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Office of the City Clerk
Taped and Televised

COMMON COUNCIL
Regular Meeting
Tuesday, November 12, 2024
7:30 PM
Christine Nuernberg Hall

Minutes

1) Call to Order

Mayor Nerbun called the meeting to order at 7:34 PM.

2) Pledge of Allegiance

3) Roll Call

Present:

Mayor Andrew Nerbun

Alderman Kelly Tolocko

Alderman Dale Mayr

Alderman Jeffrey Hansher

Alderman Gregg Bach

Alderman Brian Parrish

Alderman Peter Bratt

Alderman William Gebhardt

Alderman Robert Strzelczyk - **Excused**

Also Present: City Administrator Jones, Assistant City Administrator Schoenemann, City Attorney Sajdak, City Clerk Fochs, Finance Director Arnett, Assistant Finance Director Keyser, Director of Community Development Tollefson, Assistant Director of Community Development Zader, City Engineer Lundeen, Police Chief Pryor, ICMA Management Fellow Randall, press and interested public.

4) Convene as Appropriations Committee

Common Council convened as the Appropriations Committee at 7:35 PM.

- a) Approve Appropriations Committee meeting minutes of August 28 and October 8, 2024.

Motion to approve the minutes.

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

MOVED BY: Alderman Bach

SECONDED BY: Alderman Mayr

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

b) Reconvened as the Common Council at 7:36 PM.

5) Public Hearings:

a) **ORDINANCE 2024-1668** - An Ordinance Amending a Planned Unit Development (Ordinances 2019-1950 and 2020-1563), in Connection with Approval of a New Concept Plan for the Property Located at 10865-10931 N. Port Washington Road.

1) Public Hearing

Motion to open the public hearing.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

Motion to close the public hearing.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

2) Consideration of the Ordinance.

Motion to approve ORDINANCE 2024-1668.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

b) **ORDINANCE 2024-1671** - An Ordinance Adopting the Annual Budget and Appropriating Funds for the Operation of the Government and Administration of the City of Mequon for the Year 2025 and Levying for the Same.

1) Public Hearing

Motion to open the public hearing.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

Motion to close the public hearing.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

2) Consideration of the Ordinance (Potential waiver of rules related to second readings).

Motion to suspend the rules related to second readings.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

Motion to approve ORDINANCE 2024-1671.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

6) **Personal Appearances and Public Comment:** None.

7) **Public Officials' Reports:**

a) Mayor

Mayor Nerbun invited the public to the Winter Wonderland event in front of City Hall on Sunday, December 8, 2024, from 3:30 – 5:30 PM.

8) **Consent Agenda:**

- a) Common Council meeting minutes of October 8, 2024.
- b) Architectural Board meeting minutes of September 9, 2024.
- c) Code Enforcement Summary through October 1, 2024.
- d) Festivals Committee meeting minutes of August 19, 2024.

- e) Finance-Personnel meeting minutes of September 10, 2024.
- f) Joint Mequon-Thiensville Bike and Pedestrian Way Commission meeting minutes of September 5, 2024.
- g) Mequon Municipal Water Utility Commission meeting minutes of September 10 and October 8, 2024
- h) Milwaukee River Advisory Committee meeting minutes of June 26, 2024.
- i) Planning Commission meeting minutes of September 23, 2024.
- j) Public Safety Committee meeting minutes of September 10, 2024.
- k) Public Welfare Committee meeting minutes of September 10, 2024.
- l) Public Works Committee meeting minutes of September 10, 2024.
- m) Sewer Utility District Commission meeting minutes of June 11, 2024.
- n) Tree Board meeting minutes of January 11, 2024.
- o) **RESOLUTION 4151** - A Resolution Authorizing a Development Agreement for the Swan Ridge Farms Subdivision - Phase II, for 42 of 83 Lots within a Single-Family Residential Neighborhood Located Immediately South and West of 10129 North Swan Road.
- p) **RESOLUTION 4152** - A Resolution Authorizing a Development Agreement for the Enclave Subdivision - Phase VIII, for 13 of the 82 Lots within a Single-Family Residential Subdivision Located Immediately North of 8200 West Donges Bay Road.
- q) **RESOLUTION 4153** - A Resolution Approving a Stormwater Facilities Maintenance & Easement Agreement, in Connection with Acquisition of a 10-Foot-Wide Storm Sewer Easement at 10538 North Gazebo Hill Parkway West.

Motion to approve Consent Agenda items A-Q.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt DEEMED NO: Robert Strzelczyk

r) **Ordinance First Readings**

- 1) **ORDINANCE 2024-1670** - An Ordinance Appropriating the Necessary Funds from the City of Mequon's Sewer Utility District for the Year 2025 for Capital Charge Payments to the Milwaukee Metropolitan Sewerage District and City of Mequon Capital Debt Service Requirements.
- a. Consideration of the Ordinance (Potential waiver of rules related to second readings).

Motion to suspend the rules related to second readings.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt DEEMED NO: Robert Strzelczyk

Motion to approve ORDINANCE 2024-1670.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Robert Strzelczyk

9) Ordinances:

- a) **ORDINANCE 2024-1666** - An Ordinance Amending Chapter 14 of the Mequon Municipal Code, Regarding the Regulation of Peddlers, Transient Merchants and Solicitors.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

10) Resolutions:

- a) **RESOLUTION 4154** - A Resolution Adopting the City of Mequon's Annual Fee Schedule for Fiscal Year 2025.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

- b) **RESOLUTION 4155** - A Resolution Approving Execution of an Engagement Letter for Auditing Services During Fiscal Years 2024-2028 with Baker Tilly US, LLP, Milwaukee, Wisconsin, in an Amount Not-to-Exceed \$252,300.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

- c) **RESOLUTION 4156** - A Resolution Authorizing Extension of a Professional Services Agreement for the Remaining Phases of the Enterprise Land Management System Selection Process with Avèro Advisors of Maryville, Tennessee, in an Amount Not-To-Exceed \$77,120.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

- d) **RESOLUTION 4157** - A Resolution Approving an Agreement for a Market Revaluation Update of All Real Property within the City of Mequon During the 2025 Assessment Year with Catalis Tax and CAMA, Inc. of Menomonee Falls, Wisconsin, in the Amount of \$225,000.

Mayor Nerbun explained that assessed values have fallen behind real property values; therefore, a revaluation must happen from time to time to stay in compliance.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

- e) **RESOLUTION 4158** - A Resolution Renewing a Memorandum of Understanding Between the City of Mequon, the Village of Thiensville and the Mequon-Thiensville School District for the School Resource Officer Program During Calendar Years 2024-2028.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

- f) **RESOLUTION 4149** - A Resolution Reassigning Undesignated Cash Reserves of \$1,000,000 within the Sewer Utility Fund to One-Time Capital Projects, in Accordance with City of Mequon Financial Policy Statement 3: Reserve Requirements.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

- g) **RESOLUTION 4150** - A Resolution Adopting the Fiscal Year 2025 Sanitary Sewer Utility Budget and Establishing the 2025 Sanitary Sewer User Fee Schedule.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

11) Specified Unfinished Business From Prior Meetings: None.

12) Specified New Business: None.

13) Potential Closed Session:

- a) Possible Acquisition of 11015 N. Market Street. The Common Council may convene into closed session pursuant to Wis. Stat. § 19.85(1)(e) for the purposes 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 re-convene into open session to take such action it deems appropriate.

Motion to convene into closed session at 7:51 PM.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt, Nerbun
DEEMED NO: Strzelczyk

14) Adjourn

Motion to adjourn at 8:31 PM.

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

AYES: Tolocko, Mayr, Hansher, Bach, Parrish, Bratt, Gebhardt
DEEMED NO: Strzelczyk

Respectfully Submitted,
Beth Kong