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Office of the City Clerk
Taped and Televised

**COMMON COUNCIL
Regular Meeting
Tuesday, June 13, 2023 - 7:30 PM
or Immediately Following the
Sewer Utility District Commission Meeting
Christine Nuernberg Hall**

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 8:50 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, Community Development Director Tollefson, City Engineer/Public Works Director Lundeen, Police Chief Pryor, Finance Director Engroff, press and interested public.

4) Personal Appearances and Public Comment: None.

5) Public Officials' Reports:

- a) Mayor : None.
- b) City Administrator: None.

6) Consent Agenda:

- a) Common Council meeting minutes of May 9, 2023.
- b) Architectural Board meeting minutes of April 10, 2023.
- c) Economic Development Board meeting minutes of April 25, 2023.

- d) Festivals Committee meeting minutes of March 15, 2023.
- e) Finance-Personnel Committee meeting minutes of April 11, 2023.
- f) Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes of April 13, 2023.
- g) Mequon Municipal Water Utility Commission meeting minutes of April 11, 2023.
- h) Park and Open Space Board meeting minutes of April 19, 2023.
- i) Planning Commission meeting minutes of April 24, 2023.
- j) Public Safety Committee meeting minutes of April 11, 2023.
- k) Public Welfare Committee meeting minutes of April 11, 2023.
- l) Public Works Committee meeting minutes of April 11, 2023.
- m) Zoning Enforcement and Site Compliance Report Through June 1, 2023.
- n) Acceptance of the FY2022 Annual Comprehensive Financial Report and Report on Internal Control.

Motion to approve the Consent Agenda, items A - N.

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

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
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o) 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 2023-1651** - An Ordinance Amending Section 58-441(11) of the Mequon Municipal Zoning Code, Relating to Residential Parking Requirements.

RESULT: **First Reading**

Motion to suspend the rules and take action on **ORDINANCE 2023-1639**.

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

AYES:	Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt
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- 2) **ORDINANCE 2023-1639** - An Ordinance Amending Section 46-133 and Chapter 50 of the Mequon Municipal Code, Relating to Nuisances Within the City, Including Noise.

City Attorney Sajdak stated that the Public Welfare Committee did recommend approving the ordinance version that clearly states the times construction noise is allowed.

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

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

- 3) **ORDINANCE 2023-1652** - An Ordinance Amending Chapter 2 of the Mequon Municipal Code, Incorporating Various Changes Resulting from the First Amendment to an Intergovernmental Agreement Establishing the Southern Ozaukee Fire & Emergency Medical Services Department.

RESULT: **First Reading**

7) Ordinance:

- a) **ORDINANCE 2023-1650** - An Ordinance Amending Chapter 2 of the Mequon Municipal Code, Adjusting the Travel & Training Meal Allowance to \$60 Per Day.

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

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

8) Resolutions:

- a) **RESOLUTION 4052** - A Resolution Adopting and Implementing the City of Mequon Municipal Emergency Operations Plan.

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

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

- b) **RESOLUTION 4053** - A Resolution Authorizing Staff to File the City of Mequon's Compliance Maintenance Annual Report (CMAR) for Calendar Year 2022, in Accordance with Requirements Under Wisconsin Administrative Code NR208.

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

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

- c) **RESOLUTION 4054** - A Resolution Approving Award of a Contract to Complete Inspections of 1,011 Sanitary Sewer Manholes in Various Locations to the Sigma Group of Milwaukee, Wisconsin in the Amount Not-to-Exceed \$48,496.

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

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

- d) **RESOLUTION 4055** - A Resolution Approving the Award of Two (2) Contracts for the Rehabilitation of Seventy-Nine (79) Sanitary Manholes with Grout to Great Lakes TV & Seal, Inc. of Green Bay, Wisconsin in the Amount of \$70,235; and for the Rehabilitation of Thirty-Seven (37) Sanitary Manholes with Epoxy to Visu-Sewer, Inc. of Pewaukee, Wisconsin in the Amount of \$170,566.

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

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

- e) **RESOLUTION 4056** - A Resolution Authorizing a Sanitary Service Deferral Agreement for the Property Located at 12204 North Fieldwood Road.

The resolution was amended at the Sewer Utility district Commission meeting to grant the sewer service deferral application, and for the staff to withhold action on a holding tank agreement until the owner provides to staff a satisfactory plan which will bring the home into compliance per applicable building codes.

RESULT: **Approved as Amended by the Sewer Utility District Commission by Voice Acclamation [Unanimous]**
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Gebhardt

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

- 9) **Specified Unfinished Business From Prior Meetings:** None.

- 10) **Specified New Business: Mayoral Appointment: Ali Buchanan, Frank L. Weyenberg Library Board of Trustees, Trustee**

Motion to approve the Mayoral Appointment to the Frank L. Weyenberg Library Board of Trustees

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

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

11) Potential Closed Session:

- a) 12701 N. Farmdale Road, LLC and Grizzly Acres, LLC Nuisance/Permitting Issues: The Common Council may convene into closed session pursuant to 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, and then may reconvene into open session to take such action as deemed appropriate.

Motion to go into Closed Session at 9:03 PM to discuss the 12701 N. Farmdale Road, LLC and Grizzly Acres, LLC Nuisance/Permitting Issues.

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

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

12) Adjourn

Motion to adjourn at 9:17 PM.

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

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

Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk
Approved 07-11-23