58	HMA (3 LT 58-28 S) 3.0" Lower Layer	TON	1390	$ 66.75	$ 92,782.50	50%	$ 46,391	50%	$ 46,391
32 11 23	59	Asphalt Apron & Driveway (4 LT 58-28 S) - 3" Single Layer	TON	160	$ 119.00	$ 19,040.00	50%	$ 9,520	50%	$ 9,520
32 12 16	60	Cleaning & Sweeping	SY	8100	$ 0.10	$ 810.00	50%	$ 405	50%	$ 405
32 12 16	61	Tack Coat	SY	8100	$ 0.14	$ 1,134.00	50%	$ 567	50%	$ 567
32 12 16	62	Concrete Sidewalk - 5" Thickness w/ Base Aggregate Dense	SF	12000	$ 5.50	$ 66,000.00	0%	$ -	100%	$ 66,000
32 12 16	63	Concrete Sidewalk/Driveway - 7" Thickness w/ Base Aggregate Dense	SF	840	$ 5.75	$ 4,830.00	25%	$ 1,208	75%	$ 3,623
32 12 16	64	Curb Ramp Detectable Warning Field - Yellow	EA	9	$ 350.00	$ 3,150.00	0%	$ -	100%	$ 3,150
32 12 16	65	Marking Line, 4" White Epoxy, Edge Line	LF	4725	$ 0.85	$ 4,016.25	50%	$ 2,008	50%	$ 2,008
32 13 13	66	Marking Line, 4" Double Yellow Epoxy, Centerline	LF	1935	$ 1.70	$ 3,289.50	50%	$ 1,645	50%	$ 1,645
32 13 13	67	Marking, Stop Bar, 12" White Epoxy	LF	80	$ 15.00	$ 1,200.00	50%	$ 600	50%	$ 600
10 14 53	68	Marking, Stop Bar, 24" White Epoxy	LF	33	$ 20.00	$ 660.00	50%	$ 330	50%	$ 330
10 14 53	69	Marking, Crosswalk Transverse Line, 6" White Epoxy	LF	105	$ 12.00	$ 1,260.00	50%	$ 630	50%	$ 630
10 14 53	70	Marking, Crosswalk, Block Style, 24" White Epoxy	LF	70	$ 20.00	$ 1,400.00	50%	$ 700	50%	$ 700
10 14 53	71	Marking, Railroad Crossing, Epoxy	EA	1	$ 1,275.00	$ 1,275.00	50%	$ 638	50%	$ 638
10 14 53	72	Signs - Street Name	EA	8	$ 135.00	$ 1,080.00	50%	$ 540	50%	$ 540
10 14 53	73	Signs - Type I, Reflective H	SF	110	$ 23.40	$ 2,574.00	50%	$ 1,287	50%	$ 1,287
10 14 53	74	Sign Post - Round, Steel, 2-3/8"	EA	4	$ 225.00	$ 900.00	50%	$ 450	50%	$ 450
10 14 53	75	Sign Post - Wood, 4x4-inch, 14 Ft.	EA	12	$ 95.00	$ 1,140.00	50%	$ 570	50%	$ 570
10 14 53	76	Reinstall Custom Sign on Round Steel Post, 2-3/8"	EA	3	$ 225.00	$ 675.00	50%	$ 338	50%	$ 338
32 12 16	77	Maltene Seal Finished Pavement (Reclamite)	SY	8050	$ 1.56	$ 12,558.00	50%	$ 6,279	50%	$ 6,279
					Subtotal Streets & Pavement:	**$ 545,138.25**		$ 236,787		$ 308,352
Bid Total (Items 1 through 75 above)						**$ 843,291.25**		**$402,280.50**		**$441,010.75**
10% Contingency						**$ 85,000**		**$ 41,000.00**		**$ 45,000.00**
Construction Budget Total						**$ 928,291**		**$443,280.50**		**$486,010.75**

Attachment: Construction MOU - County Line Road (RESOLUTION 4120 : 2024 Road Improvements Award and Village of Brown Deer MOU)

Roles, Obligations and Agreements

A. Village
   1. As this section of roadway is under the Village's maintenance jurisdiction, the Village will administer, manage, and coordinate the contract for the road reconstruction.
   2. The Village will generate pay requests based upon the Financial Obligations and invoicing by the contractor, to be paid by each municipality.
   3. The Village will inspect all construction activities associated with the sidewalk installation.

B. City
   1. The City will provide inspection of the road reconstruction portion of the project at no cost to the Village.

C. Both Parties
   1. Each municipality will pay the contractor directly, in accordance to the MOU.
   2. The Village and the City agree to jointly collaborate on notifying affected landowners and businesses on and adjacent to County Line Road.
   3. The Village and the City will mutually agree on the accuracy of pay requests prior to approval and payment.

Terms and Conditions:

1. The initiation and accomplishment of the improvement will be subject to all applicable Federal, State and local regulations.
2. The Village of Brown Deer and the City of Mequon will individually pay such project costs as outlined above to the contractor.
3. The respective municipalities will incur at their own expense:
   a. Assume general responsibility of all public information to its residents.

This MOU is subject to the terms and conditions included herein and is executed by the undersigned under proper authority to execute such an agreement for the Village of Brown Deer and upon acceptance by the Village shall constitute agreement between the two municipalities.

Signed for and on behalf of the Village of Brown Deer:

_____ _____ _____

Signature Title Date

_____

Name

Signed for and on behalf of the City of Mequon:

_____ _____ _____

Signature Title Date

_____

Name

11333 N. Cedarburg Road
Mequon, WI 53092
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: **May 14, 2024**
SUBJECT: **RESOLUTION 4121 A Resolution Approving Award of a Three-Year Landscape Maintenance Contract for Road Medians and Other Public Properties to Northern Exposure Landscaping, Inc. of Mequon, Wisconsin, at an Annual Cost of $35,000**

Background

Historically, the City of Mequon contracts with a landscape firm to perform median, boulevard, and bed maintenance in various public spaces throughout the City. While the Department of Public Works provides routine mowing, it does not have the resources to complete the mulching, invasive plant/weed control, and landscaping work that a larger firm can provide.

The maintenance contract includes the following: medians on Cedarburg Road east of City Hall, Mequon Road from Wauwatosa Road to Port Washington Road, City Hall rear parking area, the Gateway Feature, and within the Mequon Business Park.

Analysis

The contract varies by location, but generally includes the following maintenance activities:

- All trees and shrubs will be pruned or trimmed to shape, and all unwanted growth or deadwood removed.
- All planting beds and cement islands will have debris removed, be weeded, and Round Up applied as necessary on a biweekly basis. Service dates will be April 15 through November 15, which equals 16 visits.
- Plant Replacement of dead plant material once annually. To be done prior to mulch (based on an allowance not to exceed $5,000).
- Watering replaced plant materials (not-to-exceed $4,000 at $100/hour).
- Bed edging shall be completed once annually prior to mulch installation (Mequon Road only).
- Once or twice during the season, all tree rings and planting beds will be top dressed with 1” of mulch.
- Once the annual growing season is over (approximately November 15-20), all shrubs will be pruned back, perennials will be cut down, leaf cleanup, and other annual vegetation will be removed.

Northern Exposure Landscaping, Inc. provided the lowest proposal for the work. Northern Exposure Landscaping, Inc is a reputable local landscape contractor operating in Mequon. Staff recommends award to Northern Exposure Landscaping, Inc.

Fiscal Impact

The City received one bid from the City's current median maintenance contractor. Northern Exposure Landscaping, Inc. submitted a bid for $35,000/year. The annual budget amount for median maintenance contracts totals $28,080, therefore the resolution includes authority to increase the budget line item by $6,920.

The contract allows for renewal in 2027, for a successive 3-year term. The annual contract cost of $35,000 is more than that of the 2021 contract ($25,000) and includes additional services along the Mequon Road Corridor.

Recommendation

A recommendation is forthcoming from the Public Works Committee on May 14, 2024.

Attachments:
Northern Exposure Landscaping, Inc. (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4121

A Resolution Approving Award of a Three-Year Landscape Maintenance Contract for Road Medians and Other Public Properties to Northern Exposure Landscaping, Inc. of Mequon, Wisconsin, at an Annual Cost of $35,000

RECITALS

A. The City contracts for median maintenance on Cedarburg Road, Mequon Road, within the Mequon Business Park, around the City Hall Parking Lot, and adjacent to the Gateway Feature at Cedarburg and Mequon Roads.

B. City staff issued a Request for Proposals which resulted in receipt of a proposal from one qualified contractor.

C. Staff recommends to the Public Works Committee that a three-year contract be awarded to Northern Exposure Landscaping, Inc. of Mequon, Wisconsin.

D. The Public Works Committee approved staff's recommendation at its meeting on May 14, 2024.

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

1. The Contract for Median and Landscape Maintenance is awarded to Northern Exposure Landscaping, Inc. of Mequon, Wisconsin, in an annual amount not-to-exceed $35,000, subject to any clerical, technical and/or legal changes deemed necessary and appropriate by the City Attorney.

2. The contract may be renewed in 2027 for a successive 3-year term with satisfactory performance.

3. The budget line item for Contracted Services - Maintenance (110474 683202) will be increased by $6,920.

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

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

_____

Caroline Fochs, City Clerk

NORTHERN EXPOSURE LANDSCAPING, INC.

April 26, 2024

City of Mequon
11333 North Cedarburg Road
Mequon, WI 53092

Attn: Mike Gies, Parks and Forestry Superintendent

RE: City of Mequon 2024 Landscape Maintenance

Maintenance of Mequon Rd. Medians (west of Wauwatosa Rd. East to Port Washington

TREE & SHRUB PRUNING - Once during this season, upon request by the park's director, all trees and shrubs will be trimmed to shape and we will remove all unwanted growth.
BED MAINTENANCE - All tree rings, planting beds and cement islands will have debris removed, Round Up applied as necessary on a bi-weekly basis. Service dates will be April 15 thru Nov 15 which equals no less than 16 visits.
PLANT REPLACEMENT – Replacement of dead plant material once annually. To be done prior to mulch. Park and Forestry Superintendent will assist the company representative in identifying the plants to be replaced that year. (Allowance for replacement plant material should included in bid)
WATERING – Watering three times weekly for newly installed plant replacements or until establishment.
BED EDGING – Bed edging shall be completed once annually prior to mulch installation
FALL CLEAN UP - Once growing season is over (approx. Nov 15 – 20) all shrubs will be pruned back, perennials will be cut down, and other annual vegetation will be removed.
MULCH INSTALLATION - Once during this season, upon request by the park's director, all tree rings and planting beds will be top dressed with 1" of shredded hardwood oak mulch. (1" should bring beds to 3" depth).

Maintenance of Cedarburg Rd. (Medians east of City Hall)

TREE & SHRUB PRUNING - Once during this season, upon request by the park's director, all trees and shrubs will be trimmed to shape, and we will remove all unwanted growth.
BED MAINTENANCE - All tree rings, planting beds and cement islands will have debris removed, weeded, and Round Up applied as necessary on a bi-weekly basis. Service dates will be April 15 thru Nov 15 which equals 16 visits.

Office: 9850 N. Wasaukee Road, Mequon, WI 53097 • (262) 242-3877
www.northernexposureld.com

Attachment: Northern Exposure Landscaping, Inc. (RESOLUTION 4121 : 2024 Median Maintenance Contract Award)

NORTHERN EXPOSURE LANDSCAPING, INC.

FALL CLEAN UP - Once the growing season is over (approx. Nov. 15 – 20) all shrubs will be pruned back, perennials will be cut down, and other annual vegetation will be removed.
MULCH INSTALLATION - Twice during this season, upon springtime and August, all tree rings and planting beds will be top dressed with 1" of Brown Enviro Mulch.

Maintenance of Mequon Business Park (medians and entrances) (Eastwood Court, Industrial Dr., Baehr Rd. and Executive Dr.)

TREE & SHRUB PRUNING - Once during this season, upon request by the park's director, all trees and shrubs will be trimmed to shape, and we will remove all unwanted growth.
BED MAINTENANCE - All planting beds and cement islands will have debris removed, weeded and Round Up applied as necessary on a bi-weekly basis. Service dates will be April 15 thru Nov 15 which equals 16 visits.
FALL CLEAN UP - Once growing season is over (approx. Nov. 15 -20) all shrubs will be pruned back, perennials will be cut down, and other annual vegetation will be removed.
MULCH INSTALLATION - Once during this season, upon request by the park's director, all tree rings and planting beds will be top dressed with 1" of shredded hardwood oak mulch. (1" should bring beds to 3" depth).

Maintenance of City Hall Public Parking Lot (west of City Hall)

TREE & SHRUB PRUNING - Once during this season, upon request by the park's director, all trees and shrubs will be trimmed to shape and we will remove all unwanted growth.
BED MAINTENANCE - All planting beds and cement islands will have debris removed, weeded and Round Up applied as necessary on a bi-weekly basis. Service dates will be April 15 thru Nov 15 which equals 16 visits.
FALL CLEAN UP - Once growing season is over (approx. Nov. 15 -20) all shrubs will be pruned back, perennials will be cut down, and other annual vegetation will be removed.
MULCH INSTALLATION - Once during this season, upon request by the park's director, all tree rings and planting beds will be top dressed with 1" of Brown Enviro Mulch. (1" should bring beds to 3" depth).

Maintenance of Mequon and Cedarburg Rd. Gateway Feature

TREE & SHRUB PRUNING - Once during this season, upon request by the park's director, all trees and shrubs will be trimmed to shape and we will remove all unwanted growth.
BED MAINTENANCE - All planting beds and cement islands will have debris removed, weeded and Round Up applied as necessary on a bi-weekly basis. Service dates will be April 15 thru Nov 15 which equals 16 visits.
FALL CLEAN UP - Once growing season is over (approx. Nov. 15 -20) all shrubs will be pruned back, perennials will be cut down, and other annual vegetation will be removed.

Office: 9850 N. Wasaukee Road, Mequon, WI 53097 • (262) 242-3877
www.northernexposureld.com

Attachment: Northern Exposure Landscaping, Inc. (RESOLUTION 4121 : 2024 Median Maintenance Contract Award)

NORTHERN EXPOSURE LANDSCAPING, INC.

MULCH INSTALLATION - Once during this season, upon request by the park's director, all tree rings and planting beds will be top dressed with 1" of Brown Enviro Mulch. (1" should bring beds to 3" depth).

Contract to run from April 15, 2024 through November 15, 2024
April 15, 2025 through November 15, 2025
April 15, 2026 through November 15, 2026

Tree and Shrub Pruning: $2,400.00
Bed Maintenance: $9,000.00
Fall Clean Up: $4,600.00
Mulch Installation and Bed Edging: $9,000.00

Annual Total: $25,000.00
Four equal payments of $6,250.00

Allowance for plant replacements: $5,000.00
***Not included in annual total price. To be invoiced upon completion.**

Watering Service: $100.00 per hr

TERMS:

Billing for the work proposed shall be four equal payments falling between April 15 – November 15.

Should you have any questions or concerns or if you would like to schedule a meeting on site to review the proposed work please don't hesitate to contact us. If you would like us to schedule the proposed work please sign and return a copy to our office.

Thank you for your time and consideration.

Fadi Haddad
President
Office: 262-242-3877
office@northernexposureld.com

Accepted: _____

Date: _____

Attachment: Northern Exposure Landscaping, Inc. (RESOLUTION 4121 : 2024 Median Maintenance Contract Award)

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: **Tim Weyker, Deputy Director of Public Works**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4122 A Resolution Approving the Purchase of a Replacement Plow Truck Chassis from Truck Country, Oak Creek, Wisconsin in the Amount of $117,546**

Background

The Department of Public Works (DPW) Equipment Replacement Program provides for the purchase and replacement of vehicles and equipment for the Department. The Sewer and Water Utilities have separate budgets that support the replacement of their respective equipment. The replacement program provides funding for smaller items such as lawn mowers and chain saws, as well as larger vehicles such as plow trucks, loaders, and excavators.

The equipment replacement presented in the attached resolution pertains only to the following unit: a 2003 International 7400 Plow Truck (Unit #311) with a similar Freightliner 114SD Plus plow truck chassis (quote attached).

Analysis

Department policy is to replace at least one of the City's 19 plow trucks each year. Over the last several years, due to supply chain issues and ongoing vendor backlogs, DPW's typical truck bidding process where plow trucks are built to exact specifications is not feasible. Vendors have told DPW that they are unable to quote new plow trucks in this fashion since 2022.

The City's most recent plow truck purchase was a 2022 unit that DPW just received this year. The City was not able to place an order for a 2023 plow truck because there were not any available, but the Fleet Superintendent did secure a slot for the City on Lakeside International's "no obligation" waiting list for International Trucks 2024 or 2025 production years. To this point, the City has been told it will not be included in any International Trucks' builds through the first two quarters of 2024.

Subsequently, the Fleet Superintendent was contacted by Truck Country, of Oak Creek, about the availability of a second quarter 2024 Freightliner truck chassis build. This purchase would be for a truck chassis only. Snowplow & wing manufacturers, and truck box suppliers will not take orders to outfit a new truck until it is procured by the municipality. Once the truck chassis is built and delivered, staff will procure the required snowplow & wing along with the appropriate truck box, salt brine tank, and salt spreader. With the current state of supply chain issues, the truck is not likely to be completely outfitted until 2025.

While the City will remain on the list for a future International plow truck chassis, this

Freightliner purchase takes advantage of Waukesha County's Bid #2127 cooperative purchasing (piggyback) agreement (attached), meeting City procurement policy.

Fiscal Impact

There are adequate funds available in the Department of Public Works Equipment Replacement Account #410787-725012-10359 for this purchase. Once the new truck build is completed, the old unit will be sold on Wisconsin Surplus Online Auction, and the proceeds will be deposited back into the same account.

Recommendation

A recommendation is forthcoming from the Public Works Committee on May 14, 2024.

Attachments:
City of Mequon Single Axle MY25 Quote (DOCX)
Waukesha County Bid #2127 (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4122

A Resolution Approving the Purchase of a Replacement Plow Truck Chassis from Truck Country, Oak Creek, Wisconsin in the Amount of $117,546

RECITALS

A. The City of Mequon Department of Public Works' 2024 Equipment Replacement Program includes replacing a 2003 International 7400 plow truck (Unit #311).

B. The Department of Public Works' Fleet Division has procured a written quote for a 2024 Freightliner truck chassis based on Waukesha County's Bid #2127 cooperative purchasing agreement.

C. Fleet staff has reviewed the quote with the vendor to ensure the truck chassis build meets the City's requirements.

D. Adequate funds are available for the plow truck chassis in the Department of Public Works equipment replacement fund, account # 410787-725012-10359.

E. The Public Works Committee, at its meeting on May 14, 2024, approved staff's recommendations.

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

1. The Agreement for the Purchase of a Freightliner 114SD Plus plow truck chassis as proposed is approved and awarded to Truck Country, Oak Creek, Wisconsin for $117,546, subject to any clerical, technical and/or legal changes deemed necessary and appropriate by the City Attorney.

2. Staff is authorized and directed to execute and deliver the same.

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

Caroline Fochs, City Clerk

Prepared for:
Todd Zeller
MEQUON CITY OF
10800 N Industrial Rd
Mequon, WI 53092
Phone: 2622362958

Prepared by:
Tony Bodway
TRUCK COUNTRY OF
WISCONSIN, IN
2222 WEST RYAN ROAD
OAK CREEK, WI 53154
Phone: 414-761-3384

Q U O T A T I O N

114SD PLUS CONVENTIONAL CHASSIS

SET BACK AXLE - TRUCK

CUM L9 350 HP @ 2200 RPM; 2200 GOV RPM, 1050 LB-FT @ 1200 RPM

ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION

CUMMINS-MERITOR RS-25-160 25,000# R-SERIES SINGLE REAR AXLE

HENDRICKSON PRIMAAX EX 26,000# REAR AIR SUSPENSION

DETROIT DA-F-20.0-5 20,000# FL1 71.0 KPI/3.74 DROP SINGLE FRONT AXLE

20,000# FLAT LEAF FRONT SUSPENSION

114 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB

4125MM (162 INCH) WHEELBASE

NO FIFTH WHEEL

7/16X3-9/16X11-1/8 INCH STEEL FRAME (11.11MMX282.6MM/0.437X11.13 INCH) 120KSI

1600MM (63 INCH) REAR FRAME OVERHANG

PARTIAL INNER FRAME REINFORCEMENT AT FRONT SUSPENSION

TEM TO EVALUATE AND INSTALL FRAME RAIL REINFORCEMENT AS NEEDED FOR FRONT FRAME MOUNTED EQUIPMENT

			PER UNIT		TOTAL
VEHICLE PRICE	**TOTAL # OF UNITS (1)**	$	117,816	$	117,816
EXTENDED WARRANTY		$	0	$	0
DEALER INSTALLED OPTIONS		$	0	$	0
CUSTOMER PRICE BEFORE TAX		**$**	***117,816***	**$**	***117,816***
TAXES AND FEES					
FEDERAL EXCISE TAX (FET)		$	(270)	$	(270)
TAXES AND FEES		$	0	$	0
OTHER CHARGES		$	0	$	0
TRADE-IN					
TRADE-IN ALLOWANCE		$	(0)	$	(0)
BALANCE DUE	**(LOCAL CURRENCY)**	**$**	**117,546**	**$**	**117,546**

COMMENTS:

Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.

APPROVAL:

Please indicate your acceptance of this quotation by signing below:

Attachment: City of Mequon Single Axle MY25 Quote (RESOLUTION 4122 : 2024 Equipment Replacement - Plow Truck Chassis Only)

Prepared for:
Todd Zeller
MEQUON CITY OF
10800 N Industrial Rd
Mequon, WI 53092
Phone: 2622362958

Prepared by:
Tony Bodway
TRUCK COUNTRY OF
WISCONSIN, IN
2222 WEST RYAN ROAD
OAK CREEK, WI 53154
Phone: 414-761-3384

Customer: X_____ Date: ___ / ___ / ___.

Daimler Truck Financial

Financing that works for you.

See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at Information@dtfoffers.com.

Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at www.daimler-truckfinancial.com.

Attachment: City of Mequon Single Axle MY25 Quote (RESOLUTION 4122 : 2024 Equipment Replacement - Plow Truck Chassis Only)

Bid Number **2127** Buyer: Kay Wenzel

Description **Patrol Truck Cab & Chassis** Buyer E-mail: kwenzel@waukeshacounty.gov
Opening Date: **6/8/2021** Phone: 262-896-8035
Opening Time: **10:30 A.M. CST/CDT**

Electronic responses must be submitted through the Purchasing Website. Fax or E-mail responses to the buyers / staff members are not considered electronic bids and WILL NOT BE ACCEPTED.

INSTRUCTIONS FOR COMPLETING DOCUMENT:
Vendors are to complete all blue shaded areas. If additional comments are required, please add as a separate attachment.
If additional assistance is needed, click on the link below (or copy and paste into your browser).

https://www.waukeshacounty.gov/administration/purchasing/docs/ **Link includes instructions for electronic submission as well as submitting hard copy.**

Company Name:	Truck Country of Wisconsin, Inc.
FEIN #:	391449886
Payment Terms	45 Days or Same as Currently Setup.

All pricing is to include delivery, fob destination.
To be in accordance with Waukesha County Spec. # 072-08 **dated** 5/1/2021

Delivery Address(s) for Goods/Services:

Waukesha County - Central Fleet
1641 Woodburn Road
Waukesha WI 53188

If there is no charge, enter $0.00 as the cost per unit of measure (UOM).

Item #	Description	Qty	UOM	Cost per UOM
PATROL TRUCK CAB & CHASSIS				
2	**Cost for each Patrol Truck Cab & Chassis. Per Specifications No. 072-08**	3	Each	$115,900.00
	Make/Model Number	Freightliner 114SD		
	Warranty	Chassis - 2yr/Unlimited, Engine - 2yr/250k, Trans - 3yr/Unlimited		
	Enter **number of days** for delivery after receipt of order			150-180
Warranty & Software (If included in Truck Price note as: " Included in Truck")				
3	**Warranty Repair**: Total Cost to establish Waukesha County as Factory Authorized Warranty Repair Facility **for the life of the contract and for a 6 year period thereafter** (Ref Tandem Cab & Chassis Spec Item No. 10a)	1	Each	No Charge

Attachment: Waukesha County Bid #2127 (RESOLUTION 4122 : 2024 Equipment Replacement - Plow Truck Chassis Only)

4	**Vehicle Diagnostics/Parameter Settings**: Total Cost to provide Waukesha County with any Software and hardware (lap top) required to access vehicle diagnostics and parameter settings (include engine, transmission Allison "DOC" software, body building, and multiplexing electrical system) including laptop capable of running all software (Ref Tandem Cab & Chassis Spec Item No. 10b).	1	Per Contract Year	$3,050.00
5	Total Cost for 2022 to obtain internet access or OEM authorization to access dealer or OEM on-line service and warranty network	1	Each	No Charge
Optional Items- Quote each option, if it is already included with the Single/Tandem axle Truck; i.e. The option specified below already comes with this chassis, Note in the price field if Included.				
6	**On Board Engine Diagnostic Monitoring**: Total cost for engine monitoring for nine (9) years	1	Lot	NA
7	**Meritor Front Axle Disc Brakes**: Provide cost for each	1	Each	
8	**Passenger Cab door** with "wing" view window on lower half door. Provide cost per each door	1	Each	$115
9	**AGM Batteries** to replace Delco 31-900 batteries (Cost per each)	1	Each	$160 Per Battery
10	**Chassis/Engine/Emission Extended Warranty Single Axle.** Cost for Extended Single Axle Chassis, Engine and Emissions Warranty (Ref. Specification 10e)	1	Lot	
	Indicate # of Years of coverage			
	Indicate Coverage provided (Separate sheet may be attached to your response)	See attached for the list of extended options and pricing.		
11	**Chassis/Engine/Emission Extended Warranty Tandem Axle-** Cost for Extended Tandem Axle Chassis, Engine and Emissions Warranty (Ref specification Item No. 10e)	1	Lot	
	Indicate # of Years of coverage			
	Indicate Coverage provided (Separate sheet may be attached to your response)	See attached for the list of extended options and pricing.		
	Will your company accept payment via credit card?		Yes or No	NO

Attachment: Waukesha County Bid #2127 (RESOLUTION 4122 : 2024 Equipment Replacement - Plow Truck Chassis Only)

	How many days after receipt of invoice (or acceptance of goods, whichever is later) payment must be processed to accept the credit card. Note: Minimum of 2 days is required.			NA
	Does your company agree to the Piggyback clause in General Terms			YES
	Debarment: Is/has your firm been barred from doing business with either the State of Wisconsin or the Federal Government, or is any such action pending?		Yes or No	NO
	If yes, please indicate in the area to the right the reason(s) for the debarment and the date(s) your firm was debarred.		NA	

Attachment: Waukesha County Bid #2127 (RESOLUTION 4122 : 2024 Equipment Replacement - Plow Truck Chassis Only)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2934
Fax: 262-242-9655
www.ci.mequon.wi.us
Office of Engineering

TO: **Common Council**
FROM: **Jeremy Dandy, Engineering Technician**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4123 A Resolution Rejecting a Carbon Reduction Program (CRP) Grant and Authorizing City Staff to Pursue a Contract with WE Energies for the Replacement of 14 Street Lights on Mequon Road between Valley Drive and the Milwaukee River**

Background

The City of Mequon owns 14 streetlights on Mequon Road, from the Milwaukee River to Valley Drive within the right-of-way at intersections that need replacement.

The current lighting fixtures are constructed of steel poles, high pressure sodium (HPS) bulbs, and an aging underground network of electrical lines. The steel poles are susceptible to rusting due to rain and road salting operations during the winter months in the form of spray from traffic. The HPS bulbs are large consumers of energy which the City is responsible for when paying utility bills to WE Energies, and the electrical lines have deteriorated or have been impacted by other underground work.

City staff has been gathering information on the replacement of these light fixtures to determine the best benefit to the City in the form of energy consumption and long-term costs.

Analysis

The streetlights could be replaced using one of the following options:

Option 1

The City will bid out the removal and replacement of the poles and light fixtures with high efficiency LED lights, utilize existing bases, and perform underground wiring repairs. This option would include all costs associated with the work, future maintenance, usage fees, and the understanding that in the future the cost to replace all 14 poles at the end of their life would remain the City's responsibility.

Option 2

The City will utilize federal grant money to aid in the cost of replacement as mentioned in the first option. The ownership, just as in the first option, would remain the City's along with all maintenance and repair costs associated with the retention of the infrastructure. Staff applied for a grant that was an 80/20 split where the City would be responsible for 20% of the cost. Unfortunately, the award only contained an amount that is 50% of the estimated cost of the project. This option includes charges for design review, participating construction, and participating construction reviews which is included in the $90,000 estimate. This additional

work is a requirement when utilizing federal grants. Ownership of the lighting would remain with the City of Mequon.

Option 3
The City will work with WE Energies to have them replace the poles, light fixtures with high efficiency LED units and new underground wiring. The cost of this option would be the upfront cost to WE Energies for the replacement and future usage. However, if the City elects to have WE Energies replace the fixtures, the ownership is transferred to WE Energies. Any future maintenance, repairs or replacement would then be WE Energies' responsibility.

STREETLIGHTS
Streetlights were installed on Mequon Road in the early 1980's during the time when the road was widened to its current width. Currently, the lights are owned and maintained by the City along with utility operating costs. In 2021, the City signed an agreement with WE Energies to replace the lighting in the Mequon Business Park (MBP) Phase 1, so that all lighting in MBP is now owned and maintained by WE Energies. The current costs to the City for lighting in MBP are the electrical usage from the new LED lighting. Any future replacement in MBP is the responsibility of WE Energies.

City-owned streetlights are generally operated and maintained by the Buildings Division staff. Response time for outages or issues depends on the workload of City staff and the availability of a licensed electrician. In the event of damage from an accident or deterioration, the City utilizes contract staff for that work. Those repair costs are paid from the general levy budget in addition to monthly energy costs. When the fixtures require replacement, that is also a direct cost to the City.

Accordingly, the purpose of this agenda item is to determine whether the City enter into a contract for We Energies replacement of the streetlights, utilize federal grant money, or to bid as City replacement of the streetlights.

Fiscal Impact
The City was awarded Carbon Reduction Program (CRP) reimbursement funding for the Mequon Business Park in an allocation of $55,499. This allocation is applied to the cost of the WisDOT lighting replacement which has a total estimated cost of $112,985. This funding was intended to be an 80/20 split with the State of Wisconsin; however, due to limited funds, the City was only awarded the $55,499, which is 49% of the estimated project cost. The anticipated project costs and alternatives are as follows:

	Ownership		
	City of Mequon	**City of Mequon**	**WE Energies**
	Option 1	**Option 2**	**Option 3**
Removal	$20,000	$20,000	$20,000
Replace Poles/Lights	$51,500	$90,000	$94,000
Replace Underground	$45,000	$45,000	$0
Maint. Cost/YR	$1,500	$1,500	$0

Energy Cost/YR	$1,000	$1,000	$1,000
Design Costs	$0	$10,000	$0
Less Reimbursement	$0	-$55,499	$0
Total	$119,000	$112,001	$115,000
Future Replacement Est.	$312,000	$312,000	$0
30 Year Total*	$431,000	$424,001	$115,000
*Usage not included			

As noted, the initial replacement cost of the streetlights project with We Energies may be higher than other options but is anticipated to have a lower life cycle cost and annual savings for operation and maintenance as the estimated cost to replace the lights after 30 years is $312,000, based on a 4% inflation every year.

Staff recommends the Public Works Committee favorably endorse, and the Common Council approve the attached resolution authorizing Option 3 for staff to enter into a contract with WE Energies for the replacement of 14 Mequon Road streetlights. If staff is directed to enter into a contract with WE Energies for the replacement of the 14 lights, the award will be brought forward at a future date.

Recommendation

A recommendation from the Public Works Committee is forthcoming on May 14, 2024.

Attachments:
Mequon Road Street Light Locations (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4123

A Resolution Rejecting a Carbon Reduction Program (CRP) Grant and Authorizing City Staff to Pursue a Contract with WE Energies for the Replacement of 14 Street Lights on Mequon Road between Valley Drive and the Milwaukee River

RECITALS

A. The City of Mequon Engineering Division has requested information on costs associated with the replacement of 14 street lights on Mequon Road from the Milwaukee River to Valley Drive.

B. Staff has reviewed the estimates for each option and provided the information for review.

C. The Committee on Public Works at its meeting on May 14, 2024, approved staff's recommendation.

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

1. City staff is authorized to reject the awarded Carbon Reduction Program (CRP) Funding from WisDOT and pursue replacement by and transfer ownership to WE Energies.

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

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

_____
Caroline Fochs, City Clerk

Mequon Road Street Light Locations

Attachment: Mequon Road Street Light Locations (RESOLUTION 4123 : Mequon Road Street Lighting Replacement)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2934
Fax: 262-242-9655
www.ci.mequon.wi.us
Office of Engineering

TO: **Common Council**
FROM: **Kristen Lundeen, Director of Public Works/City Engineer**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4124 A Resolution Denying the Request for a Sanitary Service Deferral Agreement for the Property Located at 10056 North Cedarburg Road**

Background

The property owner at 10056 North Cedarburg Road is under orders from Ozaukee County to replace the private onsite wastewater treatment system on the property (see attached letter). The County violation is due to the existing private system being a conventional system located in the floodplain. In order to maintain a private system on the property, the system would need to be a floodproofed holding tank, and it would require a deferral from public sanitary sewer connection. The property is located within the City of Mequon Sewer Service Area and a lateral is extended to the property line.

Subsequently, the property owner has requested a deferral to the public sanitary connection requirement (see attached letter).

Analysis

City of Mequon Code of Ordinances Section 58-600(e) establishes that construction of residential or business structures on a lot located within 200 feet of a City sewer line requires connection to the sewer line if legally possible and practicable. As noted, a sewer line is located within 200 feet of the City sewer line, and a lateral is extended to the property.

In general, sanitary sewer connection deferrals are only granted where a City sewer line is not yet available, but is anticipated to be available in the future, or for properties where no sewer service is intended, but per WDNR or MMSD rules, the property cannot be removed from the Sewer Service Area.

Staff is recommending denial of the property owners' request for a deferral on the basis that sanitary sewer connection is both legally possible and practical, and that the lateral extension to the property is a clear indication of the intent for the property to be connected to the public system.

If the Sewer Utility District Commission or the Common Council recommends authorization of the deferral, it shall be subject to the City's standard Sanitary Service Deferral Agreement (template attached), which requires the continued payment of the sewer tax.

Fiscal Impact

The property is currently subject to the sewer tax, absent a connection. The property will continue to be subject to the sewer tax, even if a deferral is granted.

The Sewer Utility previously extended sewer to the property line, therefore there is no further cost impact to the Sewer Utility. If connection is required, the property owner would also become a sewer customer, paying quarterly sewer bills.

Recommendation
A recommendation is forthcoming from the Sewer Utility District Commission on May 14, 2024.

Attachments:
Violation Letter Cedarburg Road Final Notice (PDF)
Letter of Deferral Request (PDF)
Sanitary Deferral Agreement_Template (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4124

A Resolution Denying the Request for a Sanitary Service Deferral Agreement for the Property Located at 10056 North Cedarburg Road

RECITALS

A. The City of Mequon Code of Ordinances Section 58-600(e) establishes that construction of residential or business structures on a lot located within 200 feet of a City sewer line requires connection to the sewer line, if legally possible and practicable.

B. On June 9, 2022, the property owner of 10056 North Cedarburg Road, was issued a final notice of ordinance violation and required to replace the failed private onsite wastewater treatment system.

C. The property owner requested a deferral of the sanitary sewer connection for the property.

D. The property is located within 200 feet of a City sewer line and a lateral is extended to the property line.

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin that the request for the sanitary sewer service deferral at 10056 North Cedarburg Road is denied.

_____
Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

_____
Caroline Fochs, City Clerk

Andy Holschbach
Edward J. Pfister, Sanitation & Zoning Coordinator
Jeffery P Bell, Land & Water Coordinator
www.co.ozaukee.wi.us

Land & Water Management

FINAL NOTICE OF ORDINANCE VIOLATION

WILLIAM A WISTH
ARTHUR BORES
12539 N ISLAND DR
MEQUON, WI 53092

Violation # SV 354
Date: 6/9/2022
Parcel # 140501204000

RE: 10056 N CEDARBURG ROAD, SE1/4 of the NE1/4 of Section 35 T9-R21, City of Mequon

Dear Property Owner(s):

It has been brought to the attention of this department, through a municipal complaint filed for the above address, that your property is in violation of the Ozaukee County Sanitation & Health Ordinance. The violation involves the placement/maintenance of POWTS on floodlands within the County.

9.031(1)(b) Violations. Every POWTS placed or maintained on floodlands in violation of this ordinance is a public nuisance; and the creation thereof may be enjoined and the maintenance thereof may be abated by action at suit of the state, county, or any citizen thereof.

9.024(5) Sanitary Permit, License, and Fees. No POWTS or parts thereof, including pumps, hoses, or siphons, shall hereafter be located, placed, installed, or constructed without a sanitary permit and/or without full compliance with provisions of this ordinance and all other applicable local, county, and state regulations.

9.031(1) Violation. It shall be unlawful to construct any POWTS or use any POWTS, land, or water in violation of any of the provisions of this ordinance.

9.011(2) Remedial Action. Whenever an order of the Director of Land & Water Management has not been complied with within thirty (30) days after written notice has been mailed to the owner, resident, agent, or occupant of the premises, the Ozaukee County Board of Supervisors, Ozaukee County Natural Resources Committee, or the Director of Land & Water Management may institute appropriate legal action or proceeding to prohibit the owner, resident, agent, or occupant of the premises from the use of such private water supply or private onsite wastewater treatment system until such order is complied with.

9.032(1) Penalties, Sanitary Code. Owner(s) or Occupant(s) who fail to comply with the provisions of this sanitary ordinance or who permit the continued use of premises or buildings which are in violation of the provisions of this sanitary ordinance shall, upon conviction thereof, forfeit not less than $250.00 nor more than $1000.00 and costs of prosecution for each violation. In default of payment of such forfeiture and costs, said person(s) shall be imprisoned in the county jail until payment thereof, but not exceeding thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.

9.011(3)(a) Appeals. Any person, firm, or corporation or any office, department, or board of the county aggrieved by an order, requirement, interpretation, or determination made by a representative of the Land & Water Management Department may appeal such decision to the Ozaukee County Natural Resources Committee within thirty (30) days of notification of the requirement, interpretation, or determination. The appeal shall state the grounds or reasons to support the request for modification or reversal of the decision and shall be accompanied by the appropriate appeal fee as established in Section 9.024(7)(j).

This ordinance violation requires replacement of the POWTS. This order is issued in accordance with above cited sections of the Ozaukee County Sanitation & Health Ordinance and again is due to the placement/maintenance of POWTS on floodlands within the County. Please acquaint yourself with a licensed POWTS installation contractor in order to secure the necessary sanitary permit to allow for the replacement of the POWTS serving your property. Please ensure that plans with supporting documents and a completed sanitary permit application with applicable fee are submitted to this department by July 11, 2022.

Regards

Tony Austin
Technical Support Specialist

Attachment: Violation Letter Cedarburg Road Final Notice (RESOLUTION 4124 : Sanitary Deferral 10056 N Cedarburg Rd)

To Whom it May Concern

April 30. 2024

I am requesting a deferment from the sewer line at 10056 N. Cedarburg Rd. The cost for 900' is to expensive and I want to put a holding tank in.

Bill Wisth

Attachment: Letter of Deferral Request (RESOLUTION 4124 : Sanitary Deferral 10056 N Cedarburg Rd)

Document Number	**SANITARY SERVICE DEFERRAL AGREEMENT** Document Name	

This Sanitary Services Deferral Agreement (the "Agreement") is made by and between the City of Mequon (d/b/a the “City”) and _____ (the “Developer”) (collectively, the "Parties," individually, a "Party").

WHEREAS, the Developer is proposing a commercial building (the "Development") at _____ (Tax ID _____) within the City’s Sanitary Utility District; and

WHEREAS, the Parties agree that at this time, it is in the best interests of the Parties that the Development not be connected to the City of Mequon Sanitary Utility District; and

WHEREAS, the City reserves the right to require a connection to the sanitary system with a change in use or extension of adjacent service.

NOW, THEREFORE, in consideration of the mutual promises set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties hereby agree as follows:

Recording Data

Name and Return Address

City Engineer
11333 N Cedarburg Road
Mequon, WI 53092

Parcel Identification Number

1. The Parties expressly agree that the Developer is obligated to connect to the City of Mequon Sanitary Utility District pursuant to the existing ordinance requirements; however, the City grants the Developer and future owners of the Development a deferral on the terms set forth in this Agreement..

    1.1 Developer, its successors and assigns, agrees not to seek a waiver from its obligation under the ordinances from the City during the term of this Agreement.

    1.2 Developer expressly agrees that the Development shall be constructed and used in compliance with the use and building site plan approval granted by the City Planning Commission on _____. Should the use change result in a condition such that continuous use of a private onsite wastewater treatment system (“POWTS”) will negatively impact adjacent properties, or the POWTS fails and alternate service is required, this Agreement shall be null and void and the Developer shall connect the Development to the City of Mequon Sanitary Utility District as soon as is practicable, unless agreed upon by the Parties.

2. The Parties expressly agree that in the event the Developer is required, pursuant to Section 1.2, to connect to the City of Mequon Sanitary Utility District, the cost to install the service lateral is the sole responsibility of the Developer or, if the Developer has sold the Development, to its successor in title.

    2.1 The City of Mequon shall provide notice to the title holder of the Development pursuant to Section 6 of this Agreement if a service connection is required for the development (the "Connection Notice"). Developer shall have six (6) months from the date of the Connection Notice to connect to the City of Mequon sanitary system.

        2.1.1 The Connection Notice may be extended by mutual written agreement of the Parties.

    2.2 The Developer is required to pay the annual MMSD sanitary sewer capital charge.

Attachment: Sanitary Deferral Agreement_Template (RESOLUTION 4124 : Sanitary Deferral 10056 N Cedarburg Rd)

3. The Parties expressly agree that this document shall be binding upon any successors, assigns and heirs of the Parties. It is the intention of the Parties that this document be recorded with the Ozaukee County Register of Deeds and that the obligations set forth in this document run with the specific properties within the Development.

4. This Agreement shall remain in full force and effect unless terminated by mutual agreement of the Parties in writing.

5. Any notice sent in relation to this Agreement shall not be considered to be effective unless sent by Certified United States mail to the following addresses:

5.1 To the City of Mequon:

Director of Public Works/City Engineer
City of Mequon
11333 N. Cedarburg Road 60W
Mequon, WI 53092-1930

5.2 To Developer:

_____

_____

_____

_____

Either Party may change its address for notice by providing notice of said change to the other Party.

6. This Agreement shall be governed by and construed under the internal laws of the State of Wisconsin.

7. This Agreement represents the complete understanding between the Parties and any amendment to this Agreement must be agreed to in writing by the Parties.

CITY OF MEQUON

By: _____
Signature

Name: _____
Type or Print

Date: _____

DEVELOPER

By: _____
Signature

Name: _____
Type or Print

Date: _____

Approved by: _____
Brian C. Sajdak, City Attorney

Attachment: Sanitary Deferral Agreement_Template (RESOLUTION 4124 : Sanitary Deferral 10056 N Cedarburg Rd)

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2934
Fax: 262-242-9655
www.ci.mequon.wi.us **Office of Engineering**

TO: **Common Council**
FROM: **Kristen Lundeen, Director of Public Works/City Engineer**
DATE: **May 14, 2024**
SUBJECT: **RESOLUTION 4125 A Resolution Authorizing the Designation of 2010 West Ranch Road as the Replacement Site Location for the Construction of Lift Station E (Ranch Road)**

Background

In spring 2020, the Sewer Utility District Commission (SUDC) authorized a condition assessment for the sanitary lift station along Ranch Road, located west of Oriole Lane that is commonly referred to as "Lift Station E" (LS E). This assessment report was finalized in January 2021 and filed at City Hall with the recommendation to replace the station.

The Sewer Utility initiated a site selection process that resulted in a Common Council authorized resolution identifying and authorizing negotiations for easement or property acquisition on 8 parcels, including 2010 Ranch Road. For reference, that packet with multiple technical memorandums can be found here: <https://mequoncitywi.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2737&Inline=True>.

There were multiple public information meetings held at that time, as well as direct correspondence with the parcel owners (which included the HOA for the outlot) and a near negotiation for purchase with the owner of 2205 Ranch Court. Ultimately, negotiations were unsuccessful and in October 2022, the SUDC authorized the “current” design location at the end of Laguna Drive, along the bike path connection to Ranch Road: <https://mequoncitywi.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2976&Inline=True>.

Subsequently in March 2023, the SUDC and Common Council authorized a design contract for the new lift station: <https://mequoncitywi.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=3067&Inline=True>

On March 1, 2024, City staff and the design team learned that the property at 2010 Ranch Road was available for purchase. The property is the ideal location for the new lift station, as it is immediately adjacent to the existing lift station. Reconstruction of the lift station at 2010 Ranch Road would not only reduce the project cost, but it would also minimize disruption during construction and reduce the number of newly impacted property owners. At the March 12, 2024, meeting, the Common Council authorized Resolution 4109: A Resolution Declaring the Necessity and Establishing the Relocation Order for the Relocation and Reconstruction of Sanitary Sewer Lift Station E and Authorizing the Purchase of the Property at 2010 West Ranch Road: <https://mequoncitywi.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=2991&Inline=True>.

Following the Common Council's approval of a resolution authorizing the purchase of 2010 Ranch Road, area residents immediately adjacent to the existing lift station expressed concern with the decision to relocate the lift station. Therefore, while the authorization to purchase the property at 2010 Ranch Road was granted, staff is seeking formal approval to locate the new lift station on the acquired property.

Residents who previously emailed elected officials and staff regarding this agenda topic were notified of the meeting and postcards were mailed to previous distribution lists for the project. Attached to this memo is the communication utilized in the original correspondence with residents.

Please note that regardless of the location of the new lift station, there will be additional correspondence with residents. As the design progresses, the citing of the lift station, architecture, aesthetics, screening, construction impact, timeline and other project details will be shared. For other large scale projects, staff has utilized a combination of email distribution lists and dedicated pages on the City's website to keep the public informed.

Analysis

As noted, the attached communication summarizes the process that the City has followed to identify a suitable location for a new lift station, as well as some of the benefits associated with siting it at 2010 Ranch Road. Summarily, these associated benefits include:

- Infrastructure cost savings estimated at $1,191,000
- Same neighbors/adjacent properties as the existing lift station, minimizing the impact of the new station vs. the existing station.
- Construction will be outside of the existing flood plain and wetlands.
- The station will be outside of the current bike path. The construction will not disturb or interrupt the bike path's use during or after construction.
- The home's existing well can be used as a source of water for the lift station. This will eliminate the need to haul water to the site.
- Eliminates the need for closing West Ranch Road for construction of the connecting sewer.
- Existing electrical and gas utilities are near the site.
- Less disruption to the residents in the area.

The location at 2010 Ranch Road is immediately adjacent to the existing lift station, located within an easement on an outlot. The number of properties impacted by the relocation of the lift station is one less than currently impacted by the existing location, as the home at 2010 Ranch Road will be demolished. The design location at the end of Laguna Drive would have impacted a number of new property owners not currently impacted by the existing lift station.

Since the initiation of the purchase in early March, the design for the project has been on hold. Subsequent to the authorization of the location, design will resume, and the project will move forward.

Fiscal Impact
The design consultant has indicated that the location change would not impact the design fee for the project.

The infrastructure savings, including the purchase price for the new location, are $1.191M. In turn, this savings would reduce the anticipated amount of the borrowing for the project.

Recommendation
A recommendation is forthcoming from the Sewer Utility District Commission on May 14, 2024.

Attachments:
Public Information Correspondence (PDF)
Lift Station Location Map (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 4125

A Resolution Authorizing the Designation of 2010 West Ranch Road as the Replacement Site Location for the Construction of Lift Station E (Ranch Road)

RECITALS

A. In early 2021, the City received a report based upon a condition assessment for the Lift Station E (Ranch Road) that recommended replacement.

B. Due to the existing connections into that lift station, replacement in the same location is not feasible, while keeping the existing station operational.

C. Sewer Utility staff commenced a site selection criteria effort to identify feasible locations for the new lift station, based upon the basic design and space required.

D. On October 20, 2021, the Sewer Utility District Commission recommended and on November 9, 2021, the Common Council authorized the negotiation of easement and/or land acquisition agreement(s) within the River Bend and/or Ranch Court Subdivisions, in connection with securing access for the replacement of Lift Station E.

E. On October 27, 2022, the Sewer Utility District Commission authorized the construction of a new lift station at the end of Laguna Drive.

F. On March 24, 2023, the Sewer Utility District Commission recommended, and the Common Council approved the design contract for the project.

G. In March 2024, the property at 2010 Ranch Road was listed for sale. On March 12, 2024, the Common Council authorized a resolution declaring the necessity and establishing the relocation order for the relocation and reconstruction of sanitary sewer Lift Station E and authorizing the purchase of the property at 2010 West Ranch Road.

H. The property at 2010 West Ranch Road is better suited for the new lift station than the right-of-way at the end of Laguna Drive based upon the following:

1. Infrastructure cost savings estimated at $1.19 million.
2. Same neighbors/adjacent properties as the existing lift station, minimizing the impact of the new station vs. the existing station.
3. Construction will be outside of the existing flood plain and wetlands.
4. The station will be outside of the current bike path. The construction will not disturb or interrupt the bike path’s use during or after construction.
5. The home’s existing well can be used as a source of water for the lift station. This

will eliminate the need to haul water to the site.

6. Eliminates the need for closing West Ranch Road for construction of the connecting sewer.
7. Existing electrical and gas utilities are near the site.
8. Less disruption to the residents in the area.

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin that the new Lift Station E (Ranch Road) shall be located at 2010 West Ranch Road.

_____

Approved by: Andrew Nerbun, Mayor

Date Approved: May 14, 2024

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2024.

_____

Caroline Fochs, City Clerk

Why can't the Sewer Utility just continue to operate the existing lift station in the existing location?

- In 2020, the Sewer Utility had an independent consultant complete a condition assessment of Lift Station E, and the subsequent report the recommended replacement of the 1969 station, as the station has already added pumps and force mains from the original configuration.
- Space is limited and the station capacity no longer consistently meets demand during wet weather.
- The City's Sewer Lateral Inflow and Infiltration Program is one component of reducing wet weather I/I, but due to growth, the station's location in the floodplain, aging pumps and equipment the station was recommended for replacement.
- The Sewer Utility did evaluate replacing the existing station at the existing site. However, 4 feet of fill is required to bring the structure above of the floodplain to meet code (NR116) and that fill would encroach onto adjacent parcels outside of the existing easement in that outlot.

How was the parcel at 2010 Ranch Road identified as an ideal location for the new lift station?

- A new lift station will be different than the existing lift station. The site for the new lift station would require: lift station building with back-up generator building footprint of approximately 30' x 50' with access to utilities including gas and electric (3 phase), parking for two vehicles, including the vac-truck of approximately 40' x 30', access from a public road at a minimum of 12' wide and located outside of the floodplain or ability to obtain a Letter of FEMA Map Revision.
- The Sewer Utility established site selection criteria for a new lift station, including: construction costs, logistics of continuing uninterrupted lift station operations during construction, access pre- and post-construction, potential easement acquisition, potential property acquisition, availability of vacant land, impacts of improved parcels that would need modification or removal, consideration of right of first refusal on parcels, storm water impacts, drainage patterns, culverts, history of flooding, etc. and ability to avoid or minimize environmental corridor impacts.
- In 2021, the City identified parcels that would meet those conditions and authorized negotiations for property easement or acquisition, including 2010 Ranch Road.

Attachment: Public Information Correspondence (RESOLUTION 4125 : LS E 2010 Ranch Road)

After the initial negotiations failed, the Sewer Utility pursued a location adjacent to the bike path at the end of Ranch Road. Why is 2010 Ranch Road a <u>better</u> location than next to the bike path?

- Infrastructure cost savings estimated at $1.191M.
- Same neighbors/adjacent properties as the existing lift station, minimizing the impact of the new station vs the existing station.
- Construction will be outside of the existing flood plain and wetlands.
- The station will be outside of the current bike path. The construction will not disturb or interrupt the bike path's use during or after construction.
- The home's existing well can be used for a source of water for the lift station. This will eliminate the need to haul water to the site.
- Eliminates the need for closing West Ranch Road for construction of the connecting sewer.
- Existing electrical and gas utilities are near the site.
- Less disruption to the residents in the area.

The existing lift station is noisy, smelly and disrupts the peace of the neighborhood. Regardless of the location, how will the operation of the system be <u>better</u> than the existing station?

- The existing lift station's firm pumping capacity is 5,250 gpm and the station has a history of frequent sanitary sewer overflows (SSO). This required the operation of portable diesel pumps onsite and the discharge of the SSO to the backwater area and tributary to the Milwaukee River. The new station's firm capacity will be 9,000 gpm with the intent to eliminate future SSO and the need to operate portable diesel pumps and discharge SSO.
- The existing station has a manual bar screen that requires periodic cleaning and disposal of screened materials. The new station will be designed with pumps that are not susceptible to ragging issues and will pump rags versus removing them from the flow. This will reduce odors from the handling and disposal of screenings.
- The existing station's wet well and pumping configuration requires periodic cleaning for removal of settled solids and floating materials. The new station's design will help eliminate the buildup of solids and floating material. This will reduce the frequency of required wet well cleaning.
- The existing station does not have a water supply, requiring staff to periodically haul water to the site to clean the facilities. The new station will have a well to supply water for general station clean up, eliminating the need to haul water to the site.

Attachment: Public Information Correspondence (RESOLUTION 4125 : LS E 2010 Ranch Road)

- Although the current station has an odor control system, the system was retrofitted into the existing station and is not optimal. The new station's ventilation system will be designed to control odor generation, meet NFPA requirements and provide a safe environment for the workers.

Would there be <u>any</u> benefits to the location next to the bike path?

- Potential future projects may benefit from the Laguna Drive location, if implemented. The replacement of Lift Station E is the next identified improvement to address surcharging in the system, which can result in basement backups. It is anticipated that there will be additional projects in the future, based upon current modeling.
- The implementation of future improvements would be simpler, as the Laguna Drive location requires improvements to the existing 18-inch collector sewer from the south. Consequently, the sewer from the north end of N Laguna Drive to the new station necessary to eliminate the current capacity limitation identified as future phases would be easier to complete. However, the Ranch Road location does not prohibit completion of future phases.

Other:

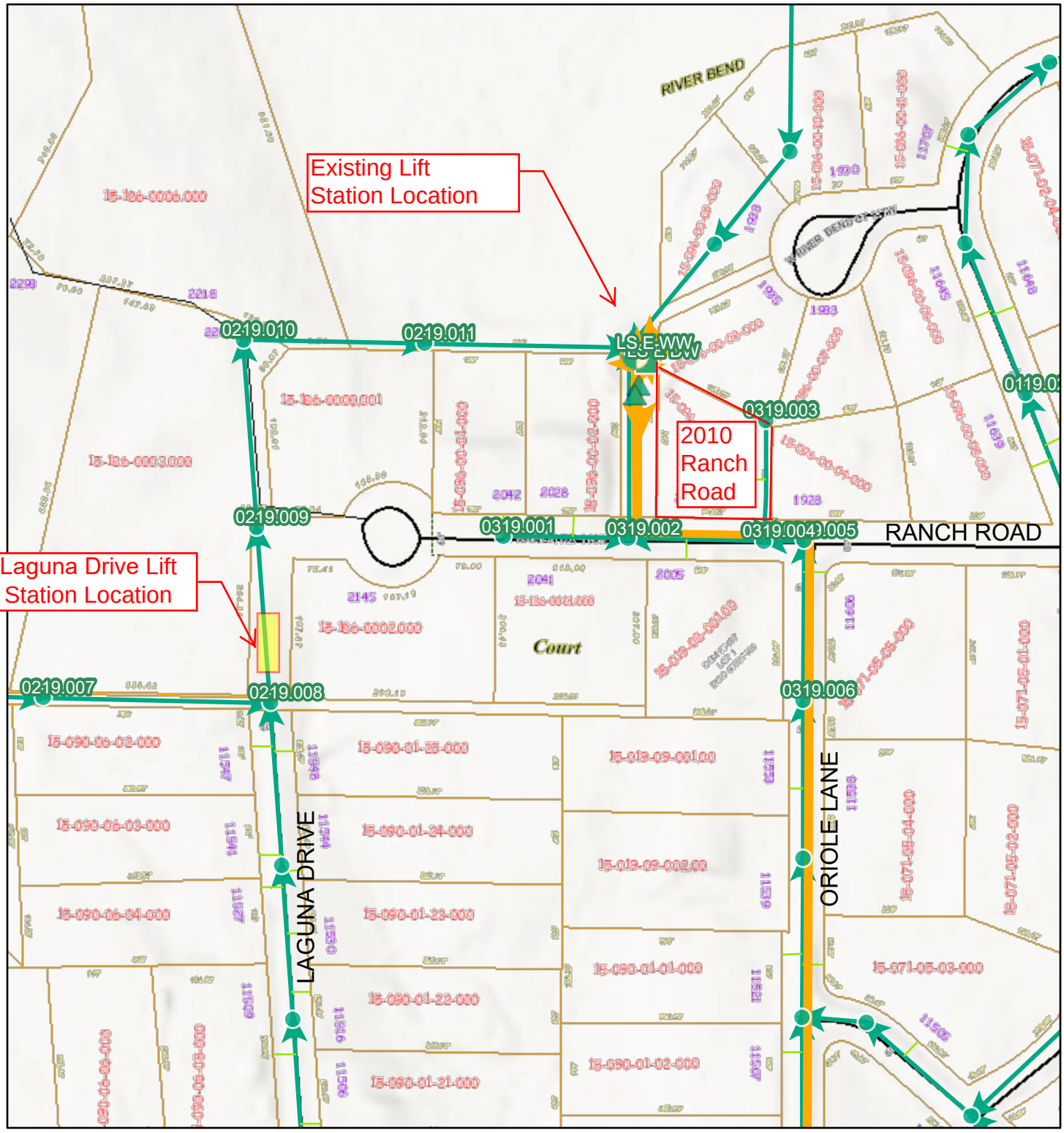
- Building architect to complement and blend into the surrounding neighborhood
- Site landscaping to screen the site and sounds from adjacent properties

History:

- The Sewer Utility initiated a site selection process in 2020/2021, that results in a Common Council authorized resolution identifying and authorizing negotiations for easement or property acquisition on 8 parcels, including 2010 Ranch Road. For reference, that packet with multiple technical memorandums can be found here: https://mequoncitywi.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2737&Inline=True.
- There were multiple public information meetings held at that time, as well as direct correspondence with the parcel owners (which included the HOA for the outlot) and a near negotiation for purchase with the parcel owner at 2205 Ranch Court. Ultimately, negotiations were unsuccessful and in October 2022, the Common Council authorized to the "current" location: https://mequoncitywi.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2976&Inline=True.

Attachment: Public Information Correspondence (RESOLUTION 4125 : LS E 2010 Ranch Road)

Lift Station Location Map



Attachment: Lift Station Location Map (RESOLUTION 4125 : LS E 2010 Ranch Road)

10/14/2022, 11:19:33 AM

1:3,280

0 112.5 225 450 ft

0 30 60 120 m

Sanitary Structures
- Air Release
- Lift Station
- Manhole
- Wet Well

Sanitary Pipes
- Force Main
- Lateral
- Main

Parcels
- Road Reservation
- Road Right-of-Way
- Condominium
- Gap
- Overlap
- Tax Parcel
- Historical Parcel Lines

Local Roads
- Private Road
- Town/Public Road

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APPOINTEE INFORMATION SHEET

Name of Board or Commission: **Board of Appeals**

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

Name of Appointee: **Stephen Helfer**

Address: **10421 N. Haddonstone Place, 53092**
(Include zip code)

Appointment By Mayor: **Andrew Nerbun** By Alderman _____
(Name)

At Large Appointment: **A/L** Aldermanic Dist. Appointment _____
(Dist. Number)

Appointee Term Length: **3-year term** Appointee Term Expiration Date: **5/1/2027**

Comments: **Moving from Alternate Member to Member**

TYPE OF APPOINTMENT

New: **X** Reappointment: _____

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

Name of person being replaced: **Joseph Russell**

Date submitted to Council: **May 14, 2024**

Attachment: Helfer_Appeals_Member [Revision 1] (9308 : Appointment to Board of Appeals- Helfer)

City of Mequon

7555 N. Graenbur 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

RECEIVED
FEB 14 2022
City Administrator
Mequon, Wisconsin

Name: STEPHEN G. HELFER

Address: 10421 N HADDONSTONE PLACE MEQUON Zip Code: 53092

~~Home~~ CELL Phone Number: (262) 424-6191 Years of Residence in Mequon: 30

Employer (or School): RETIRED

Address: _____ Occupation: _____

Can you be reached during working hours: YES Work Phone: —

E-mail Address (es): shelfer10421@gmail.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 have worked my entire professional career as a commercial building manager. My experience has provided me knowledge of commercial real estate values and uses.

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 the Haddonstone Homeowner's Association Board of Directors the past 12 years ~~and~~ as Treasurer the past four years, and as Pump and Well Committee Chair.

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):
Building Construction, Real Estate Development

Revised: November 2017

Attachment: Helfer Talent Bank Application (9308 : Appointment to Board of Appeals- Helfer)

SCHOOL	# OF YEARS ATTENDED	AREAS OF STUDY	WHERE
High School	Marquette University High School	College Prep	Milwaukee
College	Marquette University	Civil Engineering	21
Post Graduate			
Trade/Specialty			

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

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

Signature

2/12/22
Date

Revised: November 2017

Attachment: Helfer Talent Bank Application (9308 : Appointment to Board of Appeals- Helfer)

APPOINTEE INFORMATION SHEET

Name of Board or Commission: **Board of Appeals**

Position: **Alternate #2**
(Indicate Member, Trustee, Alternate, Architect, etc).

Name of Appointee: **James Wawrzyn**

Address: **10529 N. Burning Bush Lane, 53092**
(Include zip code)

Appointment By Mayor: **Andrew Nerbun** By Alderman _____
(Name)

At Large Appointment: **A/L** Aldermanic Dist. Appointment _____
(Dist. Number)

Appointee Term Length: **1-year term** Appointee Term Expiration Date: **5/1/2025**

Comments: _____

TYPE OF APPOINTMENT

New: **X** Reappointment: _____

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

Name of person being replaced: _____

Date submitted to Council: **May 14, 2024**

Attachment: Wawrzyn_Appeals (9373 : Board of Appeals Appointment Wawrzyn)

CITY OF MEQUON
BOARD, COMMISSION AND/OR COMMITTEE TALENT BANK APPLICATION
Please complete and return to the Administration Office, Mequon City Hall, 11333 N. Cedarburg Rd. Mequon, 53092 or email to cenea@ci.mequon.wi.us.

Name: James Wawrzyn

Address: 708 W Mcintosh Lane, Mequon WI **Zip Code:** 53092

Home Phone Number: N/A **Cell Phone Number:** 414-243-1272

Years of Residence in Mequon: 14 **Occupation:** Attorney

Can you be reached during working hours: Yes **Work Phone:** 414-837-3370

E-mail Address (es): james.wawrzyn@gmail.com

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

Qualifications for Appointment:
My work experience provides the necessary background to impartially evaluate appeals. Early in my career, I had the opportunity to serve on the Governor's Pardon Advisory Commission which focused on evaluating petitions for pardons related to Wisconsin convictions. In my current role as an attorney in the Forest County Potawatomi Attorney General's Office, I advise stakeholders on compliance with ordinances and governmental operating procedures.

Education, Work Experience, Civic Background:
Bachelor's degree in Political Science from UW-Madison and law degree from Marquette University Law School. Worked on policy staff of Wisconsin Governor's Office, as committee clerk for Wisconsin State Senate, and law clerk for Wisconsin Supreme Court. Worked as a corporate attorney at firms of various sizes over fifteen years. Currently Senior Corporate Attorney for Forest County Potawatomi Community.

Public Service and/or Civic Involvement:
Currently on the board of the Business Law Section of the Wisconsin Bar Association and Chair of the Pastoral Council at St. Eugene Congregation in Fox Point. Previously worked as pro bono counsel for Eviction Defense Program in Milwaukee County and regular volunteer at the Open Door Cafe, a free lunch program downtown.

Revised: June 2023

Attachment: Board of Appeals Application (9373 : Board of Appeals Appointment Wawrzyn)

Why are you seeking appointment to this Board/Commission/Committee?

I would like to have an opportunity to be more engaged with the affairs of the City of Mequon and collaborate with others that care for Mequon.

What is your understanding of the role and responsibility of the Board/Commission/Committee you are seeking appointment to?

My understanding is that the Board of Appeals hears appeals of decisions made by the City of Mequon and zoning variances.

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

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

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? _____

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

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

Signature

5/8/2024

Date

Revised: June 2023

Attachment: Board of Appeals Application (9373 : Board of Appeals Appointment Wawrzyn)

James J. Wawrzyn

708 Mcintosh Lane
Mequon, WI 53092
(414) 243-1272
james.wawrzyn@gmail.com

Experience

Forest County Potawatomi Community | Senior Corporate Counsel (December 2022-Present) | Milwaukee, WI
Counsel tribal enterprises in business diversification efforts, including related to real estate, technology licensing and joint ventures. Coordinate with other legal department members on special tribal events.

SmithAmundsen LLC | Partner (January 2022-December 2022) | Milwaukee, WI
Sole corporate attorney in Milwaukee, coordinating with other offices to enhance the firm's presence as a full-service provider. Focus on privately held, owner-operated manufacturing clients, including a wide range of commercial transactions and merger and acquisitions.

Meissner Tierney Fisher & Nichols, s.c. | Attorney (January 2021-December 2021) | Milwaukee, WI
Served as client's navigator across the legal landscape, from contract formation to dispute resolution. Counseled clients on commercial contract negotiation, mergers and acquisitions, supply-chain alternatives, financing, risk management, and general corporate matters. Collaborated with clients to identify and implement their priorities.

vonBriesen & Roper, s.c. | Shareholder & Associate (August 2010-December 2020) | Milwaukee, WI
Led the Manufacturing Practice Team in providing strategic advice and risk mitigation efforts to publicly-traded and privately-held manufacturers. Advised clients on mergers and acquisitions, risk management, supply-chain alternatives, government contracting and related regulations, distribution and franchise strategies, general corporate practice, and commercial contract negotiation.

Dorsey & Whitney LLP | Associate (September 2007-August 2010) | Minneapolis, MN
Counseled clients in the areas of private and public mergers and acquisitions, private equity and venture capital financings, general corporate counseling, securities filings and commercial contract negotiation and drafting. Prepared SEC filings and address corporate governance matters. Served on the Board of Trustees of Northern Voices, a school that teaches hearing impaired children to speak.

The Honorable Jon P. Wilcox, Wisconsin Supreme Court | Law Clerk (August 2006-2007) | Madison, WI
As sole clerk to Justice Wilcox, provided counsel on pending cases and prepared drafts of opinions. Supervised work of interns on research and memoranda drafting.

Senator Ronald W. Brown, Wisconsin State Senate | Committee Clerk (January 2003-August 2003) | Madison, WI
Synthesized distinct interests of legislators, agency heads and concerned constituents to achieve policy goals while coordinating the legislative activities of the Committee on Homeland Security, Veterans and Military Affairs and Government Reform. Drafted related press releases and speeches.

Wisconsin Governor's Office | Policy Advisor & Policy Assistant (December 2000-January 2003) | Madison, WI
Generated initiatives and advised on policy developments and legislative activity associated with criminal justice, the courts, veterans and military affairs, employee relations, and homeland security. Member of the following: Task Force on Terrorism Preparedness (outlined improvements to state's preparedness after 9/11); Pardon Advisory Board (assessed individuals seeking clemency); Law Enforcement and Crime Commission (awarded grants to drug task forces); Juvenile Justice Commission (awarded grants to programs curbing juvenile delinquency)

Education

Marquette University Law School | Juris Doctor, *magna cum laude*, May 2006
University of Wisconsin-Madison | Bachelor of Arts in Political Science, with distinction, May 2000

Professional and Community Involvement

Wisconsin Bar Association Business Law Section Board Member
Eviction Defense Program, Pro Bono Counsel

St. Eugene 2021 Volunteer of the Year
Open Door Café Meal Program, Volunteer

Attachment: J Wawrzyn 2024 Resume (9373 : Board of Appeals Appointment Wawrzyn)

APPOINTEE INFORMATION SHEET

Name of Board or Commission: **Board of Review**

Position: **Alternate Member #2**
(Indicate Member, Trustee, Alternate, Architect, etc).

Name of Appointee: **Richard Mueller**

Address: **10529 N. Burning Bush Lane (53092)**
(Include zip code)

Appointment by Mayor: **Andrew Nerbun** Appointment by Alderman: _____

At Large Appointment: **A/L** Aldermanic Dist. Appointment _____
(Dist. Number)

Appointee Term Length: **1-year term** Appointee Term Expiration Date: **5/1/2025**

Comments: **Removed from Ethics Board due to redistricting**

TYPE OF APPOINTMENT

New: **X** Reappointment: _____

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

Name of person being replaced: _____

Date submitted to Council: **May 14, 2024**

Copy to Website_____

Attachment: Mueller_Review [Revision 1] (9307 : Appointment to Board of Review Mueller)

CITY OF MEQUON
BOARD, COMMISSION AND/OR COMMITTEE TALENT BANK APPLICATION
Please complete and return to the Administration Office, Mequon City Hall, 11333 N. Cedarburg Rd. Mequon, 53092 or email to cenea@ci.mequon.wi.us.

Name: RICHARD MUELLER

Address: 10529 N. BURNING BUSH LANE **Zip Code:** 53092

Home Phone Number: (262)236-0343 **Cell Phone Number:** (414)698-5953

Years of Residence in Mequon: 24 **Occupation:** PHARMACIST

Can you be reached during working hours: yes **Work Phone:**

E-mail Address (es): rjmueller@wi.rr.com

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

Qualifications for Appointment: trustworthy upstanding Mequon citizen
- long-standing resident of WI.
- long-term member and president of our HOA in Mequon.
- Owner and BOARD member condominium association in Door County WI
- owner, member, HOA, Naples, FLORIDA

Education, Work Experience, Civic Background:
Professional Pharmacy degrees - three
Masters of Business Administration

Public Service and/or Civic Involvement:
- BOARD MEMBERSHIP/LIASON
  HUD/WHEDA building located in St. Francis, WI
- BOARD MEMBERSHIP/VOLUNTEER
  → OPEN ARMS FREE CLINIC, Elkhorn, WI - past
  → Bread of Healing Clinic., MILWAUKEE WI - current volunteer

Revised: June 2023

Attachment: Mueller Application (9307 : Appointment to Board of Review Mueller)

Why are you seeking appointment to this Board/Commission/Committee?

I have part of Mequon's Ethics Board for a few years. Since

What is your understanding of the role and responsibility of the Board/Commission/Committee you are seeking appointment to?

Be part of a panel/committee ~~that's~~ that hears registered complaints from Mequon Constivents re: their property valuations

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

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

Richard J. Mueller
Signature

3-4-2024
Date

Revised: June 2023

Attachment: Mueller Application (9307 : Appointment to Board of Review Mueller)

Resume

Richard J. Mueller, PharmD, MBA, MS

10529 North Burning Bush Lane
Mequon, WI 53092
M (414)698-5953
E-mail: rjmueller@wi.rr.com

Attachment: Rich Mueller Resume 012023 (9307 : Appointment to Board of Review Mueller)

Formal Education

08/13	Master of Science Pharmacoeconomics	University of Florida College of Pharmacy Gainesville, Florida
12/99	Doctor of Pharmacy	University of Wisconsin-Madison School of Pharmacy Madison, Wisconsin
05/94	Master of Business Administration	Cardinal Stritch University Milwaukee, WI
05/87	Bachelor of Science in Pharmacy	University of Wisconsin-Madison School of Pharmacy Madison, Wisconsin

Licensure

Registered Pharmacist Wisconsin #11086 (active); Illinois #037346 (active);

Professional Experience

01/22-Present Consultant Pharmacist, RJM Pharmacy Consulting, LLC.

Provide consultative and strategic insight to small Medicare Advantage and Free Clinic organizations on pharmacy related matters.

01/21-06/21 Vice President, Clinical Strategy, Pharmastar. Altoona WI.
Chief Client Officer: Dr. Celynda Tadlock, PharmD

Responsibilities: Clinical program development for small pharmacy benefits as well as troubleshooting that results in a better client experience.

07/06 - 02/21 Director of Pharmacy Services, Community Care, Inc. Milwaukee, WI
Program Officer: Ms. Kelly Carter

Responsibilities: Overall direction and management of a department providing traditional clinical and distributive pharmacy services within a managed care environment.

: Administration, and oversight of pharmacy–related services for Medicare Part D- PACE and special needs plans.

Achievements:

- Implemented and successfully managed Medicare Part D Plans, including prescription claim services, PBM oversight, compliance oversight, Formulary Administration and MTM Programs.
- Developed an in-house dispensing pharmacy providing complex medication regimens to frail elder, physically- and developmentally disabled members.
- Established a pharmacist managed anticoagulation monitoring service.

08/16 - 12/16 Consultant, Milliman, Inc., Brookfield WI
Principal & Consulting Actuary: Mr. Frank Kopenski

Responsibilities: Assisted in the development of an analytical tool intended for PACE organizations to assess medication use across a population.

03/04 - 07/06 Clinical Pharmacist, Community Care, Inc. Milwaukee, WI
Medical Director: Dr. Mary Gavinski, MD

Responsibilities: established and provided clinical pharmacy services supporting internal and external prescribers as well as clinical nurses.
Achievements:

- Established in-house medication review process.
- Developed a Pharmacy and Therapeutics Committee that is responsible for Plan formularies.
- Implemented multiple cost-saving measures relating to medication utilization.
- Developed a Medication Safety Committee monitoring medication utilization for safety.
- Established a pharmacy clerkship site for the UW-Madison, Concordia, and Midwestern Schools of Pharmacy, Doctor of Pharmacy Program.

12/95 - present Relief Pharmacist, Walgreens Co., Wauwatosa, WI
Area Healthcare Supervisor: Rocky Ladien, RPh

Responsibilities: Traditional retail prescription dispensing.

06/99 - 09/02 Pharmacy Consultant, Merck Medco, Waukesha, WI

Attachment: Rich Mueller Resume 012023 (9307 : Appointment to Board of Review Mueller)

Responsibilities: Reviewer of computer-generated drug conflicts for large client bases of a pharmacy benefits management company.

06/89 - 03/04 Clinical Pharmacist, Aurora Sinai Medical Center, Milwaukee, WI
Pharmacy Manager: Christine Lodl, RPh

Responsibilities: Pharmacy Program Coordinator for the Acute Care for the Elderly Unit, a unit dedicated to treating the frail elderly; liaison to the physicians and staff of Wisconsin Parkinson Association; preceptor-pharmacy practice residents, and pharmacy students.

Program responsibility for the Neonatal Intensive Care Unit; staffing with Intensive Care Team; providing in-service to health care staffs; traditional inpatient pharmacist staffing.

4/90- 10/92 Pharmacy Manager, Cesarz Infusion Therapy Service, Appleton, WI
President: Paul M. Cesarz, RPh

Achievements:

- Established a home infusion company serving the Fox Valley Area of Wisconsin.
- Established professional relationships with hospitals, physician groups, insurance companies, and case management companies.
- Developed a marketing audit and plan.
- Prepared and implemented measures required for a successful JCAHO survey.

6/88- 6/89 Director of Pharmaceutical Services, Shawano Community Hospital, Shawano, WI
Department under contract with HPI Health Care Services, Albuquerque, NM

Responsibilities: Overall financial and personnel management for the pharmacy department of a 53- bed community hospital; developed and implemented clinical pharmacy programs to meet standards of the JCAHO; provided traditional distributive pharmacy services.

Attachment: Rich Mueller Resume 012023 (9307 : Appointment to Board of Review Mueller)

Other Pharmacy Experience

03/03 Investigational Drug Study. Wisconsin Parkinson Association
Principal Investigator: Dr. Paul Nausieda, MD

Project Description: This study demonstrated the comparative impact of antidepressant medications on the functional well-being of Parkinson's disease patients.

Responsibilities: Randomization and medication preparation for 40 patients receiving three treatment arms, whereby each enrollee served as their own control. Study medication was blinded to the patients and investigators.

12/01 Investigational Drug Study. UW Medical School
"Use of Zantac OTC in conjunction with Prilosec for the relief of heartburn."
Principal Investigator: Dr. Nimish Vakil, MD, FACP

Project Description: This study investigated the use of over-the-counter histamine blocking agents for patients who experience breakthrough reflux while already taking a daily administered proton pump inhibitor medication.

Responsibilities: Randomization and preparation of medications for 30 patients who were to receive active medication or placebo. Study medication was blinded to the patient and the investigators.

Papers and Presentations

Perkins CA, Mueller RJ, Longo LA (2000) A guide to using psychotropic medications with anti-HIV medications. *Primary Psychiatry*. Dec. 7, 2000 Vol. 7(12).

Mueller RJ, Mount JK (1999) Effects of terminating a health care program for a medically underserved population. Paper presented at the Annual Meeting of the American Pharmaceutical Association, San Antonio, March 1999.

Mueller RJ (1994) Home Infusion Therapy Services for Aurora Health Care. Management Decision Paper in partial fulfillment of the Master of Business Administration Degree, May 1994.

Professional Activities

- Medicines for Humanity. Volunteer Pharmacist Consultant. Cameroon, Africa (2014-present).
- Academy of Managed Care Pharmacy: Member (2011-present).
- Pharmacy Society of Wisconsin: member (1990-present); Long Term Care Section Member (2008-2012) and Chair (2009-2010).
- Phi Delta Chi Pharmacy Fraternity: member (1984-present); Distinguished Chapter Alumnus (2011).

Attachment: Rich Mueller Resume 012023 (9307 : Appointment to Board of Review Mueller)

Community Involvement

- Juniper and Canticle Courts (HUD and WHEDA housing for elderly and disabled), sponsored by the Order of St. Francis of Assisi. Member, Board of Directors (2007-2019); Nominations Committee chair (2010-2017); President (2017-2018).
- Open Arms Free Clinic, Elkhorn, WI. Board Member (2014-2019), Nominations Committee Chair (2014-2019).
- Bayberry Fields Homeowners Association, Mequon, WI. President (2014-2019).
- Bay Shore Inn Condominium Association. Member, Board of Directors (1999-2003; 2006-2009; 2014-present).
- Boy Scout Troop 852, sponsored by the Thiensville-Mequon, WI Rotary Club. Scoutmaster (2007-2013).

References available upon request.

Attachment: Rich Mueller Resume 012023 (9307 : Appointment to Board of Review Mueller)

APPOINTEE INFORMATION SHEET

Name of Board or Commission: **Ethics Board**

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

Name of Appointee: **Luke Behnke**

Address: **730 W. McIntosh Lane, 53092**
(Include zip code)

Appointment By Mayor: _____ By Alderman **Bill Gebhardt**
(Name)

At Large Appointment: _____ Aldermanic Dist. Appointment **8**
(Dist. Number)

Appointee Term Length: **3-year term** Appointee Term Expiration Date: **5/1/2027**

Comments: **Previously serving as Ethics Board member in District 7; Due to Redistricting, recommended for appointment in District 8**

TYPE OF APPOINTMENT

New: **X** Reappointment: _____

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

Name of person being replaced: **Martin Huennekens**

Date submitted to Council: **5/14/24**

Attachment: Behnke_Ethics [Revision 1] (9306 : Appointment to Ethics Board)

CITY OF MEQUON
BOARD, COMMISSION AND/OR COMMITTEE TALENT BANK APPLICATION
Please complete and return to the Administration Office, Mequon City Hall, 11333 N. Cedarburg Rd. Mequon, 53092 or email to cenea@ci.mequon.wi.us.

Name: Luke Behnke

Address: 730 W. McIntosh Ln. **Zip Code:** 53092

Home Phone Number: N/A **Cell Phone Number:** 414-875-7283

Years of Residence in Mequon: 9 **Occupation:** Attorney

Can you be reached during working hours: yes **Work Phone:** 414-309-0318

E-mail Address (es): LSBehnke@uwalumni.com

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

Qualifications for Appointment:

- Previous experience serving on Ethics Board
- Familiar with Mequon Code of Ordinances governing Ethics
- Skilled in leading comprehensive and fair investigations
- Proficient in application of law to facts

Education, Work Experience, Civic Background:

- BA - UW-Madison
- JD - Michigan State University College of Law
- Licensed attorney since 2012
- Currently employed as Corporate Council at Rite-Hite

Public Service and/or Civic Involvement:

- City of Mequon Ethics Board
- Weyenberg Public Library Foundation Board of Directors
- Volunteer Coach - Youth baseball, softball, basketball and football

Revised: June 2023

Attachment: Talent Bank Application - Behnke (9306 : Appointment to Ethics Board)

Why are you seeking appointment to this Board/Commission/Committee?

Commitment to public service is a civic duty that produces stronger communities.

What is your understanding of the role and responsibility of the Board/Commission/Committee you are seeking appointment to?

To advise the common council with respect to appropriate rules of ethics which shall govern city officials and employees in their duties and to administer the city ethics code.

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

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

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.

S. Bl

Signature

4-18-24

Date

Revised: June 2023

Attachment: Talent Bank Application - Behnke (9306 : Appointment to Ethics Board)

APPOINTEE INFORMATION SHEET

Name of Board or Commission: **Ethics Board**

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

Name of Appointee: **Barbara Levin**

Address: **2041 W. Ranch Road, 53092**
(Include zip code)

Appointment By Mayor: _____ By Alderman **Brian Parrish**
(Name)

At Large Appointment: _____ Aldermanic Dist. Appointment **6**
(Dist. Number)

Appointee Term Length: **3-year term** Appointee Term Expiration Date: **5/1/2027**

Comments: _____

TYPE OF APPOINTMENT

New: **X** Reappointment: _____

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

Name of person being replaced: **Richard Mueller**

Date submitted to Council: **5/14/24**

Attachment: Levin_Ethics (9331 : Appointment to Ethics Board Levin)

CITY OF MEQUON
BOARD, COMMISSION AND/OR COMMITTEE TALENT BANK APPLICATION
Please complete and return to the Administration Office, Mequon City Hall, 11333 N. Cedarburg Rd. Mequon, 53092 or email to cenea@ci.mequon.wi.us.

Name: Barbara Levin

Address: 2041 W. Ranch Rd. **Zip Code:** 53092

Home Phone Number: — **Cell Phone Number:** 262.309.1967

Years of Residence in Mequon: 18 yrs. **Occupation:** Community Volunteer

Can you be reached during working hours: Y **Work Phone:** —

E-mail Address (es): bdorfe@yahoo.com

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

Qualifications for Appointment:

I am a Mequon resident for 18 years. I was raised with strong morals and Jewish values which should lend well to this position.

Education, Work Experience, Civic Background:

B.A. from University of Michigan + MBA from Kellogg Graduate School of Business at Northwestern

Music Booking Agent

Account Manager at a corporate communications Agency

Public Service and/or Civic Involvement:

Mequon Rep for the Clerk Engagement Program of the Wisconsin Voting Rights Coalition and involved in numerous Get Out The Vote non-partisan efforts.

Revised: June 2023

Attachment: BarbEthicsBoard (9331 : Appointment to Ethics Board Levin)

Why are you seeking appointment to this Board/Commission/Committee?

Brian Parrish asked and I thought it's something new and an additional way to give back to the community.

What is your understanding of the role and responsibility of the Board/Commission/Committee you are seeking appointment to?

To advise common council on rules of ethics

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

_____ Architectural Board
_____ Board of Appeals
_____ Board of Police & Fire Commissioners
_____ Board of Review
_____ Economic Development Board
X Ethics Board
_____ Festivals Committee
_____ Frank L. Weyenberg Library Board of Trustee
_____ Hiram Schmidt Fund
_____ Joint Mequon-Thiensville Bike & Pedestrian Way Commission
_____ Landmarks Commission
_____ Mequon Nature Preserve Advisory Committee
_____ Milwaukee River Advisory Committee
_____ Park and Open Space Board
_____ Planning Commission
_____ Southern Ozaukee Fire Department Board
_____ 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.

Barbara Levin
Signature

11/26/24
Date

Revised: June 2023

Attachment: BarbEthicsBoard (9331 : Appointment to Ethics Board Levin)