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Office of the City Clerk
Taped and Televised

**COMMON COUNCIL
Regular Meeting
Tuesday, October 11, 2022 - 7:30 PM
or Immediately Following the
Committee of the Whole Meeting
Christine Nuernberg Hall**

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 7:45 PM.

2) Pledge of Allegiance

3) Roll Call

Present:

Mayor Andrew Nerbun
Alderman Robert Strzelczyk
Alderman Dale Mayr
Alderman Jeffrey Hansher
Alderman Mark Gierl
Alderman Brian Parrish
Alderman Kathleen Schneider
Alderman Glenn Bushee - **Absent**
Alderman Vacant Seat - **Absent**

Also present: City Administrator Jones, City Attorney Sajdak, City Clerk Fochs, Assistant City Administrator Schoenemann, Community Development Director Tollefson, Engineering and Public Works Director Lundeen, Police Chief Pryor, Assistant City Engineer McCraw, Ken Kiepczynski, WisDOT Project Manager, Toni Keegan, Traffic Operations Planner at HNTB Corporation, press and interested public.

4) Public Hearings: None.

5) Personal Appearances and Public Comment: None.

6) Public Officials' Reports:

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

1) WisDOT Update: I-43 Expansion

Administrator Jones introduced several representatives from the Wisconsin Department of Transportation (WisDOT) who provided an overview and a status update on the I-43 expansion project. Ken Kiepczynski and Toni Keegan stated that we are one year into an expected four-year project that will involve I-43 between Hwy 60 to Bender Road. Projects expected to be completed in 2022 are the Falls Road bridge, Kathryn Road reopening, Lakefield Road bridge widening bridge expansion, Port Washington bridge and Highland Road interchange. The 2023 focus will be on the southbound-northbound main line freeway line construction, Hwy C ramps and bridge construction, County Line Road bridge, Mequon Road interchange, Brown Deer Road bridge widening, and Hwy 60 ramp reconfiguring/realignments. The WisDOT website provides up-to-date information on the project.

7) **Consent Agenda:**

- a) Common Council meeting minutes of September 13, 2022.
- b) Architectural Board meeting minutes of August 8, 2022.
- c) Economic Development Board meeting minutes of July 26, 2022.
- d) Festivals Committee meeting minutes of August 17, 2022.
- e) Finance-Personnel Committee meeting minutes of August 10, 2022.
- f) Joint Mequon-Thiensville Bike & Pedestrian Way Commission meeting minutes of August 11, 2022.
- g) Planning Commission meeting minutes of July 25, 2022.
- h) Public Welfare Committee meeting minutes of August 10, 2022.
- i) Public Works Committee meeting minutes of August 10, 2022.
- j) Sewer Utility District Commission meeting minutes of August 10, 2022.
- k) Zoning Enforcement and Site Compliance Report Through October 3, 2022.
- l) **RESOLUTION 3982** - A Resolution Approving a Development Agreement for The Enclave at Mequon Preserve South Phase III, a 12-Lot Subdivision Located at 7901 W. Preserve Parkway.
- m) **RESOLUTION 3983** - A Resolution Approving the Final Plat for Phase II of The Woods at Highland Park, a 5 Building, 10-Unit Condominium Development Located in the Vicinity of 12431 Green Bay Road, 12424 North Green Bay Road and 5555 W. Highland Drive.
- n) Ordinance First Readings

NOTE: First reading of Ordinances will not be acted upon unless a suspension of the rules is approved by a recorded vote of two-thirds majority of all aldermen.

- 1) **ORDINANCE 2022-1629** - An Ordinance Amending Chapter 58 of the Mequon Municipal Code, Establishing Veterinary Clinics as a Conditional Use in the B-1 (Neighborhood Commercial) Zoning District.

RESULT: First Reading

- 2) **ORDINANCE 2022-1630** - An Ordinance Amending Section 2-216(10) of the Mequon Municipal Code, Increasing the Annual Carry-Over Limit for Paid-Time-Off Amongst Non-Represented Employees from 40 Hours to 80 Hours.

RESULT: First Reading

Motion to approve Consent Agenda items A-M, including **RESOLUTION 3982** and **RESOLUTION 3983**.

RESULT: Approved by Voice Acclamation [6-2]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Mayr

AYES:	Strzelczyk, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Bushee, Vacant Seat

8) **Ordinances:** None.

9) **Resolutions:**

- a) **RESOLUTION 3984** - A Resolution Approving a Town Center Business Loan in the Amount of \$25,000 Between Bank Five Nine and Mammoth Fitness, for a Fitness Center Located at 6400 West Mequon Road.

RESULT: Approved by Voice Acclamation [6-2]
MOVED BY: Alderman Schneider
SECONDED BY: Alderman Strzelczyk

AYES:	Strzelczyk, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Bushee, Vacant Seat

- b) **RESOLUTION 3985** - A Resolution Disallowing the Claim of Kay-Xiong Yang Dated September 16, 2022.

RESULT: Approved by Voice Acclamation [6-2]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Parrish

AYES:	Strzelczyk, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Bushee, Vacant Seat

10) **Specified Unfinished Business From Prior Meetings:** None.

11) Specified New Business: None.

12) Potential Closed Session:

- a) Potential Claim Against the Mequon Police Department: 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 to discuss the Potential Claim Against the Mequon Police Department.

RESULT: Approved by Roll Call Vote [7-2]

MOVED BY: Alderman Strzelczyk

SECONDED BY: Alderman Hansher

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

DEEMED NO: Bushee, Vacant Seat

- b) Acquisition of a Stormwater Drainage Easement Across the Property at 9731 N. Courtland Drive or Compensation for Landscaping within Existing Drainage Easement at 9703 and/or 9641 N. Courtland Drive: The Common Council may convene into closed session pursuant to Wis. Stat. §19.85(1)(e), 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 Acquisition of a Stormwater Drainage Easement Across the Property at 9731 N. Courtland Drive or Compensation for Landscaping within Existing Drainage Easement at 9703 and/or 9641 N. Courtland Drive.

RESULT: Approved by Roll Call Vote [7-2]

MOVED BY: Alderman Mayr

SECONDED BY: Alderman Hansher

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

DEEMED NO: Bushee, Vacant Seat

The Common Council convened into Closed Session at 8:05 PM.

The Common Council reconvened into Open Session at 8:39 PM and authorized staff to act as discussed in Closed Session.

13) Adjourn

Motion to adjourn at 8:39 PM.

RESULT: **Approved by Voice Acclamation [6-2]**

MOVED BY: Alderman Gierl

SECONDED BY: Alderman Parrish

AYES:	Strzelczyk, Mayr, Hansher, Gierl, Parrish, Schneider
DEEMED NO:	Bushee, Vacant Seat

Respectfully Submitted,

Kathy Andrykowski

Deputy Clerk

Approved 11/09/22