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[www.ci.mequon.wi.us](http://www.ci.mequon.wi.us)

Office of the City Clerk  
Taped and Televised

**COMMON COUNCIL**  
**Tuesday, April 12, 2016**  
**7:30 PM**  
**Christine Nuernberg Hall**

**Agenda**

**1) Call to Order, Pledge of Allegiance, Roll Call**

**2) Public Hearing:**

**2016-1469** - An Ordinance Amending Chapter 58, City of Mequon Zoning Map for Approximately 2.22 Acres Located at 11351-11363 N. Port Washington Road from B-3 (Office) to B-2 (Community Commercial) and Amending the Land Use Plan Map from Office to Community Commercial. **Recommendation of denial by Planning Commission February 8, 2016; First Reading at Common Council February 9, 2016.**

**3) 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 limitation is **FIVE** minutes. **To speak or to have your opinion recorded, please complete a registration slip found at the back of the room and submit it to the clerk.**

**4) Public officials' reports:**

- a) Mayor
- b) City Administrator

**5) CONSENT AGENDA:**

- a) Common Council meeting minutes of March 8, 2016
- b) Architectural Board meeting minutes of February 8, 2016
- c) Bureau of Permits and Inspections Report for February 2016
- d) Economic Development Board meeting minutes of February 23, 2016
- e) Finance-Personnel Committee meeting minutes of February 9, 2016

- f) Fire Department Report for February 2016
- g) Mequon Festival Committee meeting minutes of February 2 and March 7, 2016
- h) Mequon/Thiensville Bike/Pedestrian Commission meeting minutes of February 5, 2016
- i) Park Board minutes of February 17, 2016
- j) Police and Fire Commission meeting minutes of December 3, 2015
- k) Public Welfare Committee meeting minutes of February 9, 2016
- l) Zoning Enforcement and Site Compliance Report through April 1, 2016
- m) **RESOLUTION 3368** - A Resolution Authorizing A Development Agreement for The Enclave of Mequon Preserve Addition No. 1 for Phase II consisting of 16 single family lots.  
**Recommendation forthcoming by Planning Commission April 11, 2016.**
- n) **RESOLUTION 3370** - A Resolution Designating Mequon, Wisconsin as a Bee City USA. **Recommendation forthcoming from the Public Welfare Committee April 12, 2016.**
- o) **RESOLUTION 3372** - A Resolution Approving a Request from the Mequon Nature Preserve to Utilize City of Mequon MMSD Green Solutions Funding for the Construction of a Permeable Parking Lot Paving Project. **Recommendation forthcoming by Public Works Committee April 12, 2016.**

**6) Ordinances:**

- a) **ORDINANCE 2016-1468** - An Ordinance Amending Chapter 58, the City of Mequon Zoning Map by Lakeside Development for a 10 Acre Property Located Immediately South of 11104 Oriole Lane from R-3 (Single-Family Residential) with C-2 (General Conservancy) to R-3 with C-2 and Planned Unit Development (PUD) to Allow a 9 Lot Single Family Residential Development. **Recommendation to table by Planning Commission on February 8, 2016; Recommendation forthcoming by Planning Commission on April 11, 2016. First Reading.**
- b) **ORDINANCE 2016-1467** - An Ordinance Amending a Planned Unit Development (PUD) approval for the Sarah Chudnow Campus Located at 10995 N. Market Street Reducing the Overall Site Acreage from 19.4 to 16.9 Acres. **Recommendation to table by the Planning Commission February 8, 2016; Recommendation forthcoming by Planning Commission April 11, 2016; First Reading.**

- c) **ORDINANCE 2016-1469** - An Ordinance Amending Chapter 58, City of Mequon Zoning Map for Approximately 2.22 Acres Located at 11351-11363 N Port Washington Road from B-3 (Office) to B-2 (Community Commercial) and Amending The Land Use Plan Map from Office to Community Commercial. **Recommendation of denial by Planning Commission on February 8, 2016; First Reading at Common Council February 9, 2016.**
- d) **ORDINANCE 2016-1470** - An Ordinance Amending Chapter 46, Article IV, Division 2 of the Mequon Municipal Code as it Relates to Hunting and the Discharge of Certain Weapons Within the City. **Recommended by Public Safety Committee February 23, 2016; First Reading at Common Council March 8, 2016.**

**7) Resolutions:**

- a) **RESOLUTION 3369** - A Resolution Awarding the 2016 Crack Sealing Contract to American Pavement Solutions, Inc., Green Bay, WI in the amount of \$157,162. **Recommendation forthcoming by Public Works Committee April 12, 2016.**
- b) **RESOLUTION 3371** - A Resolution Approving the Award of a Contract for the Replacement of a Generator and Transfer Switch at Lift Station A to Frank Gillitzer Electric, Mequon, WI in the Amount of \$47,489. **Recommendation forthcoming by Sanitary Utility District Commission April 12, 2016.**

**8) Specified Unfinished Business:**

None.

**9) Presentation of Petitions, Memorials, and/or Remonstrances and Communications:**

None.

**10) Specified Miscellaneous New Business:**

None.

**11) Closed Session:**

- a) Convene into closed session pursuant to Section 19.85(1)(g), Wisconsin State Statutes, conferring with legal counsel for the government body who is rendering oral and written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Claim of the Lakes of Ville du Parc Condominium Association).

**12) Adjourn**

**Dated:** ..... **/s/ Dan Abendroth, 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 accommodations 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

**CITY OF MEQUON  
COMMON COUNCIL**

**Regular Meeting**

**March 8, 2016**

**draft**

PRESENT: Mayor Abendroth, Aldermen Strzelczyk, Pukaite, Mayr, Leszczynski, Gierl, Hawkins, Nerbun, Adams; City Clerk/Administrator Jones; Assistant City Administrator Thyes; Deputy City Clerk Fochs; City Attorney Sajdak; Community Development Director Tollefson; Finance Director Watson; Director of Parks & Operations Curran; City Engineer/Public Works Director Lundeen; press and interested public

ABSENT: None

OTHERS PRESENT: James Mann of Ehlers

1) Mayor Abendroth called the meeting of the Common Council to order at 7:30 PM with the Pledge of Allegiance and the roll call.

2) **Public Hearings:**

- a) Moved by Alderman Pukaite, seconded by Alderman Strzelczyk to open a public hearing to discuss **ORDINANCE 2016-1467** - An Amendment to a PUD approval for Sarah Chudnow Campus located at 10995 N. Market Street to reduce the overall site acreage from 19.4 to 16.9 acres. The motion passed by voice acclamation 8/0.

There being no one else wishing to speak, moved by Alderman Strzelczyk, seconded by Alderman Hawkins to close the public hearing. The motion passed by voice acclamation 8/0.

- b) Moved by Alderman Strzelczyk, seconded by Alderman Nerbun to open a public hearing to discuss **ORDINANCE 2016-1468** – An Amendment to the City of Mequon Zoning Map by Lakeside Development for a 10 acre property located immediately south of 11104 Oriole Lane from R-3 (Single-Family Residential) with C-2 (General Conservancy) to R-3 with C-2 and PUD (Planned Unit Development). The motion passed by voice acclamation 8/0.

Janet Ehn spoke in opposition to **ORDINANCE 2016-1468** citing concerns over destruction of the wetlands and specimen trees, drainage problems, traffic increase, small size of the proposed condominium unit.

There being no one else wishing to speak, moved by Alderman Adams, seconded by Alderman Hawkins to close the public hearing. The motion passed by voice acclamation 8/0.

3) **Personal appearances and public comment:** None

4) **Public official's reports:**

- a) **Mayor:** Common Council welcomes Boy Scout Troops 815 and 852 to the meeting.

b) **City Administrator:** None

5) **Consent Agenda:**

- a) Common Council meeting minutes of February 9, 2016
- b) Architectural Board meeting minutes of January 11, 2016
- c) Board of Appeals meeting minutes of February 4, 2016
- d) Bureau of Permits and Inspections Report for January 2016
- e) Economic Development Board meeting minutes of February 2, 2016
- f) Finance-Personnel Committee meeting minutes of January 12, 2016
- g) Fire Department Report for January 2016
- h) Mequon Festivals Committee meeting minutes of October 2, 2015
- i) Park Board meeting minutes of December 16, 2015
- j) Planning Commission meeting minutes of January 11, 2016
- k) Public Safety Committee meeting minutes of December 14, 2015
- l) Public Welfare Committee meeting minutes of December 8, 2015
- m) Public Works Committee meeting minutes of January 12, 2016
- n) Tree Board meeting minutes of December 16, 2016
- o) Zoning Enforcement and Site Compliance Reports through March 1, 2016
- p) **RESOLUTION 3366** – Lumen Christi Church Engineering Services request and Memorandum of Understanding **Recommendation forthcoming by Public Works Committee March 8, 2016**

Moved by Alderman Pukaite, seconded by Alderman Hawkins to approve the consent agenda.

The motion passed by voice acclamation 8/0.

6) **Ordinances:**

- a) Moved by Alderman Pukaite, seconded by Alderman Strzelczyk to table **ORDINANCE 2016-1467** - An Amendment to a PUD approval for Sarah Chudnow Campus located at 10995 N. Market Street to reduce the overall site acreage from 19.4 to 16.9 acres.

The motion passed by voice acclamation 8/0.

Alderman Hawkins proposed that the order of ordinances 2016-1467 and 2016-1468 be reversed when they come before Council again.

Council was concerned about the public notification of this ordinance when it comes back through the Planning Commission and Common Council. All property owners within a quarter mile would be notified prior to both the Planning Commission and Common Council meetings. Any significant changes in the ordinance and the time line will be monitored. These ordinances will be allowed another public hearing if/when they do come before Common Council.

- b) Moved by Alderman Strzelczyk, seconded by Alderman Pukaite to table **ORDINANCE 2016-1468** – An Amendment to the City of Mequon Zoning Map by Lakeside Development for a 10 acre property located immediately south of 11104 Oriole Lane

from R-3 (Single-Family Residential) with C-2 (General Conservancy) to R-3 with C-2 and PUD (Planned Unit Development).

The motion passed by voice acclamation 8/0.

- c) **ORDINANCE 2016-1470** – An Ordinance amending Chapter 46, Article IV, Division 2 of the Mequon Municipal Code as it relates to hunting and the discharge of certain weapons within the city. **Recommended by Public Safety Committee March 23, 2016; First Reading.**

7) **Resolutions:**

- a) Moved by Alderman Pukaite, seconded by Alderman Nerbun to approve **RESOLUTION 3364** – Resolution Awarding the Sale of \$9,020,000 General Obligation Public Works Facility Bonds, Series 2016A Providing the Form of the Bonds; and Levying a Tax in Connection Therewith

Mr. Mann explained that the true interest cost reduced to 1.827%. As a result, the overall cost of the borrowing to the City is reduced to \$8,905,000.

In response to Alderman Gierl's concerns about the condition of the three DPW buildings that will be repurposed, Director Lundeen stated that a facility assessment study was done approximately 5 years ago. The shells of the buildings may be of some reuse; but the required amenities for code compliance and general public work functionality equates to a substantial amount of money to continue to utilize those facilities for Public Works functions. It is more cost effective and efficient to build a new facility and take advantage of the low interest rates.

Motion passed upon roll call vote 7/1:

Favor: Strzelczyk, Pukaite, Mayr, Leszczynski, Hawkins, Nerbun, Adams

Opposed: Gierl

- b) Moved by Alderman Adams, seconded by Alderman Hawkins to approve **RESOLUTION 3362** – Contract Award for the Construction of the Combined Department of Public Works Facility.

Motion passed upon roll call vote 7/1:

Favor: Pukaite, Mayr, Leszczynski, Hawkins, Nerbun, Adams, Strzelczyk

Opposed: Gierl

- c) Moved by Alderman Nerbun, seconded by Alderman Adams to approve **RESOLUTION 3363** – Contract Award for the Consultant Contracts Associated with the Combined Department of Public Works Facility.

Motion passed upon roll call vote 8/0.

Favor: Mayr, Leszczynski, Gierl, Hawkins, Nerbun, Adams, Strzelczyk, Pukaite

Opposed: None

- d) Moved by Alderman Pukaite, seconded by Alderman Leszczynski to approve **RESOLUTION 3365** – Resolution approving and entering into an agreement with SBA Towers IX, LLC for location of a wireless communications tower and ground facilities at River Barn Park (9808 N. Cedarburg Road).

Motion passed upon roll call vote 8/0.

Favor: Leszczynski, Gierl, Hawkins, Nerbun, Adams, Strzelczyk, Pukaite, Mayr

Opposed: None

- e) Moved by Alderman Puakite, seconded by Alderman Leszczynski to approve **RESOLUTION 3367** – Approving a Town Center TIF No. 3 Incentive Under the Fast Track Formula for the Dermond Property Investments, LLC Project Located at 11130 N. Buntrock Ave.

Discussion ensued on TIF district financing, high density of housing, the housing saturation point, and the Fast Track Incentive. This TIF district was established in 2008. The goal today is to make sure it is successful and pays off it's debt and in the long run supports the school and infrastructure in the city. The Town Center TIF Fast Track Incentive had at least a \$3M in new value and the City would take a percentage of the tax increment created after the project was built and supply those funds back to the TIF.

Motion passed upon roll call vote 6/2:

Favor: Hawkins, Nerbun, Strzelczyk, Pukaite, Mayr, Leszczynski

Opposed: Gierl, Adams

- 8) **Specified Unfinished Business:** None
- 9) **Presentation of Petitions, Memorials, and/or Remonstrance's and Communications:**  
None
- 10) **Specified Miscellaneous New Business:** None
- 11) **Adjourn:** Moved by Alderman Nerbun, seconded by Alderman Leszczynski to adjourn at 8:37 PM.

Motion passed by voice acclamation 8/0.

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*William H. Jones, Jr., City Clerk*



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INSPECTION DIVISION

**Architectural Board Minutes**

**February 8, 2016**

**PRESENT:**            **Substitute Chairman: Roger Davison**

**Members at Large: Robert Chich, Robert Meyers**

**Aldermanic District**

**Members:                 Jim Youngquist, Lisa Puhl, Debra Weich**

**Building Inspector: Michael Rakow**

**NOTE: ARCHITECTURAL BOARD CONDITIONS ARE NOT SUBJECT TO SUBDIVISION DEED RESTRICTIONS OR APPROVALS.**

- A.     1. Architectural Board Minutes of January 11, 2016  
    Moved to Approve:   Davison    
    Seconded By:          Chich    
    Vote:   Unanimous

B.

No.	Ald. Dist. / Time	Type of App	Owner(s) / Project Address	Contractor
1)	Dist. 1 6:30pm	<b>New:</b> Single Family Residence	Simon & Bianca Meester 5980 W. Chapel Hill Road  Subd: N/A	Cont: Joseph Douglas Homes  Arch: Joseph Douglas Homes
Moved to Approve: <u>  Meyers  </u> Seconded by: <u>  Youngquist  </u> Approved: <u>  Davison  </u> Vote: <u>  Unanimous  </u>				
Conditions: Plans approved as submitted with the condition that all windows to be the same style.				

2)	Dist. 1 6:35pm	<b>Re-Submittal:</b> New Single Family Residence	Dr. Zhenghao Wu & Yanhona Xu 12813 N. Highgate Court  Subd: Highgate	Cont: Life Homes, Inc.  Arch: Josh Thorson
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Moved to Approve: Youngquist  
 Seconded by: Chich  
 Approved: Davison  
 Vote: Unanimous

Conditions: Plans approved as approved with the following conditions:  
 1. Arched windows should have keystones  
 2. Garage doors should have keystone  
 3. Consistency around house as marked

3)	Dist. 2 6:40pm	<b>New:</b> Single Family Residence	Gold Hawk Development 1457 W. Stillwater Court  Subd: Hidden River Condos	Cont: Complete Remodeling  Arch: Complete Remodeling
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Moved to Approve: Weich  
 Seconded by: Davison  
 Approved: Meyers  
 Vote: Unanimous

Conditions: Plans approved as submitted with the condition that the arched transom window on North Elevation should be rectangular.

4)	Dist. 3 6:45pm	<b>Shed</b>	Dexter & Cynthia Jones 11344 N. Glenwood Drive  Subd: Solar Heights	Cont: Owner  Arch: N/A
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Move to Table: Yes  
 Seconded by: Davison  
 Approved: Puhl  
 Vote: Unanimous

Conditions: Plans denied, re-submit revised plans for next meeting.

5)	Dist. 3 6:55pm	<b>Re-Submittal:</b> Shed/Garage	Paul Rausch 11254 N. Solar Avenue  Subd: Solar Heights	Cont: Owner  Arch: NA
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Moved to Table: Puhl  
 Seconded by: Davison  
 Approved: Myers  
 Vote: Unanimous

Conditions: Plans denied, homeowner will need to apply for a variance through the Board of Appeals; then resubmit plans to Architectural Board.

6)	Dist. 7 7:05pm	<b>Outbuilding</b>	Scott Lounsberry 9709 N. Range Line Road  Subd: Range Line Estates	Cont: Fein Design, LLC  Arch: Fein Design, LLC
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Moved to Approve: Meyers  
 Seconded by: Chich  
 Approved: Davison  
 Vote: Unanimous

Conditions: Plans approved as submitted.

**CITY OF MEQUON  
WISCONSIN**

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

**BUREAU OF PERMITS AND INSPECTIONS**

**\*FEBRUARY 2016\***

**MONTHLY FEE'S REPORT**

Type of Permit	This Month		Year to Date		Last Year to Date	
	No.	Fees	No	Fees	No	Fees
Building Applications	6	575.00	12	1,058.00	21	2,121.00
Building Permits	56	43,923.77	110	71,455.53	94	51,280.39
Heating Permits	52	6,171.04	87	9,627.78	97	20,938.22
Temp. Occupancy Permits	4	506.00	6	863.00	8	392.00
Occupancy Permits	8	452.00	22	1,387.00	17	1,191.00
Cert. of Compliances	0	0.00	0	0.00	44	2,684.00
Moving Permits	0	0.00	0	0.00	0	0.00
Razing	0	0.00	2	122.00	8	488.00
Plumbing Permits	84	7,660.00	141	17,864.00	129	15,706.00
Electrical Permits	75	6,905.72	152	12,352.77	137	14,087.30
Well Abandonment Permit	0	0.00	0	0.00	0	0.00
Well Operation Permit	0	0.00	0	0.00	0	0.00
Early Start	0	0.00	0	0.00	1	183.00
<b>Total</b>	<b>285</b>	<b>\$ 66,193.53</b>	<b>532</b>	<b>\$ 114,730.08</b>	<b>556</b>	<b>\$ 109,070.91</b>

Note: In 2016 a Security Deposit was included with every building permit fee.  
A total of those security fee's will be deducted at the end of 2016.

**CITY OF MEQUON  
WISCONSIN**

**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUREAU OF PERMITS AND INSPECTIONS**

**\*FEBRUARY 2016 \*  
MONTHLY VALUE'S REPORT**

Type of Permit	This Month		Year to Date		2015	
	No.	Value	No.	Value	No.	Value
Residences	3	625,977.00	8	4,763,427.00	5	2,297,003.00
Two Family Residence*	0	0.00	0	0.00	0	0.00
Multi-Fam (townhouse)	0	0.00	0	0.00	0	0.00
Multi-Fam (apartment)	0	0.00	0	0.00	0	0.00
Residential Add/Alter	33	990,057.00	60	2,026,347.00	52	1,429,630.52
Misc Residential	12	66,202.00	29	228,361.37	21	173,653.85
Commercial New/Addition	0	0.00	0	0.00	2	1,500,000.00
Commercial Remodel	3	190,137.00	4	202,737.00	4	38,000.00
Commercial Tenant	2	3,900,000.00	2	3,900,000.00	4	682,000.00
Utility	2	51,500.00	5	102,200.00	3	40,000.00
School/Church/Public Add/Rem	1	40,000.00	1	40,000.00	0	0.00
School, Church, Public, New	0	0.00	0	0.00	0	0.00
Agricultural	0	0.00	1	73,000.00	3	140,000.00
Raze Buildings/UST	0	0.00	1	0.00	8	0.00
Move Buildings	0	0.00	0	0.00	0	0.00
Tank Installs	0	0.00	0	0.00	0	0.00
<b>Total</b>	<b>56</b>	<b>\$ 5,863,873.00</b>	<b>111</b>	<b>\$ 11,336,072.37</b>	<b>102</b>	<b>\$ 6,300,287.37</b>

\*Total Permits Issued, 2 Residences per 1 Unit



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Department of Community Development

**Economic Development Board  
February 23, 2016  
7:30 AM  
North Conference Room  
Mequon City Hall  
11333 N Cedarburg Road**

**Minutes**

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

Members present: Tim Carr, Jim Baka, Harry Kollman, Mason Holbrook, Rick Shneyder, Ald. Mark Gierl

Staff and City Representatives Present:

Kim Tollefson, Director of Community Development

**2. Approval of meeting minutes**

Correction was made to the spelling of Rick Shneyder's last name

Mr. Baka made a motion to approve the meeting minutes from February 2, 2016.

Mr. Shneyder seconded the motion.

***A voice vote was called.***

***All voted aye. (6-0)***

**3. Staff Updates**

- Ms. Tollefson stated that Children's Hospital medical clinic is having a ribbon cutting today.
- Ms. Tollefson stated that in February both the Planning Commission (PC) and the Common Council (COUNCIL) took action on two Town Center (TC) projects for final approval of site design. It is the area next to the Aster Memory Care. It will include an 81-unit apartment building which will be located behind Ivana's Trunk. There will also be a three-story, 60-unit assisted living facility that will be operated by the same group that operates Aster Memory Care Center located immediately behind this building. The PUD requires the removal of the structures on the front of that site. This area will be used as a construction staging area but does require improvements within a certain timeframe. The PUD project does require a commercial structure there which Lakeside Development will handle.

Ald. Gierl asked about how many apartments were approved and what the rent is going to be there. He asked about the total number of apartments in the TC area. He asked how many of

the TC apartments have been rented so far.

Ms. Tollefson answered that 81 apartments were approved. The rates will be between \$1,300 - \$2,000/month. There are 28 apartments in the TC WiRed/Shaffer project. Dermond has been approved for 33 apartments. Approximately half of the apartments have been rented in the WiRed/Shaffer project.

Mr. Kollman asked if Ms. Tollefson has seen an overall market survey showing the demand for apartments in this area.

Ms. Tollefson answered yes and that there is a larger demand than there is current supply especially on the North Shore. The analysis shows a demand of more than 400 apartments.

Ald. Griel asked for copies of the surveys. He stated that he does not believe the demographics support the demand for these apartments. He would like to do his own research. He doesn't want to vote for these projects unless he sees the studies that support these apartments.

Ms. Tollefson answered that the individual developers supplied the studies at the time and the City does not have the studies on file. She stated that at the upcoming Common Council Town Center workshop, the issue of supply and demand will be discussed. The zoning districts allow for the densities. The Council does have some control over the densities and projects. All of the projects have been approved by Council through PUD's. She stated that if there is concern from the workshop, she would recommend the City do its own market survey related to multiple family.

Mr. Carr stated that there are many residents that want to sell their homes and downsize. He stated that the Riverwalk Highlands apartments filled up very quickly and that it is at the developer's risk to build the apartments.

Ald. Gierl stated that the high density does not add to tax base. He stated that you need more services for high density properties. He stated that if children live in these units, it costs the City money to pay for each student to attend the public schools. He stated that the City will be hurt in the future. He feels that the residents will blame the Council. He says he has all the numbers on this, if anyone wants to look at it. He stated that if there are older people, then assisted living facilities should be built. He wants there to be thoughtful consideration.

Ms. Tollefson stated that the concept of a TC was created in 2000 based on a vision survey done by the City. The feedback from residents is that they want a neighborhood with gathering places and vitality in the city. There have been many years of planning analysis and consultant input in the planning process to execute. In 2007, the zoning districts were created. She stated that it is important for any policy analysis, to review and adjust accordingly. A necessary item is to create the demand for the commercial uses by creating additional rooftops. This was discussed by a number of consultants that worked with the city. The multi-family development is considered to be moderately dense. She stated that there is the option to pull back some and create a tighter district that is more compact. These policy discussions will occur over the next months in Council workshops. She stated that it is very important that the new TC development be successful. Prior to approving the TC zoning a traffic impact study was conducted and staff met with the fire and police chiefs to address city services.

Mr. Kollman stated he is concerned that Dermond will be in competition with the TC

apartments. He stated he would prefer to wait and evaluate how the other apartment developments do before approving additional apartment projects.

Mr. Tollefson stated that would be placing a moratorium and that is not a message that she feels the city wants to send to the developers. She added that developers will not commence construction if they do not feel that they will be successful. Private financing will be contingent on appropriate and necessary market analysis.

Mr. Shneyder stated that he feels that the types of apartments in the two projects are different in size and location. He feels that there are different renters that will be attracted for each project.

Ms. Tollefson reminded the Board that the Dermond project has already been approved. She also feels that the location of the projects lends two differences: Dermond has a much more residential feel than the TC apartments located above commercial buildings. She stated that the amenities and the pricing of the apartments are different and attract a different renter.

Mr. Gierl stated that millennials are not going to want to live here with an older crowd. He expressed doubt about the studies that were done. He said that the demographics need an in depth look.

Ms. Tollefson stated that a community development survey was recently completed and confirmed support for current policies that are in place. The initiative of Central Growth (CG) came out of an economic development summit. Creating 1-acre single family neighborhood densities was a specific strategy related to economic development. The proof that the market is responding and the market analysis was correct is that of the 380 potential sites, 250 have already been platted in less than a year of the City being proactive with rezoning. The market is responding. This is the execution phase and it is successful thus far.

Ald. Gierl stated that we have low taxes, low crime and great schools because the residents are better educated, they have solid values and they have large homes that keep the tax base down. He stated that increased densities lead to increased services and increased taxes. He advised Ms. Tollefson that she slow down and take a look at where we are going.

Ms. Tollefson responded that if the Council collectively choses to make policy decisions to that effect and modifies the regulatory requirements that have been in place since 2007 as it relates to Town Center, then she will follow the Council's lead. Ms. Tollefson indicated that otherwise she will not administer the regulations differently.

#### **4. Town Center TID No. 3 Incentive Application for Dermond Property Investments LLC**

Max Dermond, Managing Partner of Dermond Properties  
Nora Pecor, CFO of Dermond Properties, leads the development team  
Jim Mann from Elhers, City of Mequon financial advisor

Ms. Tollefson stated that Dermond Property Investments has been approved for a 33-unit multi-family development project on Buntrock. It was processed as a PUD project and they have achieved all necessary approvals. There have been ongoing discussions regarding TIF incentive opportunities. There was an incentive program created that is a very structured

formula in which the City covers the cost of the gap; defined as cost of removal of any base improvements values on the property, plus the cost to restore the site back to a green field site (removal of fill, removal of any infrastructure, legal papers related to easements). The formula also requires minimum new development value of \$3M above and beyond the base improvement value being taken away. The City offers anywhere from a 5%- 10% incentive on top of that. A slightly different criterion was created for the TC district in terms of the value that needs to be created as part of the program. It also requires that the payback period be 15 years or less.

- Pay as you go – low risk economic tool for the City
- No money returned until the project is constructed
- Full year of valuation (taxes paid)
- Return the portion of the tax base back to the owner of the project.

The City receives the taxes and then returns a portion of them. An important distinction is that the two TIF's on Port Washington Road receive 100% of the tax revenue back. There was no money borrowed for these two TIF districts and there were no public improvements made there.

Regarding the TC TIF, the City had borrowed money (about \$7M) to improve and expand infrastructure. Because money was borrowed and the City is paying back debt on that, it is not good financial practice to pay 100% of the tax base to the developers or the project owners. A portion of that tax base must be captured for the TIF.

New construction value in the TC TIF requires \$3 M value beyond the current improvement value. In this case, the current base improvement value is \$204,000. This project is estimated to have an \$8M value with a pay back period of 15 years or less (Ehlers is estimating about 5 years). Based on expenditures needed, the formula allows for an eligible incentive of \$647,000. The total tax base generated from this is approximately \$130,000 on an annual basis. The City could provide an incentive of \$50,000 per year to the developer and capture the \$80,000 for the TIF tax base.

Mr. Mann stated that the developer provided their cash pro forma for the project. Ehlers ran an analysis based on two metrics:

- Cash on cash basis – annualized return
- Internal rate of return – what is the profit margin, overall rate of return

Most developers look for a return in the 10% range. For this specific project, even with the development incentive, the cash on cash return was below 10% for about 5 years. It was about 3 – 5%. They also look at the longevity of a project, about 10 years out. When looking 10 years out, the internal rate of return, even with the incentive, is about 13%. He stated that this is a pretty thin project. Regarding the requested incentive of \$647,000, it seems reasonable to allow a return on the investment for the developer within market norms. Although it seems a bit high to subsidize each unit \$19,000, without the incentive from the City, the project will not happen.

Another aspect Ehlers evaluates is the bottom line, what happens to the tax increment. The analysis shows a positive impact on the tax increment district of about \$800,000. Of the \$5M deficit in the tax increment district, this project covers about 15% of it. This is a small project on 1 acre, so this is a positive. The project provides foot traffic for the TC district as well.

Mr. Baka asked about another developer that would have a higher IRR there. He asked how you compare this project with something else that may be out there.

Mr. Mann answered that there is not something else out there. Elhers compares this to other projects, not necessarily in Mequon, but other communities.

Ald. Gierl asked the developer about the demographic renter for these apartments. He also emphasized that the incentive is needed to build this development.

Mr. Dermond answered there will be mostly empty nesters. There are high end finishes with many amenities.

Mr. Kollman asked what happens if the assessed value is lower than the projected value.

Ms. Tollefson answered that the development agreement (DA) allows for the change of a few items:

- The expenditures on what it takes to clean up the site. A true up is allowed after construction occurs as well as a true up of the total development value.
- If it does not meet at least the minimum \$8M in project value, the City is not obligated to provide the incentive.
- If the assessed value is greater, the incentive can be paid off sooner, if the City chooses.

She stated that whenever staff meets with developers, they ask about incentives that may be made within the TIF. After the WiRed-Shaffer TC project was up and running, staff asked Council if they were still interested in providing developer incentives under a low risk scenario. Council stated they would review these on a case by case basis and not to turn away the option of an incentive. As long as it is low risk, they would most likely be receptive to the idea.

At the time the Council approved the resolution for incentives in TC, they made a certain dollar amount available for incentives of up to \$3M. With WiRed-Shaffer, Outpost and the Dermond project, that amount has not yet been met.

Mr. Shneyder asked if there are any contingencies regarding the expenditures and if additional work is needed. He asked who would pay for those costs.

Ms. Tollefson answered that no additional line item expenditures can be added. If it is a legitimate line item that is requested, it would need require an amendment and go through the approval process.

Ms. Pecor was asked about the rents and she stated that the rents start at:

- \$1,425 for an 837 sq. ft. 1 –bedroom (\$1.70 sq. ft.)
- \$1,700 for a 1,000 sq. ft. 1 –bedroom
- \$2,400 for 2-bedrooms
- \$2,850 for 3-bedrooms

Mr. Shneyder asked how the apartments will be marketed.

Ms. Pecor answered that the internet is a main source of marketing. She also stated they

would like some signage on Mequon Rd.

Mr. Dermond stated that they own and manage all their own properties and they keep them well maintained.

Ms. Pecor discussed the history of Dermond Properties and talked about some of the other properties they currently own and manage.

Mr. Dermond feels that the high end finishes and amenities (elevator, heated garage) lend to a higher end renter.

Ms. Tollefson stated that this has been looked at in two perspectives:

1. The TIF "But For Test" – would this project happen but for the incentives of the TIF
2. Low Risk Fast Track Formula used takes out the subjectivity of the decision making

The consultants and staff feel that both criteria are being met with this request.

Mr. Mann stated the developer would most likely not move forward without the incentive.

Mr. Carr stated that \$8M from this 1 acre property is a very good net return. It is much better than the current state of a dilapidated shed sitting on this property.

Ms. Tollefson stated that a recommendation is needed from EDB to Council and the Development Agreement would be issued before the Council meeting.

Ald. Gierl stated that he will be voting no because he feels that this is moving too quickly, he does not have the market survey he wants and he does not feel comfortable about who will be renting the apartments.

Mr. Kollman stated that he has qualms about this and he feels unenthused about it. He feels that he is locked into a vote. He will vote no.

Ms. Tollefson reminded the Board that they are suppose to evaluate the financial information presented and not the land use or design or density of project.

**Action:**

Mr. Baka made a motion to approve the item.

Ms. Holbrook seconded the motion

A voice vote was called.

***Voice passed 4-2 (No: Kollman, Gierl)***

**3. Staff Updates - continued**

Ms. Tollefson stated that the WiRed-Shaffer project was before the PC for an extension for their DA for the restaurant. It will not be completed in the original time frame. The amendment is June 30, 2016, which aligns with all the hardscaping and landscaping features. The developer suggests they will be done by mid May.

Mr. Gierl asked about the timing of the Shaffer project.

Ms. Tollefson answered that there is Council meeting regarding that project next week. Phase I could commence this fall which would be the townhomes along Buntrock. The City is not vacating the city owned buildings until April of 2017.

The Council approved the contract to sell the property to Shaffer. It will not be sold until all the developmental requirements have been achieved.

She stated that there were a few residential projects at the PC:

- Lakeside Development is proposing a conservation subdivision adjacent to Sarah Chudnow campus on Oriole Lane. There are some environmental issues there. This has not yet proceeded to Council. There is contention around this project.
- Oldenburg Farm on 220 acres is proposed as a 20-lot conservation subdivision. The Council chose not to approve the rezoning to allow for the conservation subdivision. If the project proceeds it will be 5-acre lots.
- Kohler Credit Union was before the PC for rezoning recommendation from B-3 to B-2 and did not receive approval.
- Ms. Tollefson discussed the differences between the B-2 and B-3 zoning districts. She stated that staff had recommended them to apply for a text amendment as opposed to rezoning recommendation.

Ald. Gierl asked about if the City needed to buy back the city owned property, who would pay the \$60,000 to Colliers. He asked if Shaffer could back out as a contingency if the environmental clean up is more than expected.

Ms. Tollefson answered that Colliers is not paid until the City closes on land regardless of who the developer is. Shaffer can walk away from the deal if the environmental issues are too much. The City is not responsible for the cost of the clean up or prepping the site to be ready for development. The owner is responsible for working with the DNR regarding any conditions identified. Ms. Tollefson stated that the environmental specialist is thus far reporting that there are not any significant issues on the site.

Ms. Tollefson stated that Ruby Tap was approved by the Council as well as Big Shot Sports, for loans with some conditions.

Mr. Carr stated that he would like to work on community outreach. He would like to discuss this further at the next meeting. He feels it is important to reach out and be in touch with the local businesses.

Mr. Baka reported that he has been in touch with the staff at Concordia regarding marketing help for the city. They are going through the channels there to get this approved. This would be a 1-2 year project.

## **5. Adjourn**

The next meeting is scheduled for March 22, 2016.

Mr. Kollman made a motion to adjourn.

Mr. Baka seconded the motion.

The meeting adjourned 9:02 am.



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Office of the City Administrator

**FINANCE-PERSONNEL COMMITTEE  
MEETING MINUTES  
February 9, 2016**

**Present:** Mayor Abendroth, Aldermen Leszczynski, Mayr (6:36 PM), Pukaite

**Also Present:** City Administrator Jones (6:36 PM), Assistant City Administrator Thyges (6:36 PM), Finance Director Watson, Community Development Director Tollefson, City Attorney Sajdak, James Mann, Senior Municipal Advisor/Vice President, Ehlers & Associates, Kathleen Cady-Schilling, Executive Director, Ozaukee Economic Development, Rob Helm, Vice President, First Bank Financial Centre, Executive Assistant Prosser, Interested parties, Press

Mayor Abendroth called the meeting to order at 6:30 PM.

**Approve minutes from the January 12, 2016 meeting**

**Action:** Motion to approve the January 12, 2016 meeting minutes (Pukaite/Leszczynski).

**Result:** Motion passed by voice acclamation.

**License applications**

**Action:** Motion to approve license applications (Pukaite/Leszczynski).

**Result:** Motion passed by voice acclamation.

**Vouchers for payment**

**Action:** Motion to approve vouchers for payment (Pukaite/Leszczynski).

**Result:** Motion passed by voice acclamation.

**RESOLUTION 3355 – An Amendment to the City of Mequon Approved Development Agreement to Extend the Project Completion for Phase II: Café Hollander**

Community Development Director Tollefson stated the current development agreement for the Wired/Shaffer project states that Phase II of the project shall be completed no later than February 29, 2016. Ms. Tollefson went on to say, the applicant has requested that the completion date for Phase II be extended to June 30, 2016. Ms. Tollefson noted June 30, 2016 coincides with the overall completion of the project per the current development agreement including all final landscaping and hardscape features.

**Action:** Motion to approve Resolution 3355 – An Amendment to the City of Mequon Approved Development Agreement to Extend the Project Completion for Phase II: Café Hollander (Pukaite/Mayr)

**Result:** Motion passed by voice acclamation. Resolution 3355 recommended to Common Council for approval.

**RESOLUTION 3350 – Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$9,020,000**

Finance Director Watson stated before the Committee for approval is an initial resolution authorizing the issuance of General Obligation Bonds not to exceed \$9,020,000 for the proposed combined Public Works facility. James Mann from Ehlers and Associate was present at the meeting to answer questions of the Committee.

**Action:** Motion to approve Resolution 3350 – Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$9,020,000 (Mayr/Pukaite)

**Result:** Motion passed by voice acclamation. Resolution 3350 recommended to Common Council for approval.

**RESOLUTION 3360 – Support of the Preservation of Tax-Exempt Financing**

**Action:** Motion to approve Resolution 3360 – Support of the Preservation of Tax-Exempt Financing (Pukaite/Leszczynski)

**Result:** Motion passed by voice acclamation. Resolution 3360 recommended to Common Council for approval.

**RESOLUTION 3357 – Town Center Business Loan: Ruby Tap**

Community Development Director Tollefson stated in 2013 the City worked with First Bank Financial Centre to create a business development loan program for the Town Center. Ms. Tollefson noted Rob Helm, from First Bank Financial Centre was present should the Committee have any questions. Ms. Tollefson went on to say, First Bank Financial Centre initially created the business development loan program in 2010 with the City of Oconomowoc for their downtown and since that time has established the program in other communities. Ms. Tollefson stated the program is designed to focus on revitalization in downtown and main street areas. Ms. Tollefson noted First Bank Financial Centre has approved the loan for Ruby Tap in the amount of \$25,000 with a 1% interest rate.

**Action:** Motion to approve Resolution 3357 – Town Center Business Loan: Ruby Tap (Pukaite/Leszczynski)

**Result:** Motion passed by voice acclamation. Resolution 3357 recommended to Common Council for approval.

**RESOLUTION 3361 - Approving a Revolving Loan Fund Application for Big Shots Sports**

Community Development Director Tollefson stated the City has received an application from Big Shots Sports for \$50,000 from the Revolving Loan Fund. Ms. Tollefson noted representatives from Big Shots Sports were present at the meeting. Ms. Tollefson stated the funding request is for the acquisition of the a 15 acre property located at 10328 N. Wauwatosa Road to start a new golf driving range, and includes capital equipment and working capital. Ms. Tollefson went on to say, the Economic Development Board recommended the Revolving Loan Fund application by a vote of 7-0, subject to using the applicant's property in Minnesota as collateral. Kathleen Cady-Schilling was present to review the loan application with the Committee. Ms. Schilling stated the applicant is asking for reconsideration of the property in Minnesota to be used as collateral, instead the applicant has offered their residence. The Committee agreed to accept the applicant's request.

**Action:** Motion to approve Resolution 3361 - Approving a Revolving Loan Fund Application for Big Shots Sports. (Leszczynski/Mayr)

**Result:** Motion passed by voice acclamation. Resolution 3361 recommended to Common Council for approval.

**RESOLUTION 3346 – Approving a Contract to Purchase for the Town Center City-Owned Property known as 6200 W. Mequon Road, 6300 W. Mequon Road, 11300 and 11350 N. Buntrock Avenue**

Community Development Director Tollefson stated in November of 2015, the Council adopted a resolution authorizing negotiation of a contract to sell the City owned property to Shaffer Development based on a concept development approval. Ms. Tollefson reviewed the highlights of the purchase agreement with the Committee, as well as revisions to the contract requested by the buyer. The Committee went on to discuss amendments to the contract. City Attorney Sajdak assisted the Committee with the amendments to the contract.

**Action:** Motion to approve Resolution 3346 – Approving a Contract to Purchase for the Town Center City-Owned Property known as 6200 W. Mequon Road, 6300 W. Mequon Road, 11300 and 11350 N. Buntrock Avenue with amendments. (Mayr/Pukaite)

**Result:** Motion passed by voice acclamation. Resolution 3346 recommended to Common Council for approval.

**Closed Session:**

The Committee did not convene into closed session.

**Adjourn**

**Action:** Motion to adjourn (Mayr/Pukaite)

**Result:** Motion passed by voice acclamation. Meeting adjourned at 7:25 PM.

Respectfully Submitted,  
CITY OF MEQUON FINANCE-PERSONNEL COMMITTEE  
Lina Prosser, Executive Assistant

**Mequon Fire Department**  
**Monthly Report - February 2016**



**Calls for Service**

Call Type	February 2016	YTD 2016	YTD 2015
EMS	129	275	197
Fire	33	72	83
Total	162	347	280
Interfacility Transports	7	14	n/a

**Response Times**

Call Type	Average Response Time
First Responder	4:45
Ambulance	8:45
Fire	9:26

**Fire Calls**

Type/Cause	Number
Fire (structure, car or vegetation)	1
Rescue/EMS (water/ice rescue or search for lost person)	5
Hazardous Condition (no fire, chemical/electrical problem, gas leak)	7
Service Call (smoke removal, mutual aid standby)	7
Good Intent Call (cancelled enroute to alarm or smoke mistaken for fire)	5
False Alarm/False Call (fire alarm, co alarm, or malfunction of system)	8
Severe Weather	0
Monthly Total	33

**EMS Calls – By Dispatch Reason/Most Common**

Type/Cause	Number
Fall Victim	30
Breathing Problem	4
Unconscious Person	4
Lift Assist	11
Stroke/CVA	4
Sick	14
Traffic Accident	9
Altered Mental Status	7
Chest Pain	5
Seizures	1

**Monthly Training**

Type	Average Attendance
Fire/EMS	42
Dive/Tech Rescue	14

**Community Education**

Activity	Number
Department Tours/Fire Prevention Presentations* (Tour groups, birthday parties, community events)	2
Fire Prevention Talk (Offsite - school, facility, business, etc.)	0

**Administrative**

Activity	Number
False Alarm Charges	5
Burn Permits Issued	32
Fire Inspections	47



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Office of the City Administrator

**Mequon Festivals Committee  
February 2, 2016  
Meeting Minutes**

**Members Present:** Alan Day, Kirsten Hildebrand, Bridget King, Al McIlwraith (left 7:13 PM), Committee Chair Vanessa Nerbun

**Not Present:** Alderman Pam Adams, Sharon Stillman

**Also Present:** Executive Assistant Prosser

The meeting was called to order by Vanessa Nerbun, Committee Chair, at 6:10 PM.

**Approve minutes of the November 2 and November 17, 2015 meeting**

**Action:** Motion to approve the meeting minutes of November 2 and November 17, 2015 (McIlwraith/King)

**Result:** Motion passed by voice acclamation.

**Debrief Winter Wonderland of Mequon 2015**

Chairman Nerbun opened the discussion by stating she heard many positive comments from those who attended the event. Alan Day stated he also received great feedback. Al McIlwraith mentioned the only downside was the long waiting line for Santa. Several suggestions were made; provide games for the children while waiting in line, hand out numbers to those standing in line and incorporate charity into the event.

**2015 Budget Update**

Executive Assistant Prosser provided the Committee with a 2015 budget update. A suggestion was made to purchase more heaters provided there is storage available.

**Review Mission Statement**

Bridget King agreed to edit the mission statement and bring it back to the Committee at the next meeting.

**Developing an Inclement Weather Policy**

Chairman Nerbun stated in the past Taste of Mequon was advertised as being held rain or shine. Vanessa went on to say, it has become evident with the use of generators that the event would likely need to be cancelled if inclement weather is predicted. The Committee was in favor of developing an inclement weather policy and requested the item be placed on the agenda for the meeting in March for further discussion.

### **Pre-Event Planning**

#### *2016 Meeting Schedule*

A 2016 meeting schedule was distributed to the Committee.

#### *Set Date/Time – Taste of Mequon & Winter Wonderland of Mequon*

The Committee set the dates and times for the 2016 events. Taste of Mequon will be held on Saturday, September 10<sup>th</sup> noon – 9:00 PM and Winter Wonderland of Mequon will be held on Sunday, December 4<sup>th</sup> 4:00 – 6:30 PM

#### *Proposed Fee Schedule*

Vanessa Nerbun stated in 2015 an early bird special proved to be successful. Vanessa noted this year a proposed fee schedule has been developed. The fee schedule offers a special rate, based on the space size, prior to May 2, after May 2<sup>nd</sup> the rate will increase. Several changes to the fee schedule were proposed; include a space fee for Community Groups and participants in the children's area. A suggestion was made to add a discounted space fee for food/beverage vendors that do not require electricity. The Committee requested the proposed fee schedule be brought back to the Committee for approval at the March meeting.

Bridget King requested further information on the license requirements for a farmer's market to participate.

#### *Proposed 2016 Budget*

**Action:** Motion to approve the proposed 2016 budget (McIlwraith/Day)

**Result:** Motion passed by voice acclamation.

As a result of not having a quorum, the remaining agenda items will be brought back to the next meeting.

### **Future agenda items**

Entertainment

Proposed Fee Schedule

Revised Mission Statement

Community Based Organizations

Electrical Outlets

Goal Setting

Sponsor Promotion

### **Next Meeting Date and Time**

The next meeting of the Mequon Festivals Committee will be held on Monday, March 7, 2016 at 6:00 PM.

### **Adjourn**

**Action:** Motion to adjourn the meeting. (Day/King)

**Result:** Motion passed by voice acclamation. Meeting was adjourned at 7:45 PM.

Respectfully submitted,

CITY OF MEQUON – MEQUON FESTIVALS COMMITTEE

Lina Prosser, Executive Assistant



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Office of the City Administrator

**Mequon Festivals Committee  
March 7, 2016  
Meeting Minutes**

**Members Present:** Alderman Pam Adams, Alan Day, Kirsten Hildebrand, Bridget King, Al McIlwraith  
Committee Chair Vanessa Nerbun, Sharon Stillman

**Also Present:** Executive Assistant Prosser

The meeting was called to order by Vanessa Nerbun, Committee Chair, at 6:03 PM.

**Approve minutes of the February 2, 2016 meeting**

**Action:** Motion to approve the meeting minutes of February 2, 2016 (McIlwraith/King)

**Result:** Motion passed by voice acclamation.

**Staff Updates**

Staff provided the following updates to the Committee: A save the date notification has been sent out in the City E-News, displayed on the Community Sign, and a request has been made of the Mequon-Thiensville Chamber of Commerce to send out a save the date notification to their members. Other updates included; the Homestead High School parking lot has been reserved for the day of the event for shuttle service and was informed that a farmer's market is exempt from acquiring a food service license. Staff reviewed the City Attorney's opinion with the Committee on whether a vendor selling merchandise will need to provide a Wisconsin Seller's Permit number. The Committee was informed any vendor selling merchandise will need to provide a Wisconsin Seller's Permit number with their application given the fact that the City is a *Temporary Event Organizer* and therefore responsible for reporting the information to the Wisconsin Department of Revenue.

**2016 Budget**

**Fee Schedule**

Vanessa Nerbun stated at the last meeting the Committee reviewed a 2016 proposed fee schedule and several changes were suggested to include a space fee for the children's area and for non-profit vendors. Vanessa stated at the last meeting a concern was brought up regarding several groups' participation in the children's area being questionable. Vanessa went on to say, the thought was by charging a nominal fee more value would be given to participating. Al McIlwraith suggested charging \$25 to participants in the children's area unless the participant is a sponsor. The Committee agreed to set a minimum of \$250 cash sponsorship to be exempt from paying a fee to participate. Kirsten Hildebrand suggested referring to the \$25 fee for participants in the children's area and non-profit vendors as an application fee.

**Action:** Motion to approve the 2016 Proposed Fee Schedule with recommendation to identify the \$25 fee for participants in the children's area and non-profit vendor as an application fee.  
(King/Hildebrand)

**Result:** Motion passed by voice acclamation. The 2016 Proposed Fee Schedule was approved.

#### *Tent/Stage Rental*

**Action:** Motion to approve estimate from Suburban Rental, Inc. for the tent and stage rental in the amount of \$1,040. (Stillman/King)

**Result:** Motion passed by voice acclamation.

#### *Shuttle Service*

**Action:** Motion to approve GoRiteway estimate for shuttle service in the amount of \$275. (Stillman/McIlwraith)

**Result:** Motion passed by voice acclamation.

#### *Bounce House*

Vanessa Nerbun stated the bounce house provided by KC's Inflatable Bouncers would be geared towards pre-teens noting the bounce house provided last year by Splash was more suited for ages 3-11. The Committee decided to wait and discuss the need for an additional bounce house at a later date.

#### *Fun Before the Fourth*

Vanessa Nerbun inquired of the Committee whether they would be interested in participating in the Fun Before the Fourth parade this year. Vanessa noted the cost to enter the parade is \$100. The Committee asked for further research on whether Community Fun Events would waive the \$100 fee to participate.

#### *Sound and Lighting Production Services*

**Action:** Motion to approve Broadway Production invoice for sound and lighting service. (Stillman/McIlwraith)

**Result:** Motion passed by voice acclamation.

#### **Developing an Inclement Weather Policy**

Vanessa Nerbun stated at the last meeting the Committee discussed the need for a formal weather policy specific to the day of the event should inclement weather be predicted. Vanessa noted the Committee asked that the item be brought back to the next meeting for further discussion. Al McIlwraith suggested that the event participants be guided to the city's website to watch for an announcement of an event cancellation rather than calling or e-mailing each participant. Committee members agreed to inform participants to refer to the city website to check for possible cancellations due to inclement weather. Kirsten Hildebrand offered an amendment to the policy as follows: remove from the policy there are no refunds or extended dates due to inclement weather, and replace with; *The Mequon Festivals Committee reserves the right to provide a discretionary refund for the forthcoming year should the event need to be cancelled due to inclement weather.*

The Committee went on to discuss who would be responsible for monitoring the weather prior to the event and making the final decision to cancel the event due to inclement weather. Staff suggested identifying two to three Emergency Action Plan Representatives to evaluate the conditions and determine if the event will remain scheduled. The Committee agreed to select the Committee Chair, Staff Liaison and an additional representative of the city to monitor the weather and determine whether the event will need to be cancelled due to inclement weather. The Committee reached a consensus to set the time at 6:00 AM on the day of the event to post the announcement on the city website and record a cancellation message on the staff liaison's office phone.

**Action:** Motion to approve the Inclement Weather Policy with recommended changes. (King/McIlwraith)

**Result:** Motion passed by voice acclamation.

#### **Pre-Event Planning**

##### *Review Mission Statement*

Bridget King provided a revised mission statement. The Committee reviewed the revised mission statement and offered an amendment.

**Action:** Motion to approve the revised mission statement with amendment.

(Hildebrand/Adams)

**Result:** Motion passed by voice acclamation (6/1).

The new Mission Statement reads as follows; *To organize family-friendly events for the enjoyment of the community, spotlight the city's fine qualities, and strengthen community involvement and spirit.*

#### *Community Organizations*

Kirsten Hildebrand stated she was asked to draft a set of participation guidelines associated with nonprofit organizations asking to have a presence at Taste of Mequon. Kirsten went on to say this would be based on establishing an area to place the nonprofit community organizations within the festival grounds. Kirsten provided a list of nonprofit organizations within the community. The Committee decided to bring the item back to the next meeting for further discussion.

#### *Entertainment*

Al McIlwraith recommended hiring Left on Sunset as the closing act.

**Action:** Motion to approve Left on Sunset to play at Taste of Mequon from 6-9:00 PM.

(McIlwraith/Stillman)

**Result:** Motion passed by voice acclamation.

A number of other bands were suggested; Sawdust Symphony, Danny Miller Band, Party Anthem, Chicken Wire Empire Band, and Charles Walker Band.

Pam Adams will check on the price and availability of; Sawdust Symphony, Danny Miller Band, Chicken Wire Empire Band and bring the information back to the next meeting.

#### *Vendor Applications*

Vanessa Nerburn stated applications to past Food/Beverage vendors and restaurants that have shown an interest in participating will be going out shortly.

- **Electrical Outlets**

The Committee agreed to set the maximum allowable electrical outlets for Food/Beverage vendors at three per vendor.

- **Vendor Categories Defined**

Staff provided the Committee with vendor categories and definitions. The Committee did not have any changes.

- **Vendor Guidelines**

The Committee reviewed additional vendor guidelines provided by staff and recommended several changes.

**Future agenda items**

- Entertainment
- Inclement Weather Policy Procedures
- Non-Profit Organizations Participation Guidelines

**Next Meeting Date and Time**

The next meeting of the Mequon Festivals Committee will be held on Monday, April 4, 2016 at 6:00 PM.

**Adjourn**

**Action:** Motion to adjourn the meeting. (McIlwraith/King)

**Result:** Motion passed by voice acclamation. Meeting was adjourned at 8:00 PM.

Respectfully submitted,

CITY OF MEQUON – MEQUON FESTIVALS COMMITTEE

Lina Prosser, Executive Assistant



Mequon/Thiensville Bike Pedestrian Commission  
Friday February 5, 2016 at 9:15 a.m.  
Mequon City Hall, Administrative Conference Room

## MINUTES

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### Current Member Listing –

**City of Mequon:**

Terence Mooney, Kristin Wade, Carol Leonard (**Chairperson**), Robert Lengh Ald. Strzelczyk

**Village of Thiensville:**

Daniel Waschow, John Treffert, John Liegeois

1. Call to Order, Roll Call

The meeting was called to order at 9:17 a.m. by Chairperson C. Leonard. Those present were T. Mooney, J. Liegeois, K. Wade, and D. Waschow. Absent were R. Lengh and J. Treffert. Guest Nina Look For the Jonathan Clark House. The City was represented by J. Keegan and recording secretary B. Vento.

2. Review Minutes of October 2nd, 2015.

**Discussion:** C. Leonard asked if there were any comments on the minutes of October 2nd. K. Wade moved to approve. D. Waschow seconded. A voice vote was called and the motion passed 5-0 with 2 absent.

### RESIDENT CORRESPONDENCE / PERSONS WISHING TO BE HEARD

3. Resident Concerns

B. Sign on OIT for the Jonathan Clark House – Nina Look

**Discussion:** C. Leonard asked that we begin with Item B first. All agreed. Nina Look introduced herself as the Director of the Jonathan Clark House on the corner of Bonniwell and Cedarburg Rd. She said that they are developing the museum and welcome anyone who stops by. She and her husband have been working on it for just a couple of years. It's an educational facility that brings history to life and captures what life was like in 1848. They would like to make the museum a little more accessible inside and out. As soon as they pay their debt, they would also like to begin some other projects. N. Look also gave a little more history of the house. N. Look stated that they are close to the Inter Urban Trail and asked if there was some way that a sign could be placed on the trail or if the path could be extend from the trail to the house. K. Wade felt this would be a great opportunity for all of us as this is a spot on the trail where there aren't any rest rooms and people do bike past here as an example for Harvest Fest. C. Leonard asked if we own the signage on the OIT. J. Keegan stated that it's the County's Trail but the sign code would be subject to the Cities Ordinances. However, you would need to start with the County as it is their trail. J. Keegan further stated that he would have to check into the section of road between the OIT and the House to see when the road was paved last. C. Leonard asked if we want to consider adding a trail from the OIT to the house. J. Keegan suggested putting it on the list. He said it sounds like some improvements had been done not too many years ago and would not be on the road program any time soon. K. Wade asked if it completely abuts the trail. N. Looks stated that it does not. The Wells family owns the land in between on the north side of Bonniwell. There is a woodland area and the Jonathan Clark owns into the woods a bit, but they own the rest of the woods that ends at the trail. J. Keegan asked if she had spoken with the Wells Family. N. Look said that they had not yet. J. Keegan stated that there are many public easements on private property throughout the city. This would be completely separate from Bonniwell Road. We don't get funding for the bike path, so perhaps some fund raising could be done for this path. J Keegan

suggested that N Look contact the Wells family as a private citizen. The Wells family would be a little more receptive to this type of personal contact.

Motion: C. Leonard made a motion to have J. Keegan find out when Bonniwell was last paved to see if adding a paved trail from the OIT to the Jonathan Clark House was something that we should consider adding to the Project Prioritization List. K. Wade moved to approve. T. Mooney second. A voice vote was called. All approved. The motion passed 5-0 with 2 absent.

A. Interurban Crossing at Donges Bay Rd – J. Keegan

**Discussion:** J. Keegan said that the crossing at Donges Bay is an issue with bikers not obeying the traffic signs that are on the trail. There are a couple things going on with Donges Bay right now. Donges Bay Road is in poor shape. It's in our five year program for paving and we're thinking that in the next couple of years we're going to get that road repaved. The actual track crossing for Wisconsin Central Crossing is in really bad shape, so we are also trying to work with Wisconsin Central to upgrade their rail crossing and we are trying to coordinate all this work. These are some of the things we are looking at doing on Donges Bay Road itself. For the actual OIT crossing if we are paving right in front of it we would check to see how it all ties in with the road program once we get to that point. We don't expect to realign through the Libby Montana property. The issue is a matter of the Bikers blowing through the stop signs. We'll look closer at the project once the road is paved to see what we can do. It's my guess that we may be looking at 2017 for work on this road and if not the following year. D. Waschow asked about putting the paths over roads so we don't have to worry about traffic? J. Keegan said that they are very expensive. K. Wade said that stripping makes sense. Maybe we should consider something in the meantime. There is a lot of truck traffic. J. Keegan said we have no control of the bad rail crossing. We keep on Wisconsin Central all the time, but they do as little as possible. K. Wade said that maybe we could have something farther down the trail for a warning. C. Leonard said that any signage would be the County. J. Keegan said that he would have to check out some things with D. Curran on the signage. C. Leonard asked if we should table this issue. J. Keegan agreed until he can get some more information.

### REGULAR BUSINESS

4. Priority Information List – C. Leonard

**Discussion:** C. Leonard asked if we have a road plan for this year yet. J. Keegan said that we are working on it right now. We've completed the road rating and are in the process of developing the 2016 road program. It will go to the March Public Works Meeting. Green Bay Road, item number two on the priority list is on it and we're looking at doing bike lanes. I will have more to update at our next meeting.

5. Bike Path Ahead Signs

Status of sign placement by Public Works Department

**Discussion/Approval:** J. Keegan said that we already have signs with a bike and an arrow. It's a rather large sign. We need to make sure that they are in public easements. It's on his list to do for some time now along with the list of connections. Before we put a sign up we have to make sure that people can use the connections. The signs are not free, but could be at a reduced cost because we have had them for some time now verses having the custom signs made. If the group is ok with using that type of signage it will save money and will be easier for us to get them installed.

6. Bike Racks – C. Leonard

**Discussion/Approval:** C. Leonard said that she has nothing to update. Nina Look is looking for a bike rack and may take the one that is at Public Works. This was formerly at the Library and was removed when they got different ones. J. Keegan said that he would check with Community Development if they have a place for the rack first. C. Leonard said that otherwise Jonathan Clark is thinking about it.

7. Education – K. Wade & J. Krueger

A. Share and Be Aware

**Discussion/Approval:** K. Wade said that the majority of the programs as cost based. With the budget we have there's not much more that can be done.

8. Highland Rd – C. Leonard

A. Off-Road Path – Rotary Park to Laurel Ln

**Discussion/Approval:** C. Leonard referred everyone to a map included in their packet. Laurel Lanes is off of Bonniwell Road and dead ends well west of Mequon Rotary Park. It would be nice if we could have a path that would connect Laurel Lane to Rotary Park. That would take some bike traffic off of Green Bay Road and people navigate that mile long stretch between the two. J. Keegan said there is no public easement and not publicly owned property and that would be the challenge to get the rights in there. J. Keegan will check to see if Laurel Lane is a public roadway. Another issue would be if the people living on Laurel Lane would approve of the traffic from bikes and pedestrians. C. Leonard seeing as there is not much interest at this time, we will remove from agenda.

9. OIT Improvement

A. Accident at Donges Bay & Interurban Trail

**Discussion:** C. Leonard stated that this has been on the agenda for some time and was another resident concern. This accident occurred in 2014. J. Keegan said that we talked about it and suggested that maybe this is an item that once again should be on the priority list. C. Leonard said that there are mirrors and lines on the path to help with vision around a structure near this point. C. Leonard asked if item should be removed from the list as these relate to items already on the Prioritization List. All agreed.

10. Off Road Bike Path on Donges Bay

**Discussion:** J. Keegan stated that the City Clerk who lives in Council Hills has children that go to the park. We Energies is planning to replace a High Pressure Gas Main and its going to be south of Donges Bay Road and then shift to north of Donges Bay Road. We Energies is getting easements from property owners and she thought that the City could piggy back on top of We Energies easements at the same time to perhaps someday do an off road path. Unfortunately that's not how easements work; it's going to be We Energies negotiating with private property owners independent of the City involvement. We have no vested right in there except for when it crosses public land and then in those areas it's across a roadway. There are advocates for having a path there someday, but we have no rights for a path there. No one will be able to build in that corridor so some day we may be able to put a path there. C. Leonard said that this item 15 on the Prioritization List and will be addressed when we talk about rearranging the Priority list.

11. Park Board & Bike Commission Joint Meeting – C. Leonard

A. Mountain Biking

**Discussion:** C. Leonard has not yet been able to make the meetings and hoping to do so for February. The County is building a mountain bike trail in the Mee Kwon Park. There are different types of mountain bike paths and we need to continue to work with the Park Board to see if there is the ability to put a different type of mountain bike path in a City park.

12. Other Business

A. Disconnects – J. Treffert (A. LaFond)

B. Bikeway Commission Schedule for 2016

**Discussion:**

- A. C. Leonard said this related to our maps not working and asked whom she should speak about it. K. Wade said that she would speak to Mark Harris. C. Leonard said that has been on the list for awhile and it is possible that it is already working.
- B. C. Leonard asked if there were any concerns with the dates. C. Leonard motion to approve the schedule. K. Wade Second. Voice vote call. The motion passed 5-0 2 absent.

Next meeting: April 1st, 2016.

13. Adjourn

- K. Wade motioned to Adjourn.
- T. Mooney seconded.
- A voice vote was called and the motion passed 5-0 2 absent

The meeting adjourned at 10:22 a.m.

Dated: February 15, 2016

/s/ Carol Leonard, Chairperson

.....  
**Notice is hereby given that a majority of other governmental bodies may be in attendance at this meeting to gather information about a subject over which they have decision making responsibility, although they will not take any formal action relative thereto at this meeting. Persons with disabilities requiring accommodations 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 Engineering Office at 262-236-2934, Monday through Friday, 8:00 am – 4:30 pm.**

CITY OF MEQUON

WISCONSIN

\*\*\*\*\*

**PARK BOARD MEETING**

**February 17, 2016**

**Mequon City Hall**

**11333 N. Cedarburg Rd.**

**6:30 PM**

Board Member Walerstein called the meeting to order at 6:30 pm with roll call as follows:

Members present: Bruce Barnes (6:34pm), Mary Glenn Fuchs, Ald. John Leszczynski,  
Jim Lysaught, Tom Menzel, Fran Rechcygl, and Robert Walerstein

Members absent: Susan Chich

Also present: Parks Director Curran and Staff Liaison Szymanski

1. **Approval of Park Board Minutes:**

Moved by Jim Lysaught and seconded by Fran Rechcygl to approve the minutes of the December 16, 2015 meeting. The motion passed by voice acclamation.

2. **Visitor Participation/Recognition:**

None

3. **Lemke Park Improvements:**

Director Curran recently met with a representative of the Cardinal Football program to discuss potential improvements that will benefit their program as well as other users and residents. Lemke Park has been used for practices during the fall season. Temporary lighting has been used for several years to illuminate the practice areas during limited daylight hours. Cardinal Football requested the Park Board review their plans for installing permanent sports lighting at the park. While the goal is to support Cardinal Football, there is also an interest in assisting other groups such as BOSS Baseball and the Ozaukee Lacrosse programs that take place at the park.

Depending on the location of the lights several groups could benefit from the project. If water became available an illuminated ice skating rink was suggested.

Handouts showing the possible location and design were distributed. The project could be completed for approximately \$175,000 - \$195,000 which would be funded from private and public funding sources secured by Cardinal Football. Support from the Parks Department budget would also be accepted if available. Planning Commission approval would be required to approve this project along with Common Council approval due to the dollar amount of the donated project. Neighboring property owners would also be addressed.

A motion made by Fran Rechcygl and seconded by Mary Glen Fuchs to move forward with additional discussion and additional pricing quotes of the lighting project at Lemke Park passed by voice acclamation.

4. **Chairperson's Report:**

Chairperson Barnes mentioned he would like to see more focus on funding capital improvement projects.

5. **Director's Report:**

Director Curran mentioned the discussion of the acquired land at Shoreland Nature Preserve is ongoing.

The Mequon Parks will be featured in the upcoming issue of the Mequon - Thiensville Today quarterly magazine.

6. **Adjourn:**

A motion by Jim Lysaught and seconded by Robert Walerstein to adjourn at 7:28 pm passed by voice acclamation.

Future meeting date.....March 16, 2016

Respectfully submitted,

CITY OF MEQUON PARK BOARD



11300 N Buntrock Avenue  
Mequon, Wisconsin 53092  
Phone (262) 242-3500  
Fax (262) 242-7655  
Police Department

[www.ci.mequon.wi.us](http://www.ci.mequon.wi.us)

**Police and Fire Commission  
December 3, 2015  
MINUTES**

**Present:** Commissioners Dorszynski, Neman, Sommerhauser and Sproat; Police Chief Graff, Fire Chief Bialk, Executive Assistant Kowalchuk

**Absent:** Commissioner Michalski

The meeting was called to order at 6:00 p.m.

**1) Approve meeting minutes of September 3, October 6, and November 9, 2015.**

Moved by Commissioner Sproat, seconded by Commissioner Dorszynski to approve the meeting minutes of September 3, 2015 with noted Scribner's correction. The motion passed by voice acclamation.

Chairman Neman asked Commissioners Sproat and Dorszynski if their motions could be amended to include approval of the October 6 and November 9 meeting minutes. Both Commissioners Sproat and Dorszynski agreed and the motion was amended to approve the meeting minutes of September 3 with Scribner's correction, October 6 and November 9, 2015. The motion passed by voice acclamation.

**2) Approve the hiring of Additional, Paid, On-Call Fire Department Recruits**

Chief Bialk summarized each proposed recruits' biography/resume for commission members.

Moved by Commissioner Dorszynski, seconded by Commissioner Sommerhauser to approve the hiring of proposed Fire Department recruits Mackenzie Haese, Heather Krueger, Bailey Leeson, Margo Stern and Vincent Walker. The motion passed by voice acclamation.

**3) Information Report of Fire Chief**

Chief Bialk advised commissioners of the following department resignations since June 2015: Ryan Dunn, Rachael Kukla, Chris Miller, Steven Presser, Michael Rakow, Brian Reiser, and Brent Schwartz. Commissioners were also informed of the remaining department staffing levels, EMS and fire calls to date and how they compare against last year; training, the approved 2016 department budget, and a recent potential fund raising assistance lead.

Moved by Commissioner Sommerhauser, seconded by Commissioner Dorszynski to accept the report of the Fire Chief. The motion passed by voice acclamation.

**4) Information Report of Police Chief**

Chief Graff updated commissioners on current police and dispatch department staffing levels, the progress of the newer officers, the recent resignation of one of the new dispatchers, the new acting detective appointment, the final new vehicle received for this year, and the approved 2016 department budget.

Moved by Commissioner Dorszynski, seconded by Commissioner Sproat to accept the report of the Police Chief. The motion passed by voice acclamation.

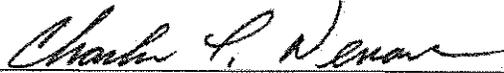
**5) Public Comment**

No one was present for public comment.

**6) Adjourn**

Moved by Commissioner Sproat, seconded by Commissioner Sommerhauser to adjourn the meeting at 6:30 pm. The motion passed by voice acclamation.

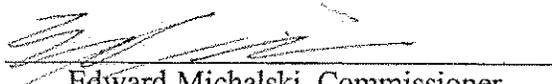
Respectfully Submitted,  
*Diane Kowalchuk, Executive Assistant*

  
\_\_\_\_\_  
Charles T. Neman, President

3/10/2016  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Ron Dorszynski, Secretary

3/10/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Edward Michalski, Commissioner

3-10-2016  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Peter Sommerhauser, Commissioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Robert Sproat, Commissioner

\_\_\_\_\_  
Date



11333 N. Cedarburg Road  
Mequon, WI 53092-1930  
Phone: 262/236-2914  
Fax: 262/242-9655

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Office of the City Administrator

**PUBLIC WELFARE COMMITTEE  
MEETING MINUTES  
February 9, 2016**

**PRESENT:** Aldermen Gierl, Mayr, Strzelczyk

**ALSO PRESENT:** City Administrator Jones, Assistant City Administrator Thyges, Kathy Pederson-  
President Mequon Community Foundation, John Wirth-Mequon Community  
Foundation Board Member, Executive Assistant Prosser

The meeting was called to order by Chairman Mayr at 6:05 PM.

**Approval of the December 8, 2015 meeting minutes**

**Action:** Motion to approve the December 8, 2015 meeting minutes.  
(Strzelczyk/Gierl)

**Result:** Motion passed by voice acclamation.

**RESOLUTION 3354 – A Resolution to Observe International Migratory Bird Day**

Assistant City Administrator Thyges stated the City of Mequon has participated annually in Bird City Wisconsin since 2010. Mr. Thyges noted last year the renewal process was updated to require an annual adoption of a resolution to observe International Migratory Bird Day by the City's Common Council. Mr. Thyges mentioned the 2016 International Migratory Bird Day will be observed in conjunction with the City of Mequon's Arbor Day in April.

**Action:** Motion to approve Resolution 3354- A Resolution to Observe International Migratory Bird Day  
(Strzelczyk/Mayr)

**Result:** Motion passed by voice acclamation. Resolution 3354 recommended to Common Council for approval.

**Item for Discussion: Mequon Community Foundation Introductory Presentation**

John Wirth stated at a recent meeting of the Mequon Community Foundation Board, a discussion was held on how the Board may go about finding new projects within the community that would benefit from the Foundation's support. Mr. Wirth went on to say, the Board felt a place to start a discussion on potential community projects would be with the City. Mr. Wirth turned the presentation over to Kathy Pederson, President of the Mequon Community Foundation. Ms. Pederson stated the Foundation was originally started in May, 1999 by a Blue Ribbon Committee formed by former Mayor Christine Nuernberg. Ms. Pederson reviewed the Foundation's statement of philosophy and purpose and provided the Committee with handouts on recent projects, as well as reviewed a list of past projects the Foundation supported. The Committee went on to discuss ideas on possible projects for city parks and the Town Center. Ms. Pederson noted the Foundation's preference for highly visible projects that are permanent in nature and will provide a benefit to the community. Assistant City Administrator Thyges stated he received an e-mail from the president of the youth football organization regarding an interest to explore the installation of lights at Lemke Park. The Committee agreed to continue the discussion on potential projects with the members of the Mequon Community Foundation Board after the Foundation's meeting in April.

Chairman Mayr inquired whether the Committee had any future agenda topics. Alderman Gierl requested a follow up on several agenda items; enforcement deadlines, prohibited landscaping materials, discussion on

honesty requirements. Chairman Mayr asked staff to review the minutes of the past meetings to determine the status of the items.

**Adjourn**

**Action:** Motion to adjourn the meeting (Strzelczyk/Gierl)

**Result:** Motion passed by voice acclamation. Meeting adjourned at 6:35 PM.

Respectfully submitted,

Lina Prosser, Executive Assistant

CITY OF MEQUON PUBLIC WELFARE COMMITTEE

**City of Mequon - Zoning Enforcement Report Date: 4/1/2016**

ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
7	150600106000	10248 N GREENVIEW DR	STEVEN OR JANET PETERSON	OUTSIDE STORAGE	1/2/2015	1/12/2015	1
7	150600301000	10357 N SUNNYCREST DR	JUDY TAYLOR-CLARK	OUTSIDE STORAGE	1/2/2015	1/12/2015	1
7	150600209000	10239 N GREENVIEW DR	THOMAS LARSON	PARKING GRASS	1/2/2012	1/9/2015	5,5,5,4,1
7	150600509000	10030 N SUNNYCREST DR	LARRY OR ALEXA GUTBROD	PARKING GRASS	1/2/2015	1/9/2015	1
7	150310500200	10335 N GRASSLYN RD	THOMAS OR JULIS NAWROT	PARKING TRAILERS	1/2/2015	1/16/2015	1
7	150600514000	1801 W CLOVER LANE	JANET TUROWSKI	PARKING TRAILERS	1/2/2015	1/16/2015	1
7	150550102000	1915 W ZEDLER LANE	GENTILLI TRUST	PARKING TRAILERS	1/2/2015	1/16/2015	1
7	150600213000	1632 N CLOVER LANE	DANIELLE CHANELIER OR VINCENT FARINA	HOOP HOUSE	1/2/2015	1/16/2015	4,1
8		10530 N PORT WASHINGTON RD	FIDDLEHEADS	BANNER	1/6/2015	1/8/2015	1
5		1550 W MEQUON RD	MUSHIES	BANNER	1/6/2015	1/8/2015	1
4	140290100300	11029 N SWAN ROAD	RAYMOND OR MARY CLAUSING	PARKING GRASS	1/14/2015	1/17/2015	1
8		10930 N PORT WASHINGTON ROAD	MARSHALLS	SIGNS	1/14/2015	1/22/2015	5,1
8		10930 N PORT WASHINGTON ROAD	BRIXMOR MEQUON PAVILLIONS	SIGNS	1/14/2015	1/22/2015	1
5	150990021000	1436 W LIBEAU ROAD	MICHAEL GROH	PARKING	1/15/2015	1/28/2015	1
4	140281300300	10661 N WAUWATOSA ROAD	JANICE BESLER	PARKING	1/15/2015	1/22/2015	1
7	150600106000	10248 N GREENVIEW DR	STEVEN OR JANET PETERSON	PARKING	1/16/2015	1/23/2015	1
6		1515 W MEQUON RD	SALOTTO ZARLETTI	SIGN PERMIT	1/16/2015	1/23/2015	5,4
3	140871101000	8109 W FREISTADT RD	FREDRICK OR KIMBERLY BUCHOLTZ	PARKING TRAILERS	1/16/2015	1/23/2015	1
3	140161200500	8320 W FREISTADT RD	MICHELLE HINTZ	OUTSIDE STORAGE	1/16/2015	1/23/2015	1
3	150600106000	8025 W FREISTADT RD	JOSEPH CLAUDING	OUTSIDE STORAGE	1/16/2015	1/23/2015	1
3	150600106000	8025 W FREISTADT RD	JOSEPH CLAUDING	PARKING GRASS	1/16/2015	1/23/2015	1
8	150201001700	10972 N PORT WASHINGTON ROAD	APPAREL LORAIN'S	BANNER	1/26/2015	1/29/2015	1
6		11035 N PORT WASHINGTON ROAD	PICARDY SHOE PARLOUR	BANNER	1/26/2015	1/29/2015	1
6	150300600600	11120 N RANGE LINE ROAD	PHILIP OR JEAN STEINKE	GARBAGE CONTAINERS	1/27/2015	1/30/2015	1
3	140300200000	11401 W MEQUON ROAD	LOIS HILGENDORF	TEMP. STRUCTURES	1/28/2015	4/15/2015	4
1	140980121000	13148 N WEST SHORELAND DRIVE	ALICE MATTHEWS	RESIDENTIAL/BUSINESS	1/28/2015	2/13/2015	4,1
1	140011600300	3104 BONNIWELL ROAD	STANLEY WRZESKI	RESIDENTIAL/BUSINESS	1/28/2015	2/13/2015	4,1
8		10910 N PORT WASHINGTON ROAD	HOLLY TAMM	BANNER	2/2/2015	2/5/2015	1
6	150780110000	10449 N MAGNOLIA DRIVE	HOWARD OR MERLE MITZ	OUTSIDE STORAGE	2/6/2016	2/10/2015	1
6	140750021000	11016 N HEDGEWOOD LANE	MICHAEL OR GLORIA STUPAK	PARKING	2/10/2015	3/31/2015	4,1
3	140870603000	11754 N SOLAR AVENUE	JAMES OR ARLENE MULVANEY	CAR PORT	2/10/2015	4/15/2015	4,1
3	140870603000	11754 N SOLAR AVENUE	JAMES OR ARLENE MULVANEY	PARKING	2/10/2015	3/31/2015	4,1
3	140860210000	11249 N SOLAR AVENUE	TIM OR KATHLEEN KOHLBECK	PARKING	2/10/2015	2/28/2015	4,1
3	140860110000	11254 N SOLAR AVENUE	PAUL RAUSCH	PARKING	2/10/2015	2/28/2015	4,1
4	140281300300	10661 N WAUWATOSA ROAD	JANICE BESLER	PARKING	2/26/2015	3/1/2015	5,1

1 COMPLIANCE ACHIEVED

2 COMPLIANCE DATE NOT MET

3 WAITING ON REPLY

4 EXTENSION GRANTED

5 GOING TO COURT

6 ON HOLD

**City of Mequon - Zoning Enforcement Report Date: 4/1/2016**

ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
4	140501009000	10249 N CEDARBURG ROAD	WI. CONF. ASSN. SEVENTH DAY ADVENTIS	PARKING	2/26/2015	3/1/2015	1
4	140680207000	5011 W KATHLEEN LANE	SAM DELIGIO JR	PARKING	2/26/2015	3/1/2015	4,1
2	140580628000	11646 N AUSTIN AVENUE	JOSEPH BERKHAHN	2 TRAILERS	2/26/2015	3/1/2015	4,1
2	140740202000	5223 W HILLCREST DR	JEFF POMERANTZ	OUTSIDE STORAGE	3/8/2015	3/13/2015	5,5,5,5,1
2	140740107000	5426 W HILLCREST DR	STEVEN MANOR	2 TRAILERS	3/8/2015	3/13/2015	1
8		10530 N PORT WASHINGTON RD	FIDDLEHEADS	BANNER	3/8/2015	3/6/2015	5,1
5	150050400600	14050 N BIRCHWOOD LANE	HENRY ROSLER OR YVETTE NOSSIG	BLUFF	3/12/2015	4/10/2015	4
6		2909 W MEQUON ROAD	KIDS RULE ACADEMY	BANNER	3/12/2015	3/15/2015	1
2		11300 N ST. JAMES LANE	LUMEN CHRISTI	BANNER	3/12/2015	3/15/2015	1
8	150540110000	701 W MEQUON ROAD	CAROL NEILS	PARKING	3/12/2015	3/16/2015	1
4	140271000700	10710 N WAUWATOSA ROAD	ARNOLD OR ELDA NEUHAUS	OUTSIDE MAINTENCE	4/8/2015	9/1/2015	4
4	140271000700	10710 N WAUWATOSA ROAD	ARNOLD OR ELDA NEUHAUS	PARKING	4/8/2015	4/13/2015	5,5,5,1
5	150171500100	12144 N LAKE SHORE DRIVE	ROBERT OR JEANNE CRAWFORD	RAZE	3/17/2015	7/1/2015	1
4	140271101400	7520 W DONGES BAY ROAD	LAURA	SIGN LANDSCAPING	3/18/2015	9/17/2015	1
1	140020200100	4901 W PIONEER ROAD	ISAAC OR ALICIA FIGUEROA	OUTSIDE STORAGE	4/3/2015	4/17/2015	1
6	140650401000	10918 N SHERWOOD DRIVE	OLEG OR NATALYA RAGOZIN	OUTSIDE STORAGE	4/3/2015	4/17/2015	1
5		11422 N PORT WASHINGTON ROAD	DRAGONFLY MEDITATION	BANNER	4/8/2015	4/10/2015	1
5		13460 N PORT WASHINGTON ROAD	CHRIST CHURCH	BANNER	4/8/2015	4/10/2015	1
6		10001 N CEDARBURG ROAD	TRINITY LUTHERAN CHURCH	BANNER	4/8/2015	4/10/2015	1
6		11147 N PORT WASHINGTON ROAD	BP STATION	BANNER	4/8/2015	4/10/2015	5,1
6		5616 W DONGES BAY ROAD	LIBBY MONTANA	BANNER	4/8/2015	4/10/2015	5,1
7		1220 W RANCHITO LANE	FAMILY TAE KWON DO	BANNER	4/8/2015	4/10/2015	5,1
8		10994 N PORT WASHINGTON ROAD	FRESH ECO CAFÉ	BANNER	4/8/2015	4/10/2015	5,5,5,5,1
8		11000 N PORT WASHINGTON ROAD	AT & T	BANNER	4/8/2015	4/10/2015	1
8		11048 N PORT WASHINGTON ROAD	DSW	BANNER	4/8/2015	4/10/2015	1
8		11014 N PORT WASHINGTON ROAD	ABOUT FACE	BANNER	4/8/2015	4/10/2015	1
5	150990401000	1309 W LIBEAU ROAD	BEVERLY KOSSOW	OUTSIDE STORAGE	4/9/2015	4/13/2015	1
4		10250 N CEDARBURG ROAD	POGA BAR	SIGN PERMIT	4/9/2015	4/13/2015	5,5,5,1
3	140211500400	8120 W MEQUON ROAD	MICHAEL OR MELISSA HECTOR	OUTSIDE STORAGE	4/9/2015	4/13/2015	5,5,5,5,5,5,1
3	140211500400	8120 W MEQUON ROAD	MICHAEL OR MELISSA HECTOR	FENCE PERMIT	4/9/2015	4/17/2015	5,5,5,5,5,5
5	151001013000	12502 N CIRCLE DRIVE	LANCE HAMPEL OR ELISA MANETTI	PARKING	4/10/2015	4/14/2015	5,5,1
7	150500317000	1327 W EL RANCHO DRIVE	JOSE OR MAYRA SERNA	PARKING	4/10/2015	4/14/2015	1
5	151200017000	11633 N LAKE SHORE DRIVE	BARBARA PFAFF	PARKING	4/16/2015	4/20/2015	1
7	150500101000	9927 N PORT WASHINGTON LANE	TEISUTIS OR ALINA MIKALUSKIENE	PARKING	4/22/2015	4/30/2015	1
7	150500101000	9927 N PORT WASHINGTON LANE	TEISUTIS OR ALINA MIKALUSKIENE	HOOP HOUSE	4/22/2015	4/30/2015	5,5,5,5,1
3	140921010000	11245 N BUNTROCK AVENUE	PAUL OR LORA REINHOLZ	REAL ESTATE SIGNS	4/22/2015	4/27/2015	1

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5 GOING TO COURT

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**City of Mequon - Zoning Enforcement Report Date: 4/1/2016**

ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
4	140280102600	7825 W MEQUON ROAD	76TH STREET INVESTMENTS LLC	PARKING	4/27/2015	5/1/2015	5,1
4	140280102600	7825 W MEQUON ROAD	76TH STREET INVESTMENTS LLC	HOOP HOUSE	4/27/2015	9/1/2015	1
4	140341500100	6110/6112 W COUNTY LINE ROAD	SILVER OAK HOMES - BILL FINE	MAINTENCE ROOF/PAINT	4/29/2015	7/1/2015	4
4	140341500100	6110/6112 W COUNTY LINE ROAD	SILVER OAK HOMES - BILL FINE	MAINTENCE RAISE SHEDS	4/29/2015	7/1/2015	4
4	140341500100	6110/6112 W COUNTY LINE ROAD	SILVER OAK HOMES - BILL FINE	MAINTENCE BOARDS/PAIN	4/29/2015	7/1/2015	4
4	140341500100	6110/6112 W COUNTY LINE ROAD	SILVER OAK HOMES - BILL FINE	PARKING	4/29/2015	7/1/2015	4
4	140341500100	6110/6112 W COUNTY LINE ROAD	SILVER OAK HOMES - BILL FINE	OUTSIDE STORAGE	4/29/2015	7/1/2015	4
7	140360401200	10105 N RANGE LINE ROAD	SCOTT OR ANTONELA LARSON	PARKING	5/1/2015	5/15/2015	5,1
5	150990701000	12345 N EAST SHORELAND DRIVE	ANNALIESA KUBOSCH	OUTSIDE STORAGE	5/4/2015	7/1/2015	1
5	150990701000	12345 N EAST SHORELAND DRIVE	ANNALIESA KUBOSCH	GRASS	5/4/2015	7/1/2015	1
5	150990701000	12345 N EAST SHORELAND DRIVE	ANNALIESA KUBOSCH	MAINTENCE	5/4/2015	7/1/2015	1
6	140640107000	5812 W SHERWOOD DRIVE	PATRICK OE ERICKA MC GINLEY	PARKING	5/4/2014	5/8/2015	1
7	150500208000	1314 W EL RANCHERO DRIVE	LESLEY SCHWALBACH	PARKING	5/4/2015	5/8/2015	1
5	150990509000	1707 W LIBEAU ROAD	JOSEPH OR DAWN ALIOTA	PARKING	5/4/2015	5/8/2015	1
5	150990509000	1707 W LIBEAU ROAD	JOSEPH OR DAWN ALIOTA	HOOP HOUSE	5/4/2015	5/18/2015	4,1
2	140500303001	11340 N CEDARBURG ROAD	LUTHER MANOR AT RIVER OAKS	A FRAME	5/6/2015	5/9/2015	1
7	140250101600	2909 W MEQUON ROAD	KIDS RULE ACADEMY	BANNER	5/6/2015	5/9/2015	1
4	140560305000	5103 W WESTFIELD ROAD	DAVID KRIEGEL	HOOP HOUSE	5/6/2015	5/20/2015	4,1
4	140560305000	5103 W WESTFIELD ROAD	DAVID KRIEGEL	OUTSIDE STORAGE	5/6/2015	5/20/2015	1
4	140560305000	5103 W WESTFIELD ROAD	DAVID KRIEGEL	PARKING	5/6/2015	5/10/2015	1
4	140560305000	5103 W WESTFIELD ROAD	DAVID KRIEGEL	MAINTENCE ROOF/PAINT	5/6/2015	6/1/2015	4,1
6	150300500400	2137 W MEQUON ROAD	FREDRICK GROSS	HOOP HOUSE	5/7/2015	6/8/2015	4, 5,5,5,1
6	150300500400	2137 W MEQUON ROAD	FREDRICK GROSS	MAINTENCE	5/7/2015	6/15/2015	4, 5,5,5,5,4
6	150300500400	2137 W MEQUON ROAD	FREDRICK GROSS	OUTSIDE STORAGE	5/7/2015	6/15/2015	4,5,5,5,5,4,
2	140730068000	5321 W PARKVIEW DRIVE	JAMES C BROWN	PARKING	5/8/2015	5/11/2015	1
2	140730069000	5405 W PARKVIEW DRIVE	DONALD J JR. OR SHARON L SALVIN-BRINK	PARKING	5/8/2015	5/16/2015	1
7	150500102000	9915 N PORT WASHINGTON LANE	AMIR YAVOR	PARKING	5/11/2015	5/16/2015	1
7	150500102000	9915 N PORT WASHINGTON LANE	AMIR YAVOR	OUTSIDE STORAGE	5/11/2015	9/25/2015	4,1
7	150680201000	9615 N GREENVIEW LANE	LINDA WALSH	2 HOOP HOUSES	5/11/2015	5/25/2015	1
3	140881301000	11214 N MEADOWBROOK DRIVE	SCOTT OR ELIZABETH DEVEREUX	PARKING	5/20/2015	5/25/2015	1
3	140590013000	10406 N COUNCIL HILLS DRIVE	KALEEMUDDIN OR SHABANA JAWAID	GRASS	5/20/2015	5/25/2015	1
3	140600015000	12119 W SHAWNEE PASS	STEVEN SLICKER	PARKING	5/20/2015	5/25/2015	1
3	140600029000	12314 W SHAWNEE PASS	KATHLEEN BEHRS	PARKING	5/20/2015	5/25/2015	1
2	140771401000	2716 W CHESTNUT ROAD	HOWARD OR ETA DUBOFF	GRASS	5/20/2015	5/25/2015	1
2	140560501000	5405 W HILLCREST ROAD	KENNETH OR CARMEN BANASZYNSKI	PARKING	5/20/2015	5/25/2015	1
2	140730009000	11329 N PARKVIEW DRIVE	JOYCE DUMAS	PARKING	5/20/2015	5/25/2015	1

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ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
8		10968 N PORT WASHINGTON ROAD	GREAT CLIPS	BANNER	5/21/2015	5/24/2015	1
4	140271101400	7520 W DONGES BAY ROAD	LAURA'S DONGES BAY CLUBHOUSE	BANNER	5/21/2015	5/24/2015	1
2	140771519000	2915 W RANCH ROAD	DANIEL OR LINDA KRIPLEAN	PARKING	5/21/2015	5/25/2015	1
2	140720304000	11650 N BOBOLINK LANE	RONALD L LEVIN	GRASS	5/21/2015	5/25/2015	1
5	151001007000	12517 N CENTER DRIVE	MAMIE DAMICO	GRASS	5/29/2015	6/2/2015	1
5	151001214000	1630 DOROTHY PLACE	DAVID J OR SHELLY L HAUGH	GRASS	5/29/2015	6/2/2015	1
5	151001016000	12514 N CIRCLE DRIVE	TODD A HABERMANN	PARKING	5/29/2015	6/2/2015	1
5	151000424000	12511 N CIRCLE DRIVE	RICARDO B LANZA	PARKING	5/29/2015	6/2/2015	5,5,1
5	151001301000	12546 N PILOT DRIVE	TED S OR SUSAN E GEHRKE	PARKING	5/29/2015	6/2/2015	1
5	151001210000	1710 DOROTHY PLACE	JAMIE LEE FREITAG	PARKING	5/29/2015	6/2/2015	1
3	140870502001	11803 N WAUWATOSA ROAD	DALE R OR FRANCINE K RECHCYGL	HOOP HOUSE	5/29/2015	6/12/2015	1
3	140870805000	11715 N SILVER AVENUE	LUJESS LLC	OUTSIDE STORAGE	5/29/2015	6/15/2015	5,5,4,1
3	140870903000	11749 N RIDGEWAY AVENUE	JASON A OR LAURA D FREELS	PARKING	5/29/2015	6/2/2015	4,1
3	140881303000	8421 W POPLAR DRIVE	STEVEN G OR BOBBI J SCHROEDER	PARKING	5/29/2015	6/2/2015	4,1
3	140870806000	11710 N RIDGEWAY AVENUE	BOB TANKING	PARKING	5/29/2015	6/2/2015	4,1
6	150301200100	2116 W DONGES BAY	GARY R OR ANNE M SKIFF	MAINTENANCE	5/29/2015	7/1/2015	4
2	150990705000	12259 N EAST SHORELAND DRIVE	MICHAEL MANDELMANN	OUTSIDE STORAGE	5/29/2015	6/3/2015	1
7	150550102000	1915 W ZEDLER LANE	GENTILLI TRUST	PARKING	6/3/2015	6/7/2015	1
7	150600210000	10225 N GREENVIEW DRIVE	BRADLEY BONNEAU WILLET	GRASS	6/3/2015	6/8/2015	1
7	150550104000	1829 W ZEDLER LANE	DAVID OR REGINA SPAHN	HOOP HOUSE	6/3/2015	6/17/2015	4,5,1
7	150600316000	10302 N GRASSLYN ROAD	PHILIP OR MARIA THEISEN	PARKING	6/3/2015	6/17/2015	5,1
4	140310100100	10141 N GRANVILLE ROAD	JAMES OR JOSEPH WHITE	PARKING	6/5/2015	6/10/2015	1
3	140881415000	11208 N SWAN ROAD	WILLIAM OR CARRIE ERICKSON	HOOP HOUSE	6/5/2015	6/19/2015	4, 1
7	150550103000	1903 W ZEDLER LANE	MERNA JARVIS	MAINTENANCE	6/5/2015	7/6/2015	4,5,5,4
3	140881409000	8813 W POPLAR DRIVE	WILLIAM OR SUSAN BUTH	PARKING	6/5/2015	6/10/2015	4,1
6	140830310000	4107 W SCENIC AVENUE	NICHOLAS VANS TRUST	MAINTENANCE	6/5/2015	9/19/2015	4
6	140830310000	4107 W SCENIC AVENUE	NICHOLAS VANS TRUST	GRASS	6/5/2015	6/10/2015	1
6	140830310000	4107 W SCENIC AVENUE	NICHOLAS VANS TRUST	PARKING	6/5/2015	6/10/2015	1
6	140830310000	4107 W SCENIC AVENUE	NICHOLAS VANS TRUST	STORAGE	6/5/2015	9/19/2015	1
5	150170900900	12245 N LAKE SHORE DRIVE	WAEDEKIN FAMILY TRUST	PARKING	6/10/2015	6/17/2015	1,5
5	150170900900	12245 N LAKE SHORE DRIVE	WAEDEKIN FAMILY TRUST	STORAGE	6/10/2015	6/17/2015	5,5,5,5,5,5,5,5,5,5
5	150170200900	12620 N LAKE SHORE DRIVE	NANCY KEATING / FOLEY AND LARDNER	GRASS	6/10/2015	6/15/2015	1
7	150500311000	1617 W EL RANCHERO DRIVE	MICHAEL AND REBECCA BETZ	PARKING	6/10/2015	6/24/2015	4,1
3	140881601000	11305 N MEADOWBROOK DRIVE	ANTHONY OR CHERYL ZUCCARO	PARKING	6/10/2015	6/15/2015	5,1
3	140881625000	8612 W POPLAR DRIVE	BORIS OR BELLAL YELLIN	PARKING	6/10/2015	6/15/2015	1
3	140881608000	11433 N MEADOWBROOK DRIVE	DAVID OR TARIE UMHOEFER	PARKING	6/10/2015	9/17/2015	4,1

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3	140881607000	11427 N MEADOWBROOK DRIVE	PATRICIA MARCOUILLER	PARKING	6/10/2015	6/15/2015	1
8		11030 N PORT WASHINGTON ROAD	LEGENDS OF THE FIELD	SIGNS	6/10/2015	6/13/2015	5,5,1
5		11357 N PORT WASHINGTON ROAD	U S CELLULAR	SIGNS	6/10/2015	6/13/2015	5,1
5	150191601500	11249 N PORT WASHINGTON ROAD	BANK MUTUAL	SIGNS	6/10/2015	6/13/2015	5,1
5	150191302000	11357 N PORT WASHINGTON ROAD	KOHLER CREDIT UNION	BANNER	6/10/2015	6/13/2015	1
7	151070110000	DONGES BAY RD AND LA CRESTA DR	OSCAR OR MARY FORTSON	GRASS	6/18/2015	6/25/2015	5,4,1
7	151070112000	2 PROPERTIES ON DONGES BAY RD	EDWARD JOHNSON	GRASS	6/18/2015	6/25/2015	5,4,1
5		1404 W MEQUON ROAD	HAPPY FEET	BANNER	6/18/2015	6/21/2015	5,5,1
5		1300 W MEQUON ROAD	PANERA BREAD	SIGNS	6/18/2015	6/21/2015	1
5	151001009001	12503 N CENTER DRIVE	RONALD OR LEONA JORDAN	PARKING	6/18/2015	7/2/2015	4,1
4	140590007000	12211 W TOMAHAWK TRAIL	DANIEL OR PAULA CARLO	GRASS	6/18/2015	6/25/2015	1
4		10250 N CEDARBURG ROAD	POGA BAR	SIGNS	6/16/2015	6/18/2015	5,5,5,1
4	140501003000	10351 N CEDARBURG ROAD	BUCKLEY TREE SERVICE	PARKING	6/16/2016	6/18/2015	1
4		7426 W DONGES BAY ROAD	VALESTIN LANDSCAPE LLC	BUSINESS	6/23/2015	9/29/2015	4,5,1
4	140710007000	4707 W ELMDALE ROAD	MALOCHY TOAL	GRASS	6/23/2015	6/28/2015	1
4	140710029000	4711 W ELMDALE ROAD	MISTI MICELI	PARKING	6/23/2015	6/27/2015	1
5		1550 W MEQUON RD	GIGI OF MEQUON	BANNER	6/23/2015	6/26/2015	1
4	140330500100	8329 W DONGES BAY ROAD	WILLIAM SCHINNER	PARKING	6/23/2015	6/27/2015	5,5,5,1
4	140341100900	7526 W COUNTY LINE ROAD	PETER OR DELORES NELSON	PARKING	6/23/2015	6/27/2015	1
4	140341100900	7526 W COUNTY LINE ROAD	PETER OR DELORES NELSON	HOOP HOUSE	6/23/2015	9/7/2015	4,5,5,1
8		10954 N PORT WASHINGTON ROAD	SEARS APPLIANCE	SIGNS	6/25/2015	6/28/2015	1
7	150600206000	10319 N GREENVIEW DRIVE	LYNN MASTEY	GRASS	6/25/2015	6/30/2015	4,1
4	140870616000	11744 N VEGA AVENUE	DOUGLAS HARDY OR JANYCE COLLINS	GRASS	6/26/2015	6/30/2015	1
5	150170200900	12620 N LAKE SHORE DRIVE	SHEKHAR SANE	GRASS	6/25/2015	6/30/2015	1
6	140830518000	10821 N HEDGEWOOD LANE	KEVIN S HO	STORAGE	7/2/2015	7/7/2015	1
6	150850000062	3111 W MEQUON ROAD	LIGHTHOUSE OF MEQUON	FLAGS	7/8/2015	7/13/2015	1
5	150060300400	14013 N PORT WASHINGTON ROAD	ARTHUR H WISTH	STORAGE	7/8/2015	7/22/2015	1
5	150060400600	14037 N PORT WASHINGTON ROAD	GLEY R KLAHORST OR DIANE L LARSON	PARKING	7/8/2015	7/12/2015	1
2		6048 W MEQUON ROAD	FORWARD DENTAL	BANNER	7/13/2015	7/16/2015	1
6		2233 W MEQUON ROAD	CENTER FOR JEWISH LIFE	BANNER	7/13/2015	7/16/2015	1
6		11035 N PORT WASHINGTON ROAD	PICARDY SHOE PARLOUR	BANNER	7/13/2015	7/16/2015	1
8	150641210000	416 E MAPLE LANE	TAYLOR SMITH	STORAGE	7/15/2015	9/29/2015	4,5,4
8	150641207000	480 E MAPLE LANE	THOMAS MILLER	STORAGE	7/15/2015	9/29/2015	4,1
4	140280102600	7625 W MEQUON ROAD	76TH STREET INVESTMENTS LLC	HOOP HOUSE	7/16/2015	9/1/2015	4,5,1
4	140341100400	9716 N WAUWATOSA ROAD	ANDREW J BERGMAN	GRASS	7/22/2015	7/26/2015	1
4	140280100000	11155 N WAUWATOSA ROAD	BP STATION	SIGNS	7/22/2015	7/26/2015	1

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ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
4	140840304000	4927 W CHIPPEWA DRIVE	CHERRY LANGE	PARKING	7/22/2015	7/26/2015	1
4	140840305000	4926 W COUNTY LINE ROAD	DAMAR L LIEDERBACH	PARKING	7/22/2015	7/26/2015	1
6		11126 N CEDARBURG ROAD	EXPRESS EMPLOYMENT PROFESSIONALS	FLAG	7/23/2015	7/25/2015	1
4		6835 W MEQUON ROAD	IVANA'S TRUNK	BANNER	7/23/2015	7/25/2015	5,1
2	140580515000	11633 N AUSTIN AVENUE	YURIY MISYUK	GRASS	7/29/2015	8/5/2015	1
8		10616 N PORT WASHINGTON ROAD	NIORTH SHORE COMPUTERS	FLAG	7/29/2015	8/1/2015	1
6	150300101500	11147 N PORT WASHINGTON ROAD	HEMAOM LLC	BANNER	7/29/2015	8/1/2015	1
6	140250601000	11006 N RIVER ROAD	JUAN OROZCO - SOSA	SIGN	8/13/2015	8/16/2015	1
7	151070114001	10330 N PORT WASHINGTON ROAD	BAYMONT INN AND SUITES	SIGNS	8/13/2015	8/20/2015	1
7	140120300200	10144 N PORT WASHINGTON ROAD	TAMMY TRAU	STORAGE	8/14/2015	8/28/2015	1
4	140500905004	10240 N CEDARBURG ROAD	SYBARIS CLUBS INTERNATIONAL INC.	SIGN	8/14/2015	9/7/2015	1
8	150740118000	10447 N CIRCLE DRIVE	PAMELA MYERS	MAINTENANCE	8/20/2015	8/28/2015	4,1
7	150500102000	9915 N PORT WASHINGTON LANE	AMIR YAVOR	PARKING	8/25/2015	8/31/2015	5,1
7	150500102000	9915 N PORT WASHINGTON LANE	AMIR YAVOR	HOOP HOUSE	8/25/2015	8/31/2015	5,4,1
7	150500102000	9915 N PORT WASHINGTON LANE	AMIR YAVOR	STORAGE	8/25/2015	8/31/2015	5,1
5	150860208000	2000 RAEL DRIVE	MATTHEW HOFMANN	GRASS	8/25/2015	8/31/2015	1
5	151000429000	12501 ISLAND DRIVE	ALICE MENZEL	PARKING	9/23/2015	9/30/2015	1
5	151000213001	12505 ISLAND DRIVE	BLAINE THOMPSON	PARKING	8/25/2015	8/31/2015	5,5,4
5	151670001000	1214 W VENTURE COURT	VENTURE PROPERTIES	PARKING	8/25/2015	8/31/2015	4,5,1
5		11402 N PORT WASHINGTON ROAD	MED TRANSPORT	PARKING	8/25/2015	8/31/2015	5,5,5,5,5,
5	151670002000	1222 W VENTURE COURT	VENTURE PROPERTIES	MAINTENANCE	8/25/2015	9/8/2015	4,5,1
5	151200017000	11633 N LAKE SHORE DRIVE	BARBARA PFAFF	VEHICLES	8/5/2015	8/19/2015	5,5,1
5	151200017000	11633 N LAKE SHORE DRIVE	BARBARA PFAFF	STORAGE	8/5/2015	8/19/2015	5,5,1,5,5,5,5,5
2		11215 N CEDARBURG ROAD	ELEMENTS MASSAGE	BANNER	9/2/2015	9/5/2015	5,5,5,5,1
2		11215 N CEDARBURG ROAD	ELEMENTS MASSAGE	A FRAME	9/2/2015	9/5/2015	1
2		6016 W MEQUON ROAD	SUPERCUTS HAIR SALON	PUSH IN SIGN	9/2/2015	9/5/2015	1
7		10315 N PORT WASHINGTON ROAD	SIGNITURE AUTO DETAILING	PUSH IN SIGN	9/2/2015	9/5/2015	1
8		10614 N PORT WASHINGTON ROAD	VEIN CLINICS OF AMERICA	SIDEWALK SIGN	9/2/2015	9/5/2015	1
2		MEQUON TOWN CENTER	COLLECTIVA COFFEE ROASTERS	BANNER	9/2/2015	9/5/2015	1
8		10352 N PORT WASHINGTON ROAD	SOBELMAN'S PUB N GRILL	BANNER	9/2/2015	9/5/2015	1
7	151070112000	DONGES BAY RD AND LA CRESTA DR	EDWARD JOHNSON	GRASS	9/3/2015	9/10/2015	1
7	151070111000	DONGES BAY RD AND LA CRESTA DR	OSCAR OR MARY FORTSON	GRASS	9/3/2015	9/10/2015	1
3	140870714000	11700 N RIDGEWAY AVENUE	TIMOTHY OR DEBRA OTTEM	PARKING	9/8/2015	9/13/2015	5,1
3	140870805000	11715 N SILVER AVENUE	LUJESS LLC	GRASS	9/8/2015	9/13/2015	1
3	140870805000	11715 N SILVER AVENUE	LUJESS LLC	PARKING	9/8/2015	9/13/2015	4,5,5,5,5,
3	140860205000	11413 N SOLAR AVENUE	DUANE OR JULIE WAGNER	PARKING	9/8/2015	9/13/2015	1

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7	150310101100	10355 N PORT WASHINGTON ROAD	CLARK STATION / KHLID AHMED	SIGNS	9/9/2015	9/13/2015	1
7	150320600200	10352 N PORT WASHINGTON ROAD	SOBELMAN'S PUB N GRILL	BANNER	9/9/2015	9/13/2015	1
8		10984 N PORT WASHINGTON ROAD	MARSHALLS	SIGN	9/9/2015	9/13/2015	1
6		6028 W MEQUON ROAD STE. 100	IN BALANCE YOGA	SIGN	9/9/2015	9/13/2015	1
4	141330018000	8011 W KENSINGTON DRIVE	RICHARD BERNSTEIN	GARBAGE CONTAINERS	9/9/2015	9/13/2015	1
5		13800 N PORT WASHINGTON ROAD	UNITARIAN CHURCH NORTH	BANNERS	9/9/2015	9/13/2015	1
5		11649 N PORT WASHINGTON ROAD	DR RICHARD LEWIS	SIGN	9/9/2015	9/13/2015	1
4	141030304000	9815 W SHANNON COURT	DAWN SEDERHOLM	STORAGE	9/11/2015	9/16/2015	1,5,1
6		10512 N CEDARBURG ROAD	GLADYS MAE LUCHT	RAZE			4,5,5,5,5,4
4	140600027000	12206 W SHAWNEE PASS	SUGAR BAR LLC MARIE KASTEN	GRASS	9/14/2015	9/18/2015	5,1
7	151070112000	1027 W DONGES BAY ROAD	WARD OR MARY JOHNSON	STORAGE	9/16/2015	9/23/2015	4,5,
7	151070112000	1027 W DONGES BAY ROAD	WARD OR MARY JOHNSON	MAINTENANCE	9/16/2015	9/30/2015	4,5
7	150600514000	1801 W CLOVER LANE	JANET TUROWSKI	MAINTENANCE	9/16/2015	10/16/2015	4,1
4		NEWMAN HOMES DEVELOPMENT	KEVIN ANDERSON	PARKING	9/18/2015	9/15/2015	1
4		10250 N CEDARBURG ROAD	YUMMYS ROXANNE CARDENAS	BANNER	9/18/2015	9/22/2015	5,1
1	140070900000	12973 N FOX HOLLOW ROAD	ALEX MAZUR	GRASS	9/18/2015	9/25/2015	5,5,5,5,1
1	140040600100	14202 N DAVIS ROAD	KASTEN FAMILY TRUST	PARKING	9/18/2015	9/25/2015	1
5	150201001700	ORT RD JUST NORTH OF VENTURE C	APPARELS LORAIN'S	STORAGE	9/18/2015	10/18/2015	1
3	140860110000	11254 N SOLAR AVENUE	PAUL RAUSCH	BUILDING PERMIT	9/23/2015	10/30/2015	4
3	140870902000	11761 N RIDGEWAY AVENUE	MATTHEW LEMKE	PARKING	9/24/2015	9/28/2015	5,1
3	140860212000	11242 N VEGA AVENUE	SUSAN SCOTT	PARKING	9/24/2015	9/28/2015	1
3	140510101001	11224 N VEGA AVENUE	JEFFERY WIDDER	PARKING	9/24/2015	9/28/2015	1
3	140871201000	8205 W FREISTADT ROAD	DENNIS PETERSON	PARKING	9/24/2015	9/28/2015	1
3	140870718000	11728 N SILVER AVENUE	MLCFA INVESTMENTS LLC	PARKING	9/24/2015	9/28/2015	1
3	140708040000	11723 N SILVER AVENUE	GAVIN MCNEIL	PARKING	9/24/2015	9/28/2015	1
3	140210600900	8677 W FREISTADT ROAD	DANIEL MIKOLAJCZAK	PARKING	9/24/2015	9/28/2015	1
4	140270200100	6619 W MEQUON ROAD	HALMAR 1 LLC	BANNER	9/24/2015	9/28/2015	1
5	150200701400	11558 N PORT WASHINGTON ROAD	METRO MARKET	A FRAME	9/29/2015	10/2/2015	1
5	150200701400	11558 N PORT WASHINGTON ROAD	METRO MARKET PHARMACY	SIGN	9/29/2015	10/2/2015	1
2		11275 N CEDARBURG ROAD	LEO AND LOU'S CHILDRENS WEAR	BANNER	9/22/2015	9/28/2015	1
6	140500607000	10401 N CEDARBURG ROAD	ALPINE RESTAURANT	STORAGE	9/30/2015	10/14/2015	1
6	140500607000	10401 N CEDARBURG ROAD	ALPINE RESTAURANT	MAINTENANCE	9/30/2015	10/21/2015	1
2		11205 N CEDARBURG ROAD	COLLECTIVA COFFEE ROASTERS	BANNER	10/1/2015	10/4/2015	5,1
5	150080600200	13460 N PORT WASHINGTON ROAD	CHRIST CHURCH	BANNER	10/12/2015	10/15/2015	1
6	140250101600	2909 W MEQUON ROAD	CHRISTIAN LIFE CENTER	BANNER	10/12/2015	10/15/2015	1
4	140500612000	5616 W DONGES BAY ROAD	LIBBY MONTANA	BANNER	10/12/2015	10/15/2015	1

1 COMPLIANCE ACHIEVED

2 COMPLIANCE DATE NOT MET

3 WAITING ON REPLY

4 EXTENSION GRANTED

5 GOING TO COURT

6 ON HOLD

**City of Mequon - Zoning Enforcement Report Date: 4/1/2016**

ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
2		6016 W MEQUON ROAD	SUPER CUTS	BANNER	10/12/2015	10/15/2015	5,1
6	150301601000	10401 N PORT WASHINGTON ROAD	CRAVE BAR AND FOOD	FLAG	10/12/2015	10/15/2015	1
7		10315 N PORT WASHINGTON ROAD	SIGNITURE AUTO DETAILING	BANNER	10/21/2015	10/25/2015	5,1
2		TOWN HALL CENTER	SIEGEL GALLAGHER MGMT.	BANNER	10/21/2015	10/25/2015	1
8		10918 N PORT WASHINGTON ROAD	ELITE NUTRITION	A FRAME	10/21/2015	10/25/2015	1
6		6027 W MEQUON ROAD	SHERWIN WILLIAMS	FLAG	10/21/2015	10/25/2015	1
8		10954 N PORT WASHINGTON ROAD	SEARS APPLIANCE	SIGNS	10/21/2015	10/25/2015	1
6		6121 W MEQUON ROAD	RICKS MEQUON CAR CARE	BANNER	10/21/2015	10/25/2015	1
5	150650107000	1832 W WOODSIDE LANE	HAROLD ZIGAN	PARKING	10/21/2015	10/25/2015	1
2	150650408000	11841 N COUNTRY LANE	WILLIAM REEDUS	PARKING	10/21/2015	10/25/2015	1
4	140840112000	4558 W COUNTY LINE ROAD	GERALD BERENS	PARKING	10/21/2015	10/25/2015	1
6	140500716002	10418 N CEDARBURG ROAD	PKH PROPERTIES LLC	PARKING	10/21/2015	10/25/2015	1
4	140341300600	9825 N BAEHR ROAD	MONICA POPE - WRIGHT	PARKING	10/21/2015	10/25/2015	1
4	140840301000	4812 W COUNTY LINE ROAD	RICHARD MUILENBURG	PARKING	10/21/2015	10/25/2015	1
2	140240700500	11712 N RIVER ROAD	BRADLEY O IRVINE	PARKING	11/6/2015	11/13/2015	1
2	140580101000	11743 N RIVER ROAD	RODRICK PARKER	PARKING	11/6/2015	11/13/2015	1
2	140580101000	11743 N RIVER ROAD	RODRICK PARKER	STORAGE	11/6/2016	11/20/2015	4,5,4
5	150530401000	11402 N PORT WASHINGTON ROAD	PORTWASH I LLC	PARKING	11/9/2015	11/16/2015	1
3	140300600700	12017 W MEQUON ROAD	BRAD D THUROW	SIGN	11/9/2015	11/11/2015	1
7	150320600200	10352 N PORT WASHINGTON ROAD	DAVE SOBELMAN	SIGN	11/11/2015	11/25/2015	5,4,1
1		RIVER ESTATES	TOM WEICKARDT / TORY BRUCE ARMITAGE	SIGN	11/11/2015	11/25/2015	4,1
5	151000205000	12531 N ISLAND DRIVE	SEAN NELSON	PARKING	11/17/2015	11/20/2015	1
5	151000205000	12531 N ISLAND DRIVE	SEAN NELSON	STORAGE	11/17/2015	11/24/2015	1
8	150540304000	10910 N SAN MARINO DRIVE	PHILIP ARNHOLT	PARKING	11/17/2015	11/24/2015	4,1
8	150540304000	10910 N SAN MARINO DRIVE	PHILIP ARNHOLT	STORAGE	11/17/2015	11/24/2015	4,1
8	150540404000	10820 N SAN MARINO DRIVE	STEVEN KRAMER	PARKING	11/17/2015	11/20/2015	1
8	150540513000	11031 N SAN MARINO DRIVE	GURMEET SINGH	PARKING	11/17/2015	11/20/2015	5,1
8	150540201000	812 W MONTEREY LANE	ERIC HOFFMAN	PARKING	11/17/2015	11/20/2015	5,1
4		11127 N INDUSTRIAL DRIVE	RITEWAY BUS SERVICE	A FRAME, FLAGS	11/18/2015	11/21/2015	1
4		6616 W MEQUON ROAD	HAIR STUDIO 25	BANNER	11/18/2015	11/21/2015	1
4		6619 W MEQUON ROAD	E CIG	FLAG	12/1/2015	12/4/2015	1
8		10800 N PORT WASHINGTON ROAD	TOBIN JEWELERS	BANNER	12/1/2015	12/4/2015	1
5		11525 N PORT WASHINGTON ROAD	JIMMY JOHNS	BANNER	12/1/2015	12/4/2015	1
7	150500317000	1327 W EL RANCHO DRIVE	JOSE OR MAYRA SERNA	PARKING	12/7/2015	12/14/2015	4,5,1
7	150500317000	1327 W EL RANCHO DRIVE	JOSE OR MAYRA SERNA	OUTSIDE STORAGE	12/7/2015	12/14/2015	4,1
5	150191500300	1836 W MEQUON ROAD	REGINALD FLETCHER	OUTSIDE STORAGE	12/7/2015	12/14/2015	1

1 COMPLIANCE ACHIEVED

2 COMPLIANCE DATE NOT MET

3 WAITING ON REPLY

4 EXTENSION GRANTED

5 GOING TO COURT

6 ON HOLD

**City of Mequon - Zoning Enforcement Report Date: 4/1/2016**

ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
5	150191500300	1836 W MEQUON ROAD	REGINALD FLETCHER	OUTSIDE MAINTENANCE	12/7/2015	5/1/2016	
2		6048 W MEQUON ROAD	FORWARD DENTAL	VIOLATION OCC. PERMIT	12/9/2015	12/9/2015	5,5,5,1
7	150680304000	1728 W EL RANCHO DRIVE	EDWARD SEMRAD	OUTSIDE STORAGE	12/11/2015	12/18/2015	1
4		8200 W DONGES BAY ROAD	FUSION SOCCER	SIGN	12/11/2015	12/18/2015	4
3	140300200000	11401 W MEQUON ROAD	LOIS HILGENDORF	GENERAL MAINTENANCE	12/11/2015	1/1/2016	4
6	150301601000	10401 N PORT WASHINGTON ROAD	CHALET MOTEL	BANNER	12/15/2015	12/18/2015	1
6	150301601000	10401 N PORT WASHINGTON ROAD	CHALET MOTEL	SIGN	12/15/2015	12/18/2015	1
1	141550010000	13760 N BONNIWELL COURT	GALINA SHEPSHELEVICH	OUTSIDE STORAGE	12/15/2015	12/22/2015	1
6	140850307000	10737 N SUNNYDALE LANE	NEBOJSA OR MARIJA SEBASTIJANOVIC	HOOP HOUSE	12/16/2015	12/23/2015	5,4
8		11010 N PORT WASHINGTON ROAD	REDD FASHION CENTER	BANNER	12/16/2015	12/16/2015	5,1
5		11649 N PORT WASHINGTON ROAD	DRAGONFLY MEDITATION	BANNER	12/2/2015	12/23/2015	5,
2016	2016	2016	2016	2016	1/1/2016	1/1/2016	2016
2	150911001000	2517 W CHESTNUT ROAD	TAOFIKI OR KERRY ALABI	OUTSIDE STORAGE	1/5/2016	1/12/2016	1
2	150911001000	2517 W CHESTNUT ROAD	TAOFIKI OR KERRY ALABI	PARKING	1/5/2016	1/9/2016	1
8		10804 N PORT WASHINGTON ROAD	TOBIN JEWELERS	BANNER	1/5/2016	1/8/2016	1
2		6028 W MEQUON ROAD	HEALTH IN BALANCE	BANNER	1/5/2016	1/8/2016	1
2		6006 W MEQUON ROAD	ORANGE THEORY FITNESS	BANNER	1/5/2016	1/8/2016	1
5		1412 E MEQUON ROAD	SPICE AND TEA EXCHANGE	BANNER	1/5/2016	1/8/2016	1
5		1402 W MEQUON ROAD	KUMON	BANNER	1/5/2016	1/8/2016	1
1		13615 N CEDARBURG ROAD	JONATHON CLARK HOUSE	BANNER	1/5/2016	1/8/2016	1
6		11120 N CEDARBURG ROAD	JOEY GERARD'S RESTAURANT	DELIVERY	1/7/2016	1/10/2016	1
2	140580101000	11743 N RIVER ROAD	RODRICK PARKER	PARKING	1/27/2016	2/1/2016	4
2	140500204001	TOWN CENTER CONSTRUCTION	BLAINE THOMPSON	SIGNS	1/29/2016	2/3/2016	1
2		ELEMENTS MASSAGE	AMITA MIRANI	WINDOW SCREENING	1/29/2016	2/4/2016	4,1
2		ELEMENTS MASSAGE	AMITA MIRANI	WINDOW AGREEMENT	1/29/2016	2/15/2016	1
2	140580101000	11743 N RIVER ROAD	RODERICK PARKER	PARKING	1/29/2016	2/2/2016	4
2		11235 N CEDARBURG ROAD	LINDSEY	WINDOW COVERINGS	1.29/16	2/4/2016	1
7		1220 W RANCHITO LANE	FAMILY TAE KWON DO	MOVING NEON SIGN	1/29/2016	2/4/2016	5,5,1
5		1340 W MEQUON ROAD	A C ZUCKERMAN	BANNER	2/3/2016	2/7/2016	1
6		11051 TOWN SQUARE ROAD	MEQUON MYOTHERAPY CLINIC	SIGN	2/3/2016	2/7/2016	1
6		1515 W MEQUON ROAD	MEQUON LLC	BANNER	2/3/2016	2/7/2016	1
6		1550 W MEQUON RD	WOODEN GOOSE CAFÉ	BANNER	2/3/2016	2/7/2016	1
3	140071100400	12020 W HIGHLAND ROAD	LINDA BRISLEY OR JEAN MOLL	HOOP HOUSE	2/16/2016	3/1/2016	4
2		RIVER ROAD NORTH OF MEQUON RD	ADVANCED DISPOSAL - DAVID WALL	PICK UP TIMES	2.18/16	2/25/2016	1
5	150060300400	14013 N PORT WASHINGTON ROAD	ARTHUR H WISTH	PARKING	2/24/2016	3/9/2016	4,
7		1220 W RANCHITO LANE	FAMILY TAE KWON DO	BANNER	2/24/2016	2/24/2016	5,5,5,5,

1 COMPLIANCE ACHIEVED

2 COMPLIANCE DATE NOT MET

3 WAITING ON REPLY

4 EXTENSION GRANTED

5 GOING TO COURT

6 ON HOLD







11333 N. Cedarburg Rd  
Mequon, WI 53092-1930  
Phone: 262-236-2902  
Fax: 262/242-9655

www.ci.mequon.wi.us

Office of Community Development

**TO: Common Council**  
**FROM: Kim Tollefson, Director of Community Development**  
**DATE: April 12, 2016**  
**SUBJECT: A Resolution Authorizing A Development Agreement for The Enclave of Mequon Preserve Addition No. 1 for Phase II consisting of 16 single family lots**

**Background**

The applicant, Veridian Homes, is requesting approval of the development agreement for “The Enclave of Mequon Preserve Addition No. 1” for Phase II consisting of 16 single family lots. The development agreement is a contract between the developer and the City regarding administrative and infrastructure requirements for the development.

**Fiscal Impact**

This action is fiscally neutral.

**Recommendation**

The Planning Commission recommendation is forthcoming on April 11, 2016.

Attachments:

- Area Map No. 1 (PDF)
- Area Map No. 2 (PDF)
- PrelimPlat (PDF)
- development agreement (DOC)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3368

A Resolution Authorizing A Development Agreement for The Enclave of Mequon Preserve  
Addition No. 1 for Phase II consisting of 16 single family lots

**WHEREAS**, the Planning Commission granted approval of the preliminary plat for the development on March 10, 2015; and

**WHEREAS**, the development agreement provides for the installation of improvements and the payment of fees in accordance with the City Engineer’s report; and

**WHEREAS**, on April 11, 2016, the Planning Commission recommended approval of the development agreement attached as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF MEQUON**, that the development agreement for The Enclave of Mequon Preserve Additional No. 1 subdivision is hereby approved and that the appropriate City officials are hereby authorized to sign this agreement.

\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

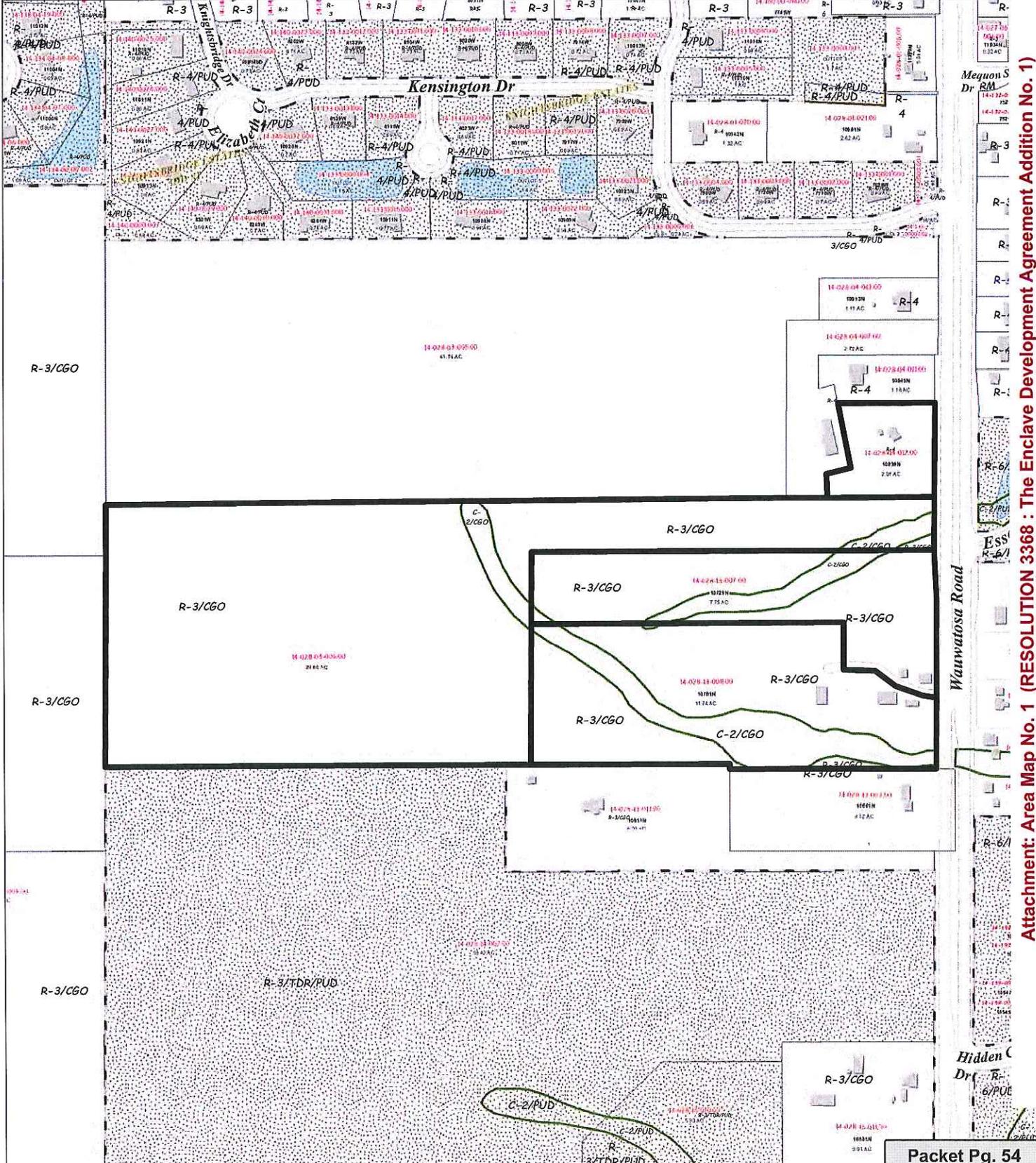
\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_

# ITEM #10 - Veridian Homes

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	OA	Agricultural Overlay
A-2	General Agricultural	PUD	Planned Unit Development Overlay
B-1	Neighborhood Business	P-1	Park & Recreation
B-2	Community Business	R-1	Single-Family Residential (5 Ac. Min.)
B-3	Office & Service Business	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-4	Business Park	R-2	Single-Family Residential (2.0 Ac. Min.)
B-5	Light Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-6	Rural Industrial	R-3	Single-Family Residential (1.0 Ac. Min.)
B-7	Rural Business	R-4	Single-Family Residential (3/4 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
C-2	General Conservancy	R-6	Single-Family Residential (4 du/Ac)
CGO	Central Growth Overlay	RM	Multi-Family Residential
FFO	Flood Fringe Overlay	TC	Town Center
FW	Floodway	TDR	Transfer of Development Rights
IPS	Institutional & Public Service		

5.m.a



Attachment: Area Map No. 1 (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)

# ITEM #10 - Veridian Homes



5.m.b



Attachment: Area Map No. 2 (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)



100 SOUTHVIEW DRIVE  
PO BOX 1100  
MILWAUKEE, WI 53211  
TEL: 414-353-8500

OWNER:

PROJECT:  
THE ENCLAVE AT MEQUON PRESERVE  
N. WAUKATOSA ROAD  
MEQUON, WI

SHEET ISS:  
FEBRUARY 5, 2014  
THIS TITLE SHALL BE VOID  
IF THE OWNER HAS  
ISSUED OR CONSIDERS  
REVISION:

JOB NUMBER:  
1411680  
SHEET

PP

Attachment: Prelim Plat (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)

**PRELIMINARY PLAT**  
**THE ENCLAVE AT MEQUON PRESERVE**  
LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 3178, LOT 2 OF CERTIFIED SURVEY MAP NO. 2523 AND PART OF THE SW 1/4 AND THE SE 1/4 OF THE NORTHEAST 1/4 AND PART OF THE NW 1/4 OF THE SEC 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

I, Ryan Wilson, Professional Land Surveyor, hereby certify that this preliminary plat is a correct representation of all existing land interests and boundaries.

I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 28 of the City of Mequon City Ordinance in surveying, dividing and mapping of the same.

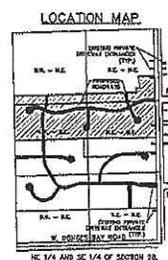
Ryan Wilson, P.L.S., 3-2467  
Professional Land Surveyor  
Econ Engineering, Inc.  
P.O. Box 146, Mequon, WI 53090  
Project No. 1411680

**PROFESSIONAL SURVEYOR:**  
RYAN WILSON, P.L.S.  
3-2467  
ECON ENGINEERING, INC.  
P.O. BOX 146  
MEQUON, WISCONSIN 53090

**LEGISLATIVE:**  
RESOLUTION 3368 (RESOLUTION 3368)  
RESOLUTION 3368 (RESOLUTION 3368)  
RESOLUTION 3368 (RESOLUTION 3368)

**SCALE:**  
FROM: 30 FEET  
TO: 30 FEET  
FROM: 30 FEET  
TO: 30 FEET

**NOTES:**  
Based upon a set of the Public Reference Information System (PRIS) Survey Map No. 1400, dated 12/15/2011, with an error of 0.12' (December 1, 2011), the property owner of the same has been advised of the same by the PRIS Survey Map No. 1400, dated 12/15/2011, with an error of 0.12' (December 1, 2011).

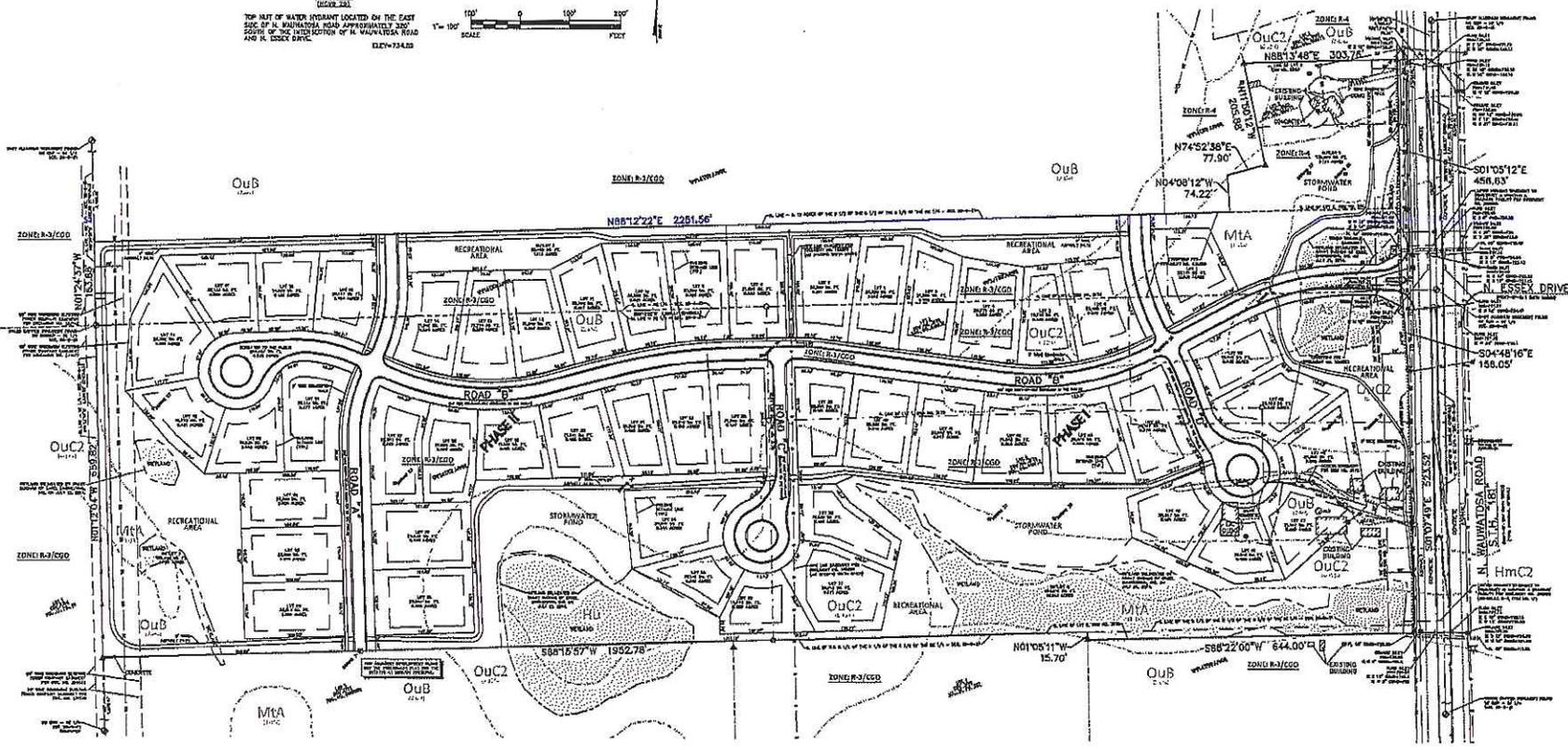
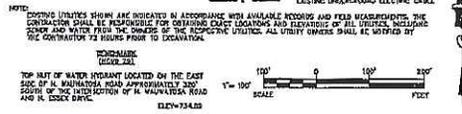


- LEGEND:**
- WELL
  - ▭ EXISTING SQUARE DITCH BASIN
  - ▭ EXISTING CURB SILENT
  - ▭ SECTION CORNER MONUMENT
  - ▭ SOIL CORNER
  - ▭ UTILITY POLE WITH OUT WIRE
  - ▭ 1" HIGH FENCE FOUND
  - ▭ SLAB FOUND FOUND
  - ▭ CABLE TV FOUND
- LEGEND:**
- 12" EXISTING STEEL SINKER AND MANHOLE
  - 12" EXISTING WATER LINE AND HYDRANT
  - EXISTING CURB AND GUTTER
  - PROPOSED CURB AND GUTTER
  - RIGHT-OF-WAY LINE
  - ADJACENT PROPERTY LINE
  - INTERNAL PROPERTY LINE
  - EXISTING DRAINAGE CONTOUR
  - PROPOSED DRAINAGE CONTOUR
  - EXISTING UNDERGROUND GAS LINE
  - NO ACCESS LINE
  - EXISTING OVERGROUND UTILITY LINE
  - EXISTING UNDERGROUND CABLE LINE
  - TV
  - EXISTING UNDERGROUND TELEPHONE CABLE
  - EXISTING UNDERGROUND TELEPHONE CABLE

**D.O.T. HIGHWAY RESTRICTIONS:**  
Within the limits of the improvement of structures placed between the highway and the easement line.

The State of Wisconsin, Department of Transportation, is not responsible for the design of any structure or improvement of any kind which is permitted within the limits of the improvement of structures placed between the highway and the easement line.

The State of Wisconsin, Department of Transportation, is not responsible for the design of any structure or improvement of any kind which is permitted within the limits of the improvement of structures placed between the highway and the easement line.



NO. 111  
CANNY Used is located approximately 1100' South of the Southwestern corner of the Enclave at Mequon Preserve, City of Mequon, Wisconsin.

## DEVELOPMENT AGREEMENT

### The Enclave Addition No.1

Articles of agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between \_\_\_\_\_, hereinafter called the Developer, and the City of Mequon, a municipal corporation of Ozaukee County, Wisconsin, hereinafter called the City.

**WITNESSETH:**

**WHEREAS**, the Developer desires to improve and develop certain lands located in:

See Exhibit A

And as described on attached Exhibit A (the "Development"), and for that purpose requires the installation of certain public improvements; and

**WHEREAS**, the City Engineer's report, attached hereto as Exhibit B, identifying the public improvements and other terms and conditions necessary to this Development (the "Improvements"), and

**WHEREAS**, Section 236.13(2) of the Wisconsin Statutes and Sections 58-634(c) and 58-637 of the Mequon Code of Ordinances provide that as a condition of approval, the City shall require that the Developer make and install or have made and installed, any improvements reasonably necessary; and

**WHEREAS**, the Public Works schedule and budget of the City does not now include installation of the said improvements for the said Development, and normally there would be a considerable delay in the installation of said improvements unless the instant agreement were entered into; and

**WHEREAS**, the City believes that the orderly, planned development of said lands will best promote the health, safety and general welfare of the community.

**NOW, THEREFORE**, in consideration of the payment of One Dollar (\$1.00) and other good and valuable consideration to each in hand paid by the other, receipt of which is hereby acknowledged, and in consideration of the various approvals granted by the City, and in obedience to the conditions imposed upon said approvals, and the mutual covenants herein contained, the parties agree:

1. The area to be improved shall consist of that area designated in Exhibit A in the proposed development plan granted preliminary plat approval by the Planning Commission.
2. Preliminary plat approval was granted by the Planning Commission on March 9, 2015.
3. The Improvements shall be as described on Exhibit B.
4. The Developer will, at its expense, have plans and specifications prepared for the aforesaid Improvements and such plans and specifications shall be submitted to the City Engineer for approval. The plans and specifications to be submitted are indicated in Exhibit C.
5. The Developer will contract for and have constructed, at its expense, all of the Improvements. The City, as a condition of final certification by the City Engineer, and approval and acceptance of dedication of the Improvements by the City, will require that copies of lien waivers from all

[Type text]

Attachment: development agreement (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)

contractors and/or material suppliers performing work or supplying materials for the installation of the Improvements be filed with the City.

- 6. The Developer will pay for all reasonable costs incurred by the City, or its consultant in the review of the engineering plans, landscaping plans, inspection of the construction and/or installation of the Improvements, installation of street signs, review of record drawings for City files, and any other costs that may be incurred by the City in the installation of the Improvements for this Development. The Developer will pay the costs above enumerated within thirty (30) days after being billed by the City. Billing will be made periodically and/or monthly as the improvements are completed and as costs are incurred. Full cost will include labor, equipment, materials, engineering, inspection and overhead costs incidental to said work. Past due amounts on invoices generated by the City are subject to a one and one-half (1.5) percent per month charge, computed from the date of the original invoice.
- 7. All dedicated Improvements shall be warranted against defects due to faulty materials or workmanship which appear within one (1) year from the date of acceptance of dedication by the City, and Developer shall assign to the City applicable contractor warranties for the Improvements. If any defect should appear during this warranty period, the City shall first seek to enforce any applicable contractor warranty; however, Developer hereby guarantees the Improvements and shall indemnify the City to the extent of any default or failure of any contractor to honor the warranty. Each repair or replacement performed pursuant to this paragraph shall be guaranteed for one (1) year from the completion thereof.
- 8. Upon certification by the City Engineer that all of the Improvements have been satisfactorily constructed, installed or escrowed in accordance with City of Mequon Zoning Code, inspected and found to be in compliance with City requirements and with the following conditions as described below, and that all other requirements of this agreement have been complied with, Final Plat approval will be granted by the Common Council.
  - A. The City Engineer shall only recommend Final Subdivision Plat approval to the Planning Commission and Common Council upon certification that:
    - i. All of the Improvements have been satisfactorily constructed or installed, completed and approved.
    - ii. In the event that installation of the final asphalt surface course, street trees, open space landscaping and/or minimal site restoration as contemplated in Developer's plans approved by the City cannot be completed due to weather conditions at the time in which Developer wishes to obtain Final Plat approval, the City may, in its sole discretion, accept from Developer a Letter of credit in form approved by the City Attorney and in an amount determined by the City Engineer to provide appropriate security to ensure installation is completed within 14 months from Final Plat approval.
  - B. The Department of Community Development shall schedule Final Subdivision Plat recommendation before the Planning Commission and Common Council only upon certification by the City Engineer that all the improvements have been constructed, installed and approved.
- 9. There is an existing special assessment on the property for sanitary sewer.
- 10. The following special provisions shall apply:
  - A. Easements are to be provided on the plat for the use of WE Energies, AT&T, Cable T.V. and other utilities for provision of services to the subdivision. The Developer shall provide proof of payment in full for installation of the utilities prior to Final Plat approval.

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- B. Underground utility installations shall be made without any street pavement removal, unless otherwise specifically approved by the City Engineer.
  - C. A building permit may be issued for 2 principal structures (model) prior to the Final Plat being approved and recorded. The building permit for the model home shall not be issued until the binder course is installed. The Developer agrees and understands that the transfer of title to any lot/residence in this development may not occur until after final certification by the City Engineer that the terms of this agreement have been complied with and the final subdivision plat is approved and recorded.
  - D. Subject to ¶5 above, the title to the sanitary sewer system, water main, streets and all other Improvements and the land on which they stand, unless located within a dedicated public easement, shall be dedicated and given in fee simple by the Developer to the City upon recording the Final Plat, as provided by State Statutes, and without recourse, and free and clear of all encumbrances and with access provided from a dedicated street, where necessary. Title to the fire protection and water supply facilities shall be given to the City of Mequon.
  - E. The Improvements shall be constructed in strict accordance with the requirements of the City and the City Engineer or his authorized representative, or as directed by said City Engineer; and shall be under and subject to constant inspection by the City Engineer or representative.
  - F. The Developer agrees that it shall be fully responsible for the Improvements for the Development and appurtenances thereto during the period of the construction of the Improvements, and until certification by the City Engineer, approval of the Improvements, and acceptance of dedication by the City, any damage as may occur to these facilities during this period shall be replaced or repaired by the Developer.
  - G. Excess topsoil shall only be removed from the subdivision Development by means of end-loading (no screening allowed on site) and trucking from the site. The Developer shall not disrupt topsoil where it is unnecessary, and the final arbiter of necessity shall be the City.
  - H. The covenants, conditions and restrictions recorded against the property described on Exhibit A shall prohibit future property owners from removing any berms, landscaping or amenities installed on this Development as a condition of landscaping, open space, grading or drainage plans, and from placement of landscape features, berms or plantings which disrupt flow of run-off in drainage ways or courses approved as a condition of the grading and drainage plans, without express written consent from the City Engineer and by action of the Planning Commission.
  - I. The Developer, its successors and assigns along with individual future lot owners are hereby notified that "impact" fees will be assessed by the City against the Developer and/or lot owners, pursuant to the requirements of Sections 58-138 et seq. of the Mequon Code of Ordinances, which payment is due prior to obtaining a building permit. The parties understand and acknowledge at this time that the City retains full right and authority to amend and modify its impact fee ordinance, the methodology by which impact fees are calculated or the numerical component values of the impact fee calculation in the future, such that the resultant impact fee amounts in effect from time to time may differ from the impact fee assessment which is currently in effect as of the date of this agreement, and that such modifications and amendments are not susceptible of determination at this time.
11. The Developer shall not be released or discharged from the obligations assumed under this agreement until final inspection and certification of all the Improvements has been made by the City Engineer in writing, and the Improvements have been approved and their dedication accepted by the City.

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- 12. The Developer hereby agrees that the costs and value of said improvements will become an integral value of the abutting lots and that no future lot assessment will be made on behalf of the Developer.
- 13. Provisions of this agreement which may specify design criteria for required improvements are subject to change by the City Engineer, upon written notice to Developer and based on changes in applicable codes or regulations, for the purpose of reflecting the most up-to-date design standards for required improvements. The design standards in effect at the preliminary approval shall apply to all improvements for a period of two years.
- 14. Developer shall indemnify, defend, and hold the City and its officers harmless from, penalties, fines, costs, or loss (including reasonable fees for attorneys, consultants, and experts) that arise as a result of the presence or suspected presence in or on the real property dedicated or conveyed to the City by, under, pursuant to, or in connection with the Subdivision Plat or this Agreement including, but not limited to street rights of way, of any toxic or hazardous substances arising from any activity occurring prior to the acceptance of dedication of all Improvements. Without limiting the generality of the foregoing, the indemnification by Developer shall include costs incurred in connection with any site investigation or any remedial, removal, or restoration work required by any local, state, or federal agencies because of the presence or suspected presence of toxic or hazardous substances on or under the real property, whether in the soil, groundwater, air or any other receptor. The City agrees that it will immediately notify Developer of the discovery of any contamination or of any facts or circumstances that reasonably indicate that such contamination may exist in or on the real property. The City also agrees that following notification to Developer that contamination may exist, the City shall make all reasonable accommodations to allow Developer to examine the real property and conduct such clean-up operations as may be required by appropriate local, state, or federal agencies to comply with applicable laws.
- 15. Execution of this agreement shall be accepted by the City as adequate provision for improvements within the meaning of Section 236.13(2) of the Wisconsin Statutes.
- 16. This agreement shall be binding upon the heirs, successors, executors and assigns of the parties hereto.
- 17. If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval and to local plans and ordinances adopted as authorized by law, it is entitled to approval. If the final plat is not submitted within 24 months of satisfaction of the last required condition of approval of the preliminary plat, any approving authority may refuse to approve the final plat. The final plat may, if permitted by the approving authority, constitute only that portion of the approved preliminary plat, which the Developer proposes to record at that time. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat which will be subject to further consideration by the Planning Commission at the time of its submission.
- 18. It is understood that this Development Agreement may need to be amended to cover changes to the standards regarding landscaping, stewardship plans, stormwater management, grading and/or other plans.
- 19. In accordance with section 58-635(3)(e), if the Developer fails to commence construction within two (2) years of development agreement approval, then the development agreement shall become null and void.

Attachment: development agreement (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)



**EXHIBIT A**  
**DEVELOPMENT AGREEMENT**

**Development Title – The Enclave Addition No.1**

DESCRIPTION OF AREA INCORPORATED IN THE SAID DEVELOPMENT:

LEGAL DESC

Attachment: development agreement (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)

EXHIBIT B  
CITY OF MEQUON

WISCONSIN  
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DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION

TERMS AND CONDITIONS INCORPORATED INTO DEVELOPMENT AGREEMENT BY AND  
BETWEEN THE CITY OF MEQUON AND THE ENCLAVE ADDITION NO.1

The proposed development plans granted concept approval and preliminary plat approval by the Planning Commission have been reviewed by the Engineering Division and this report is hereby submitted in accordance with the procedural requirements established by the Common Council.

Notwithstanding anything herein to the contrary, the parties acknowledge that the Developer intends to complete the improvements necessary prior to construction of principal structures, and other improvements may be constructed and obligations may be performed by Developer, as indicated below, by requiring its lot purchasers to so perform in the lot purchasers' contracts or declaration of restrictions.

The following public works improvements and conditions are necessary:

1. Sanitary Sewer System

- a. Installation of a sanitary sewer system designed to meet the ultimate needs of this development, in accordance with the City's sanitary sewer system plan. Installation of one sewer lateral from the sanitary sewer main to the limits of the sanitary sewer utility easement or, road right-of-way.
- b. Sanitary sewer plans/profile shall conform to the City's Standard Specifications for Land Development, Standard Specifications for Sewer and Water Construction in Wisconsin and additional requirements of the Milwaukee Metropolitan Sewerage District (MMSD) shall apply.
- c. The City shall approve all sanitary sewer lateral locations.
- d. Connection to the existing sanitary sewer shall be done in accordance with the City's specifications.
- e. The lateral locations shall not deviate from the approved plan unless approved by the City.
- f. The public mainline shall meet the City's master plan for the area, in terms of depth and size, and be extended to the adjacent properties.

2. Water Supply System

- a. Installation of a water supply and distribution system for the proposed Development with mains, hydrants, valves and laterals for each lot. The plans, specifications and installation shall be in accordance with the City Standard Specifications for Land Development, latest edition.

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- b. The City shall review and approve all water main plans to be installed in a City road right-of-way or easement.
- c. Connection to the City of Mequon water system shall be in accordance with the City of Mequon Standard Specifications for Land Development, latest edition and be subject to a Water Services Agreement.
- d. The City will determine the lateral locations to avoid removal of any specimen trees; the City shall approve all lateral locations.
- e. The public mainline shall meet the City’s master plan for the area, in terms of depth and size, and be extended to the adjacent properties.
- f. Easements shall be provided to adjacent single family lots for access for potential future connection.
- g. The mainline water main shall meet Water Utility standards for ISO recommended fire flows of 2500 gpm, which may require 12” pipe for the dead end main.

3. Fire Protection Water Supply

- a. The water for fire protection will be supplied to the Development water system through the City of Mequon Water System.
- b. All fire hydrant locations shall be approved by the City’s Fire Chief.

4. Grading and Drainage Plan

- a. The Developer shall submit a master site grading plan. The master grading plan shall indicate which lots are designed for the following; full exposure, partial exposure, and lots that are limited to front load entry garage only. The Developer shall grade the site in conformance with the approved grading and drainage plan. The future owners/builders who construct the principal building shall be responsible for siting the principal building, rough and fine grading the building pad to comply with the master grading plan.
- b. The Master Grading/Drainage/Storm Sewer and Erosion Control Plans shall comply with the requirements of the City’s Standard Specifications for Land Development, latest edition.
- c. Grading and drainage plan showing 2’ contours for both existing and proposed grades, City approved building pad grades, culverts or storm sewers. Cross-section and profiles of all drainage ways and erosion protection as required, must be indicated on the plans and detailed.
- d. Site grading plan showing only minimum setback and offset dimensions, and City approved building grades.
- e. Erosion Control Plan for land disturbing activities showing existing contours at least 200’ into adjacent parcels. This plan will show location and dimension of all construction site management measures to control erosion and sedimentation.
- f. Rough grade as necessary to establish lot grades in accordance with future building grades, top-soiling, seeding and mulching as required, to all exposed ground surfaces to prevent erosion.
- g. The grading plan shall include minimum elevations for proposed top of principal building foundation wall based on proposed building envelopes shown on the approved specimen tree plan and City approved finished yard grades.

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- h. Grading and filling shall be kept to a minimum, including in individual building envelopes.
- i. The Developer is responsible for top-soiling, seeding and mulching, as required to all exposed ground surfaces to prevent erosion, including disturbance by utility contractors.

5. Storm Drainage System

- a. Drainage System Plan showing all tributary areas to the proposed subdivision drainage system and downstream analysis. Included on the system plan should be all proposed and existing drainage structures in the drainage system area.
- b. Drainage easements must be shown by dimension and detailed cross-section.
- c. Installation and construction of a complete storm drainage system, including culverts, storm sewer, and open ditches as required to adequately drain the surface water from and through the Development. Erosion protection and minimum velocity design shall be provided for in the storm drainage system design. All areas adjacent to existing and proposed roadways shall be restored to conform with the approved roadway cross-section.
- d. The storm water facilities shall be installed before the impervious surface.
- d. Additional considerations will be required on all ditch slopes exceeding five percent (5%). All roadside ditches or drainage easements shall have a minimum one percent (1%) slope. Areas less than one percent (1%) will require further analysis.
- e. The Development will be required to provide on-site stormwater detention and demonstrate to the City Engineer that the Development shall comply with the City's stormwater ordinance and MMSD Chapter 13 rules and regulations.
- f. The Developer shall submit hydrologic calculations for the 2, 10 and 100 year development conditions.
- g. The Developer shall provide hydraulic calculations showing pond discharge rates under proposed conditions. Under proposed conditions, the retention pond must demonstrate that the 2, 10 and 100 year discharge rate will be less than pre-settlement conditions.
- h. All sump pump discharge pipes shall discharge to a roadside ditch, storm sewer or other location approved by the City. For roadways with an urban section a sump pump collection system shall be required in accordance with the City's Standard Specifications for Land development, latest edition.
- i. Submittal, at the time of architectural review and approval, of a sump pump discharge and roof drainage plan in accordance with Storm Water management Plan approved by the City Engineer.
- j. Drainage Easements must be shown by dimension and detailed cross-section.
- k. If the storm sewer design includes underground piping, a set of utility plans showing all plan and profile views of sanitary water and storm sewer shall be used and kept current during all phases of construction.
- l. Detention Basin/Pond Maintenance Agreement:

The Developer shall design and construct storm water facilities, including detention and/or retention pond(s), in accordance with the approved storm water drainage plan such that they are adequate to accommodate expected surface water flow within and through the Development, in accordance with applicable City ordinances, Chapter 13 of the Milwaukee

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Metropolitan Sewerage District rules, and the regulations of WDNR, as may be applicable. Thereafter, it shall be the responsibility of the Developer and/or its successors and assigns, as provided below, that such storm water facilities shall be maintained to meet or exceed the standards to which they were constructed, such that in the future, they continue to accommodate the maximum potential volumes of flow through and within the development, and meet applicable performance standards for storage and release.

Accordingly, the following requirements are applicable to this Development and conditions of approval of the preliminary plat and the development agreement, pertaining to detention basin/pond maintenance.

- i. All stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be maintained and cared for by the Developer and subsequently, at such time as the Developer passes control of the stormwater elements of the Development and responsibility for maintenance thereof to the Home Owners Association they shall be maintained in accordance with this Section 5. g.
- ii. In order that the perpetual care and maintenance of all stormwater drainage and storage facilities shall be provided for, the Developer shall create or cause to be created an entity (the Subdivision Homeowners Association) with a perpetual existence under the laws of the State of Wisconsin for the express purpose, *inter alia*, of assuming all responsibility in connection with the perpetual maintenance of the stormwater facilities. Developer shall provide by contract, declaration of covenants, deed provision, or otherwise that all lot owners in the subdivision development, including Developer, shall be members of the Association solely by virtue of being a lot owner, and shall be jointly responsible for its obligations, which obligations shall be assessable as against such members. If, as contemplated by the parties, any portions of the Development in or on which is located stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be conveyed to other assigns and/or successors in interest, then Developer shall provide by contract, declaration of covenants, deed provision, or otherwise that such other assigns and/or successors in interest shall assume all responsibility in connection with the perpetual maintenance of those stormwater facilities. The Developer shall have no further responsibility for such maintenance, only after arms length sale of the lots by the Developer, conveyance of outlots and/or common areas to the Subdivision Homeowners Association or other good faith grantees, and acceptance of dedication of the Improvements by the City.
- iii. The following minimum standards for future care and maintenance of the stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be adhered to by Developer and Developer's assigns and successors in interest:
  - A. Provide normal and customary cleaning and maintenance to the detention basin(s), and pond(s) located in this Development including, but not be limited to, weed and algae control, dam stabilization, emergency overflow, outlet structure (including trash rack), dredging and biological control.
  - B. As necessary, dredging of the storm water facilities shall require permits and approvals under Section 30.20 Wisconsin Statutes, to remove materials from the bed of a pond ultimately connected to Lake Michigan from the Wisconsin Department of Natural Resources (WDNR).
  - C. Make chemical treatments as necessary, in keeping with the regulatory requirement(s) that the application of EPA/State Registered Chemicals to detention basins/ponds or lakes is regulated by the WDNR. With few exceptions, a permit must be filed with, and approved by the WDNR, prior to chemical

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treatment. In certain circumstances, a representative of the WDNR will monitor or supervise the chemical treatment. Contact the WDNR for additional information.

D. The detention basin(s)/pond(s) shall be certified by a licensed professional engineer or land surveyor as a condition of Final Plat approval. To assure compliance with the approved plans, the Developer shall be responsible to recertify the detention basin(s)/pond(s) as a condition of transferring ownership to the Homeowners Association, but in no event shall such recertification occur later than five years after the approval of the Final Plat.

E. The detention basin(s), pond(s) certification shall be submitted with an as-built record drawing.

F. The detention basin(s)/pond(s) shall be inspected in compliance with the Inspection Report Form supplied by the City. Any deficiencies shall be corrected immediately. A copy of the report form, including but not limited to photographs or diagrams of the deficiency and corrections with the certification shall be provided to the Homeowners Association, and any other assigns and successors in interest of Developer, and shall be promptly submitted to the City Engineer for review and approval. Specific areas shall include, but not be limited to:

- Bio-retention facility
- Pond containment berms are stable and free of animal burrowings
- Detention storage volume
- Erosion
- Vegetative cover
- Sediment accumulation
- Trash rack/culvert functions
- Outlet flow
- High water level
- Water surface elevation at time of survey
- Normal pond water level
- Emergency overflow

iv. To guarantee performance of all of the foregoing obligations concerning the private stormwater drainage and storage facilities, including detention basin(s)/pond(s), the Developer shall establish a Drainage Letter of Credit which shall be issued by a local bank on the US Chamber of Commerce model form or reasonable equivalent, and shall be subject to prior review and approval by the City Attorney, in the amount of \$4,000.00/lot. The Letter of Credit ("LOC") requirement shall remain in effect for five (5) years from the date of Final Plat approval, however, the LOC may be renewable annually, provided that notice of non-renewal shall be given to the City Administrator in writing by the issuing bank not less than sixty (60) days prior to expiration. Developer or its successor in interest shall thereupon be required to furnish a substitute LOC which shall be in-hand and approved by the City by not later than thirty (30) days prior to expiry of the then-current LOC, or the City will draw on the then-current LOC before expiry.

v. Not less than ninety days prior to the final expiration of the Developer's LOC obligations, or at such time as the Developer shall convey the outlot(s) or common area(a) in or on which are located the stormwater drainage and storage facilities, including detention basin(s)/pond(s), to the Subdivision Homeowners Association or other assigns or successors in interest, whichever is later, the Developer shall have the detention basin(s)/pond(s) recertified in accordance with d. and e. above.

- vi. At any time in the future, if, in the opinion of the City, either the Developer (in keeping with the limitations upon its responsibility as expressed herein), the Subdivision Homeowners Association, or any other assigns or successors in interest, shall fail to maintain the stormwater drainage and storage facilities, including detention basin(s)/pond(s), the City, at its option, may give the Developer, the Subdivision Homeowners Association or other assigns or successors in interest, as may be interested, written notice requiring any or all of them within thirty (30) days thereafter, to cure the failure and to maintain and to provide the required care. If the notified party fails to comply with the demands of the notice, the City shall have the right , but not the obligation, to perform the work necessary to correct the deficiency, and to charge the cost thereof, including administrative charges, to the Developer, and/or to the Subdivision Homeowners Association, and/or other assigns and successors in interest, by drawing upon the LOC, and/or by imposing such charge as a special charge for services pursuant to §66.0627, Wisconsin Statutes, and if not promptly paid by the party to whom the charges were invoiced, as a lien and special tax on the property(ies).
- vii. The City Engineer has the authority to stop work, amend, or alter remediation measures to the detention basin/ponds. Failure to comply will result in the issuance of a municipal citation by a forfeiture as prescribed by law, or may be addressed in an action for injunction, mandatory injunction, or any combination of remedies. Each day a violation exists shall constitute a separate offense.
- viii. Upon 75% (or fewer) of the lots within this Development being sold, a Homeowners Association shall be created.
- ix. This agreement and all of its covenants are and shall be covenants running with the land, and shall encumber the Development, and shall be binding on the heirs, personal representatives, successors and assigns of the parties hereto. This agreement shall be recorded with the Ozaukee County Register of Deeds office. The Development covenants and restrictions shall include this language and not by reference.

6. Erosion and Run-off Control

- a. Installation and construction of improvements in the proposed Development shall be done in conformance with the City in cooperation with the Ozaukee County Land Conservation Guidelines (SCS) and Department of Natural Resources "Wisconsin Construction Site Best Management Practice Handbook," latest edition, requirements, with respect to erosion and sedimentation control. Temporary stormwater quality measures during construction activities shall include, as a minimum, the installation of silt fence and temporary sediment basins.
- b. The Developer shall install the drainage system, including roads (unpaved, but with gravel surface), first. The swale and ditches shall be sodded or planted with fast growing grasses immediately after grade certification by the City or designated agent. The City may request temporary mulching if ground is exposed for more than 7 days. Straw, hay bales, check dams or silt fences shall be placed in the drainage system as sediment traps in accordance with established Best Management practices. The City will decide what situation is appropriate for sod and will determine the sediment trap method to be used.
- c. The Developer may not commence land disturbing activities until all erosion control measures are installed and approved by the City. An erosion control permit must be approved which requires the Developer to construct in conformance with the City's erosion control ordinance.
- d. Excavated soil shall not be allowed to be piled near the drainage system. A topsoil stockpile area shall be identified and used, complete with appropriate erosion control measures.

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- e. The surface of exposed bare soils shall be protected by mulches or by temporary annual grasses, or erosion matting.
- f. The Developer will periodically inspect and maintain any measures utilized above. All erosion control devices shall be inspected after each rain event.

7. Streets

- a. The road design standards shall be subject to the review and approval by the City Engineer and Fire Chief. The roads, whether public or private, shall be constructed in compliance with the City Standard Specifications for Land Development, latest edition, unless otherwise approved by the City.
- b. Private access roads/driveways shall be approved by the City Engineer and Fire Chief.
- c. Construction of a twelve (12) inch road base consisting of twelve (12) inches of one and one-quarter inch (1 1/4") crushed stone base course for all new streets. The initial surface shall consist of three inches (3") of bituminous binder course. The roads shall be constructed to the City's typical cross-section and in accordance with the City's standard specifications for land development.
- d. In developments with sanitary sewer the final one and one-half inch (1 1/2") asphalt surface course shall be applied following the construction of the binder course.
- e. Should the money in the account be inadequate to defray the cost of surfacing to include inspection, shouldering, road failures, base repairs and defects and utility adjustments, the Developer shall make up any shortage of funds.
- f. All cross connections are required to be constructed in each phase, with a temporary turnaround constructed until the adjacent property develops. The developer or Homeowner's Association shall remove and restore the temporary turnaround at the time the connection is constructed.
- g. The roadside sidewalk shall be installed at the time of roadway construction, prior to final plat and shall be maintained by the homeowner or homeowners association. This maintenance will include snow and ice removal.
- h. The Developer shall provide to the City a performance bond in a form approved by the City Attorney subject to prior review and approval by the City, to provide security for compensation to the City for wear and tear and accelerated deterioration of City streets as a result of infrastructure improvement associated with the hauling of stone and asphalt attributable to the approved Development.

Prior to commencement of any construction activity, the Developer shall establish with the City a performance bond in a form approved by the City Attorney, for road damage, in the amount equal to \$1,000 per residential lot in the proposed Development. Should the proposed development be approved as a phased Development, the performance bond and evaluation process shall be established prior to commencement of each phase of Development. Prior to the commencement of any construction activity, the following provisions shall be complied with:

- i. The Developer shall meet with City Engineering and Public Works staff to identify and agree to a specific "haul" route for all construction equipment and material supplies associated with the Development. The Developer shall agree to confine the movement of its construction equipment to the approved route unless approved otherwise by the City Engineer or Public Works Director.

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- ii. Prior to commencement of construction, the City shall videotape and perform a road evaluation of the agreed to haul route. This evaluation, known as a service condition rating or SCR, shall be used as the base line for establishing the level of damage that occurs as a result of the Development.
- iii. At the conclusion of the construction activity and prior to the recording of the final plat, the City will again videotape and perform a post development SCR of the Developer's "haul" route.
- iv. Prior to the City acceptance of the Improvements, the Developer will repair the road or pay to the City for the Dollar amount for the estimated repairs.

The road account and road evaluation is only applicable to that portion of the approved haul route that lies within the corporate limits of the City.

8. Landscaping and Open Spaces

- a. A street tree plan shall be subject to the review and approval of the Tree Board and Planning Commission. The species and installation of street trees shall conform to the street tree ordinance.
- b. Landscape plans for the open space, public street cul-de-sac, and detention pond buffering shall be designed by a licensed landscape architect and shall be reviewed and approved by City staff. The City may have a licensed landscape architect review the submitted landscape plans. All amenities located in this phase of the development shall be constructed prior to Final Plat approval.
- c. Signage and entryway landscape plans shall be reviewed and approved by City staff.
- d. A letter of credit issued by a local bank on the US Chamber of Commerce model form or reasonable equivalent, and subject to prior review and approval by the City Attorney, equal to 25% of the landscape and hardscape amenities contract cost to insure that all private open space landscaping that dies within three (3) years of installation will be replaced by the Developer.
- e. A performance bond equal to 25 percent of the installation costs of the street trees is required to ensure that all street trees that die within the first 14 months will be replaced by the developer.
- f. Any required pedestrian paths shall be installed and shall be maintained by the developer or home owners association. Pedestrian and bike path plans shall address the public use of the paths and maintenance and shall be subject to the review and approval of the City Engineering Department. A ten (10) foot wide pedestrian and bike path easement shall provide for public access. An eight (8) foot wide path shall be designed and constructed in accordance with the Department of Transportation (DOT) Bike Path Facilities Handbook.

9. Miscellaneous

- a. The Developer shall be responsible for maintaining and repairing all damage done to City streets as a result of excessive hauling operations and Development construction pursuant to section 7(f) above.
- b. The Developer shall be financially responsible for the material and installation of street signs. The City shall install said signs and invoice Developer, which shall be paid within thirty (30) days of invoice.

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- c. All construction shall conform to the “Standard and Specifications for Development Construction in the City of Mequon,” latest edition.
- d. Wetland Boundaries shall be identified and marked in the field and verified by the Wisconsin Department of Natural Resources. The wetlands and setbacks shall be identified on the plat. Wetland boundary markers shall be maintained and setbacks observed during all phases of land disturbance and construction.
- e. The City Engineer may make changes to the approved plans and specifications for any of the improvements covered under this agreement which are necessary to correct oversights, omissions, and errors to compensate for changing site conditions, or to complete fully the work in accordance with sound engineering practice. The Developer shall perform the work as changed entirely at its expense without any claim for reimbursement.
- f. Submittal and Planning Commission approval of the appropriate stewardship plan preservation easement, maintenance agreement and street tree landscape plan, if applicable.
- g. Submittal of underground utility easements.
- h. All sanitary, drainage, water and other utility easements must be shown on the plat. All sanitary, water and drainage easements must be prepared separately for each lot or parcel and recorded at the Developer’s expense. These documents shall be required at the time of final plat approval and approved by the City.
- i. Submittal of proposed driveway culvert size plan where applicable.

11. Special Provisions

- a. The development process shall strictly conform to the conditions of approval of the Preliminary Plat and other approvals, and as set forth in the Development Agreement. Request for final plat approval is subject to Engineering Department certification that all improvements required to be installed have been completed and approved, and as to the Improvements, approval and acceptance of their dedication by the City.

**The remainder of this page is intentionally left blank.**

Attachment: development agreement (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)

EXHIBIT C

CITY OF MEQUON  
WISCONSIN  
\*\*\*\*\*

ENGINEERING DEPARTMENT  
DEVELOPMENT AGREEMENT

Development Title The Enclave Addition No.1

As a condition of final plat approval, the Developer, in accordance with the requirements of Section 58-640 of the Mequon Code of Ordinances will make payment in full of the following sewer connection charge: \$3,200 (16 lots @ \$200 per lot). This charge will only be applied if the Development is required to install a public sanitary sewerage system.

In addition, the Developer shall provide a lot pipe guarantee. The Developer shall provide a financial guarantee in the amount of \$1,600, which is equivalent to \$100 per lot. The financial guarantee is subject to release upon receipt by the City of a lot pipe certification stamped and signed by a professional land surveyor, registered in the State of Wisconsin.

Attachment: development agreement (RESOLUTION 3368 : The Enclave Development Agreement Addition No. 1)



11333 N. Cedarburg Rd  
 Mequon, WI 53092-1930  
 Phone: 262-236-2915  
 Fax: 262/242-9655

[www.ci.mequon.wi.us](http://www.ci.mequon.wi.us)

Office of Human Resources

**TO: Common Council**  
**FROM: Jesse Thyges, Asst City Administrator/Human Resource Manager**  
**DATE: April 12, 2016**  
**SUBJECT: A Resolution Designating Mequon, Wisconsin as a Bee City USA**

### **Background**

The Mequon Nature Preserve, on behalf of the City of Mequon, is pursuing designation as a “Bee City USA”. The application process is similar to “Bird City USA” in that a resolution must be adopted by the City’s Common Council. To date only one other Wisconsin city, Hales Corners, has obtained this designation. A draft resolution is attached and it should be noted that the initial resolution was prepared in accord with the "Bee City USA" guidelines; hence, there is a significant amount of required text.

### **Analysis**

In 2006 when honey bee colonies started disappearing, later dubbed “Colony Collapse Disorder,” beekeepers and non-beekeepers alike became very concerned. After all, one in every three bites of food that is consumed is courtesy of insect pollination. Equally important, 85% of flowering plants and trees rely on pollinators for the survival of their species. While less is known about native bees and other pollinators, entire species are disappearing as they battle most of the same enemies as honey bees--loss of habitat essential for food and shelter, inappropriate pesticide use, diseases, and parasites.

Launched in 2012, the Bee City USA program endorses a set of commitments, defined in a resolution, for creating sustainable habitats for pollinators, which are vital to feeding the planet. Cities, towns and communities across America are invited to make these commitments and become certified as a Bee City USA affiliate.

The aforementioned commitments, which are very similar to those of the “Bird City USA” program, include annually acknowledging a jurisdiction's status as a Bee City USA community through public awareness activities, signage and web links.

### **Fiscal Impact**

The Mequon Nature Preserve staff will take the lead on any associated activities and publicity efforts. The coordination of these efforts will have little or no fiscal impact on the City.

### **Recommendation**

Adoption of the Proposed Resolution

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3370

A Resolution Designating Mequon, Wisconsin as a Bee City USA

WHEREAS, the goal of BEE CITY USA is to promote healthy, sustainable habitats and communities for bees and other pollinators; and

WHEREAS, thanks to the tremendous diversity of wild native bees, along with the honey bees that were brought here from Europe in the 1700s, we have very diverse dietary choices rich in fruits, nuts and vegetables; and

WHEREAS, bees and other pollinators around the globe have experienced dramatic declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases, with grave implications for the future health of flora and fauna; and

WHEREAS, communities have the opportunity to support bees and other pollinators on both public and private land; and

WHEREAS, supporting pollinators fosters environmental awareness and sustainability, and increases interactions among community stewards such as commercial and backyard beekeepers, farmers, children, educators, Master Naturalists, Master Gardeners, plant nurseries, municipalities, neighborhoods, and garden suppliers and clubs; and

WHEREAS, the economic benefits of (native and honey) bee-friendliness are:

- Healthy ecosystems--insect pollinators are required for pollination and reproduction of about 85% of flowering plants globally, plants that: 1) are vital for clean air and water; 2) provide food, fiber and shelter for people and wildlife; and 3) support the very insects that pollinate our crops and form the basis of food webs.
- Increased vegetable and fruit crop yields due to bee pollination.
- Increased habitat for natural enemies of crop pests and therefore reduced need for and costs associated with pesticides.
- Increased demand for pollinator-friendly plant materials from local nurseries and growers.
- Income earned by beekeepers and others through the sale of bee products, beekeeping equipment and supplies, and hive rentals for pollination; and, heightened prestige and premium asking prices for place-based honey, which enhances the visibility and reputation of its community of origin; and

WHEREAS, Mequon, Wisconsin should be certified a BEE CITY USA community because:

- Community interest in supporting sustainable habitats for bees and other pollinators has grown as the decline in pollinator populations and habitat has received greater local and national media attention.

- The Mequon Nature Preserve has become a trusted community resource and facilitator of honey bee education.
- Resident participation in the local bee club sponsored by the Mequon Nature Preserve has increased steadily, demonstrating the community’s growing desire to learn about bees and share experiences; and

WHEREAS, ideal pollinator-friendly habitat:

- Provides diverse and abundant nectar and pollen from plants blooming in succession.
- Provides clean water for drinking, nest-building, cooling, diluting stored honey, and butterfly puddling.
- Is pesticide-free or has pesticide use carried out with least ill effects on pollinators.
- Is comprised of mostly, if not all, native species of annual and perennial wildflowers, shrubs, trees, and grasses because many native pollinators prefer or depend on the native plants with which they co-evolved.
- Includes, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness.
- Provides for safe and humane removal of bees when required.
- Provides undisturbed spaces (leaf and brush piles, un-mowed fields or field margins, fallen tree and other dead wood) for nesting and overwintering for native pollinators; and

WHEREAS, in order to enhance understanding among local government staff and the public about the vital role that pollinators play and what each of us can do to sustain them, Mequon, Wisconsin agrees to meet the following commitments required of all BEE CITY USA communities:

- 1) Pass this BEE CITY USA resolution (which articulates these commitments).
- 2) The Mequon Nature Preserve is hereby designated as the Bee City USA sponsor and Kristin Gies, Executive Director, as the Bee City USA “liaison;” to encourage and coordinate local pollinator habitat and awareness activities. This body will serve as the intermediary between the citizenry and local government on matters of enhancing pollinator awareness, health and habitat, fulfilling the following commitments:
  - a. Annually celebrate National Pollinator Week (third full week of June) or some other appropriate occasion with educational events, pollinator habitat plantings or restoration, proclamations or promotions that showcase the municipality’s commitment to enhancing pollinator health and habitat.
  - b. Annually apply for renewal of the community’s designation and submit a report of the previous year’s BEE CITY USA activities following the format provided.
- 3) Publicly acknowledge the community’s commitment by agreeing to a) install/maintain at least one authorized BEE CITY USA street sign in a prominent location, and b) create/maintain links on appropriate pages of the local government’s website which includes, at minimum, links to a PDF of this signed Resolution and the national BEE

CITY USA website, contact information for the local government’s BEE CITY USA liaison and designated “facilitator commission or non-profit organization committee,” and reports of the pollinator-friendly activities the community has accomplished the previous year(s).

NOW, THEREFORE, BE IT RESOLVED that the Common Council authorizes the Mequon Nature Preserve to submit an application Bee City USA on behalf of the City of Mequon to obtain a “Bee City” designation and commits to the standards of Bee City USA.

\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_



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Office of Public Works Committee

**TO: Common Council**  
**FROM: James Keegan, Deputy Director of Engineering**  
**DATE: April 12, 2016**  
**SUBJECT: A Resolution Approving a Request from the Mequon Nature Preserve to Utilize City of Mequon MMSD Green Solutions Funding for the Construction of a Permeable Parking Lot Paving Project**

### Background

In December of 2014 staff brought forward Resolution No. 3259 authorizing staff to negotiate and enter into an MOU with the Mequon Nature Preserve (MNP) regarding the construction of a new pervious parking lot on the nature preserve's property. The MNP currently utilizes a gravel area as an overflow parking lot in times of high use. Utilizing MMSD Green Solutions for Separate Infrastructure and Sewer Separation (GSSISS) reimbursement funding, the project would replace the gravel parking area with a pervious pavement system that would allow for storm water infiltration through the pavement section and into storage chambers below the pavement.

In August of 2015 staff advertised the project and received two bids. The lowest bid received was in the amount of \$126,731.45, compared to a project estimate of \$99,350. Given that the lowest bid was 28% higher than the project estimate, it was decided at the October Public Works Committee meeting that all bids would be rejected. Due to the bid results, staff made a request to Milwaukee Metropolitan Sewage District (MMSD) that GSSISS funding be extended into the 2016 calendar year. On September 30, 2015 the City of Mequon's request for a one year extension of the funding was granted by MMSD.

### Analysis

Engineering Department staff met with MNP in February to discuss the project. The following alternatives were discussed as a way to move forward with the project:

- Option 1: Rebid the project as-is, with the additional required funding from MNP.
- Option 2: Request a loan from the City for the additional funding. This requires a request made in writing.
- Option 3: Request that the City makes additional funding available by transferring from other programs. This requires a request made in writing.
- Option 4: Reduce the project scope to fit within the allotted budget. This may require additional design funding for the plan revision that would be required.

The MNP has analyzed their current and future parking needs and has found that the project, as proposed, will work best for current and future needs. On March 4<sup>th</sup>, 2016, the MNP formally requested that the City allow the use MMSD Green Infrastructure & Green Solutions (GI/GS) funding to make up the shortfall between the allotted \$92,381 of GSSISS funding and the amount required to construct the parking lot. Staff confirmed with MMSD that the GI/GS funding may be used to meet this additional funding need.

In its current state, the MOU with the MNP references the 2015 construction year, the specific funding amount, and the specific GSSISS funding type. To move forward with the project, these specific references need to be updated in the MOU to reflect the updated project requirements.

**Fiscal Impact**

MMSD is the organization which administers both the GSSISS and the GS/GI funding. The City currently has a balance of \$92,381 in GSSISS funding that will no longer be available if it isn't spent by September 30, 2016. The City doesn't currently have a capital project scheduled that qualifies for the use of the funding. The City also has a balance of \$170,451 in GS/GI funding. MMSD requires that a work plan be submitted for the use of the GI/GS funding by May 1 2016, or that a request be submitted to roll over the funds into the 2017 calendar year. The City has not identified an alternative qualifying project for the 2016 calendar year, and since MMSD allows the City to roll over only \$100,000 of the GI/GS money into 2017, the City has \$70,000 of funding available for expenditure in 2016.

**Recommendation**

It is the recommendation of the Engineering Department staff that the Public Works Committee favorably endorse and the Common Council approve the attached Resolution that allows for the use of GI/GS funding to make up the additional funding needs for the construction of the MNP pervious parking lot, and that authorizes staff to make the administrative changes to the MOU that are required to move the project forward to construction.

Attachments:  
Request MMSD Funds 3 4 2016 (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3372

A Resolution Approving a Request from the Mequon Nature Preserve to Utilize City of Mequon  
MMSD Green Solutions Funding for the Construction of a Permeable Parking Lot Paving  
Project

WHEREAS, the City of Mequon is administering the public bidding process of a permeable parking lot paving project for the Mequon Nature Preserve; and

WHEREAS, the project will utilize \$92,381 of available MMSD Green Solutions for Separate Infrastructure and Sewer Separation (GSSISS) funding; and

WHEREAS, the City of Mequon has \$170,451 of available MMSD Green Infrastructure & Green Solutions (GI/GS) funding available; and

WHEREAS, the City of Mequon Engineering Department staff has recommended the use of the Green Infrastructure & Green Solutions (GI/GS) funding to meet additional funding needs for the construction of the permeable parking lot paving project;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mequon that the MMSD Green Infrastructure & Green Solutions (GI/GS) funding may be used to meet additional funding needs for the construction of the Mequon Nature Preserve permeable parking lot paving project and that the City Engineering Department staff are authorized to make the necessary administrative changes to a Memorandum of Understanding dated June 16, 2015 with the Mequon Nature Preserve, as recommended by the Public Works Committee.

\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_



March 4, 2016

Mr. Will Jones  
City Administrator  
City of Mequon  
11333 N. Cedarburg Road  
Mequon, WI 53092

RE: Request for Green Infrastructure Funds for MNP Parking Lot

Dear Will,

As you know, the City of Mequon approached us to see whether the MNP facility would benefit from a project that would qualify for funding through the MMSD green infrastructure program. Your engineering staff and Kristin Gies, MNP Inc.'s executive director, settled on constructing a parking lot at the PieperPower Education Center, 8200 W. County Line Road. The need for parking has grown with the community's interest in various programs provided by MNP Inc., other community organizations, and the City. The lot has been filled to capacity for a number of events including when fourth aldermanic district residents come to vote at MNP at high turnout elections.

Working with the City and Graef, MNP Inc. paid \$17,000 for Graef's design services and the City bid the project. Unfortunately, the bids exceeded the \$92,000 project budget, and MNP Inc. did not have the funds to make up the shortfall. MMSD gave an extension to allow the City to rebid the project and complete construction in 2016.

City engineer James Keegan, PE, recently met with Kristin to review the plan and how we might complete the parking lot this year. Mr. Keegan recommends that the City rebid the project to make use of previously budgeted MMSD funds in the amount of \$92,000 and the \$17,000 spent by MNP Inc. and that any funding required in excess of the allotted MMSD GSSISS funding be funded by MMSD GI funds.

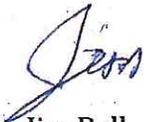
We do not have any more funds to contribute to this project, but MNP Inc. will assume management of the parking lot's construction relieving City staff of the time needed to complete this task. Former City of Mequon DPW Director Jon Garms has volunteered to

Mr. Will Jones  
City Administrator  
March 4, 2016  
Page 2

work with the successful bidder to complete the project. Jon acted in a similar capacity when he supervised construction of a trail at MNP. The trail was funded by the federal Recreational Trails Act grant awarded through the DNR.

Speaking on behalf of our board, please accept our thanks for your efforts to improve the Mequon Nature Preserve facility to better serve the thousands of Mequon residents who visit here. The PieperPower Education Center, a wonderful City asset, fills a need for a larger venue for community groups. We welcome their use and all City programs.

Sincerely,



Jim Bell  
Chairman



Christine Nuernberg  
Secretary/Treasurer

Cc: Mayor Dan Abendroth  
James Keegan, PE



11333 N. Cedarburg Rd  
 Mequon, WI 53092-1930  
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Office of Community Development

**TO: Common Council**  
**FROM: Kim Tollefson, Director of Community Development**  
**DATE: April 12, 2016**  
**SUBJECT: An Ordinance Amending Chapter 58, the City of Mequon Zoning Map by Lakeside Development for a 10 Acre Property Located Immediately South of 11104 Oriole Lane from R-3 (Single-Family Residential) with C-2 (General Conservancy) to R-3 with C-2 and Planned Unit Development (PUD) to Allow a 9 Lot Single Family Residential Development**

**Background:**

The applicant is requesting a rezoning recommendation and concept plan approval for a nine unit single family condominium development on 10 acres of land located immediately south of 11104 Oriole Lane. The development proposal is contingent on acquiring 2.5 acres of land from the Sarah Chudnow campus which would net the 10 acres that is necessary to have the legal standing to apply for a Planned Unit Development. The Sarah Chudnow campus is currently zoned IPS (Institutional) with a PUD Overlay. The net loss of acreage requires a zoning change for the Sarah Chudnow campus.

In February, the Planning Commission tabled action on this project requesting the developer further evaluate the environmental conditions including the wetlands and the specimen trees. The project was scheduled for the Planning Commission meeting in March, but was postponed because the developer was requesting removal of several specimen, a request that staff did not support. The project is now returning to the Planning Commission with preservation of all specimen trees and resolution regarding the wetlands conditions subject to approval by the Department of Natural Resources (DNR).

**Proposed Yield Plan:**

The attached yield plan shows nine lots conforming to the R-3 (Residential 1 acre) zoning district. Several of the lots would require an encroachment into the wetland setback, which is allowed provided that all post construction run off is treated prior to its release into the wetlands.

**Proposed Concept Plan:**

The applicant indicates that the goal of the development is to provide high end homes for those

looking to downsize and not wanting to maintain a large lot area. The proposed layout centralizes all buildings within the site to lessen the impact of the development on the surrounding area.

The concept plan shows nine single family condominiums accessed by a private road from Oriole Lane. The site contains a large wetland complex which was delineated by TRC Environmental on September 24, 2014. The plan would require a small portion of the existing wetlands to be filled which will require approval from the DNR. The updated plan reduces the amount of wetland fill that is needed. The proposed buildings are also shown within the 50 foot wetland setback which would require all post construction run off is treated prior to its release into the wetlands. The applicant is showing a number of rain gardens on the site which will serve as a buffer to the wetlands. Deviations to the wetland setback and the use of rain gardens will also require approval from the DNR.

The updated plan preserves all of the 22 specimen trees on site. Staff is supportive of the changes made to the plan and preservation of the trees. Staff will require tree protection fencing around some of the trees that will be in close proximity to the development as dictated by the City Forester.

**Planning Commission Recommendation**

The Planning Commission recommendation is forthcoming at its meeting on April 11, 2016.

- Attachments:  
Narrative (PDF)  
Developer Submittal (PDF)  
Developer Maps (PDF)  
Area Map No.1 (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

An Ordinance Amending Chapter 58, the City of Mequon Zoning Map by Lakeside Development for a 10 Acre Property Located Immediately South of 11104 Oriole Lane from R-3 (Single-Family Residential) with C-2 (General Conservancy) to R-3 with C-2 and Planned Unit Development (PUD) to Allow a 9 Lot Single Family Residential Development

**SECTION I:**

Following recommendation of the Planning Commission on the 11<sup>th</sup> day of April, 2016, and after due notice and hearing by the Common Council of the City of Mequon on the 10<sup>th</sup> day of May, 2016, the existing and official City of Mequon district zoning maps are hereby amended so as to change the zoning classification of certain properties, as described and illustrated in Exhibit A, to R-3 with Planned Unit Development (PUD) Overlay.

**SECTION II:**

All other ordinances or parts of ordinances contravening the terms of this ordinance are hereby and to that extent repealed.

**SECTION III:**

This ordinance shall take effect and be in full force upon its passage and the day after its publication and subject to the following conditions.

- . There shall be a minimum 50 foot setback from Oriole Lane and a 25 foot setback from the interior private road.
- . There shall be a minimum 30 foot separation between buildings.
- . Tree protection fencing shall be installed in accordance with the City Forester’s recommendation.
- . A stewardship plan for the dedicated open space areas shall be prepared by the applicant and is subject to Planning Commission review and approval.
- . The development shall comply with preliminary plat, development agreement, and final plat requirements.
- . Architectural design of residential buildings shall comply with the Architectural Board’s publication entitled “Guidelines for Residential Structures” and are subject to the Architectural Review Board.
- . Street trees are subject to the approval of the Tree Board and Planning Commission.
- . Street lighting, if proposed, is subject to the approval of the Planning Commission.
- . Entryway signage and landscaping is subject to the approval of staff.
- . Fire Department approval of the number and location of fire cisterns, if needed.

- . The rezoning zoning shall not go into effect until the boundary line adjustment between the two parcels is completed.
- . The rezoning will not go into effect until DNR approval of the wetland fill is granted.
- . Any reduction in the wetland setback shall be approved by the DNR.
- . Any substantial change to the general concept plans illustrated in the attached exhibits shall require appropriate amendment to this ordinance.
- . The access roadway shall be privately owned and maintained.
- . The Development Agreement shall outline the Home Owners Association's responsibilities to maintain the private roadway.
- . The final road design shall be subject to the review and approval of Engineering and the Fire Departments.
- . The development will require the addition of a boulevard entrance, acceleration/deceleration lanes, and bypass lanes on Oriole Lane per the City of Mequon Standard Specifications for Land Development.
- . Engineering Department review and approval of grading, drainage, storm water management, and erosion control plans in conformance to City ordinances and the Standard Specifications for Land Development.
- . Approval of a storm water management plan for the site in conformance to City ordinances and MMSD Chapter 13, including execution of a Storm Water Facilities Maintenance and Easement Agreement.
- . An easement is required to allow the Sarah Chudnow Community Campus the ability to maintain the storm water pond located on the southeast portion of the proposed development.
- . Easements over existing and proposed drainageways with supporting declaration language requiring Home Owners Association maintenance.
- . Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
- . As a condition of approval and issuance of the permit, the city engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow / letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).

---

Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_

The finest in architecture & construction management

February 2, 2016

Ms. Kimberly R. Tollefson  
Director of Community Development  
1133 N. Cedarburg Road  
Mequon, WI 53092

Dear Kim,

Lakeside Development Company is considering developing a twelve acre site south of Mequon Road and east of Oriole Lane. Enclosed is an Aerial Context Plan which depicts the site.

Lakeside Development has been developing, designing and building high end homes in southeastern Wisconsin and Door County for over 30 years. We were instrumental in the development of Mequon's StoneFields, The Preserve at Glen Oaks and in Grafton: Woodland Shores, the first conservation project on the bluff of Lake Michigan in excess of fifty acres.

As a result of these developments, Lakeside has established a number of clients who have an interest in downsizing yet desire to maintain the same attention to detail found currently in their homes. Additionally many of these clients are long time Mequon residents and would like to continue to reside here. Lakeside plans on designing and building all of the homes in the development. Enclosed are elevations we are considering.

We plan to maintain a theme utilizing similar elements on each building. Based on the response from our past clients this should be a very successful development for both Lakeside and the City. Approximately half of the proposed site is owned by the Mequon Park Corporation and the other half by the Mequon Jewish Campus, Inc. Both of which are nonprofit; not subject to property tax.

In summary we are seeking to rezone the site to allow this development which will fill a housing void and increase our property tax base. Please let me know if you have questions.

Respectfully,



Thomas A. Zabjek  
President

c: Jac Zader

enclosures

Lakeside Building Ne  
1500 W. Market Street, Suite :  
Mequon, Wisconsin 531  
☎ 262-241-2300 ☐ 262-241-2300  
e-mail lakeside-development@msn.com  
www

Packet Pg. 87

Attachment: Narrative (1575 : Rezoning: Lakeside Development Oriole Lane)

The finest in architecture & construction management

February 2, 2016

Ms. Kimberly R. Tollefson  
Director of Community Development  
1133 N. Cedarburg Road  
Mequon, WI 53092

Dear Kim,

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Respectfully,



Thomas A. Zabjek  
President

c: Jac Zader

enclosures

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1500 W. Market Street, Suite :  
Mequon, Wisconsin 531  
☎ 262-241-2300 ☐ 262-241-2300  
e-mail lakeside-development@msn.com  
www



11333 N. Cedarburg Rd 60W  
Mequon, WI 53092-1930  
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Office of the City Forester

## MEMORANDUM

**TO:** Mequon Plan Commission  
**FROM:** Ken Baker, Mequon City Forester  
**SUBJECT:** Oriole Lane Development  
**OWNER:** Lakeside Development  
**DATE:** March 24, 2016

### Observations:

I, Ken Baker, met with Mr. Zbject numerous times at the site. I located numerous specimen trees on the site. I pointed these out to Mr. Zbject and made some suggestions as to how we could develop this property and still keep within the specimen tree ordinance. It was agreed upon that there would be no specimen trees removed.

### Recommendation:

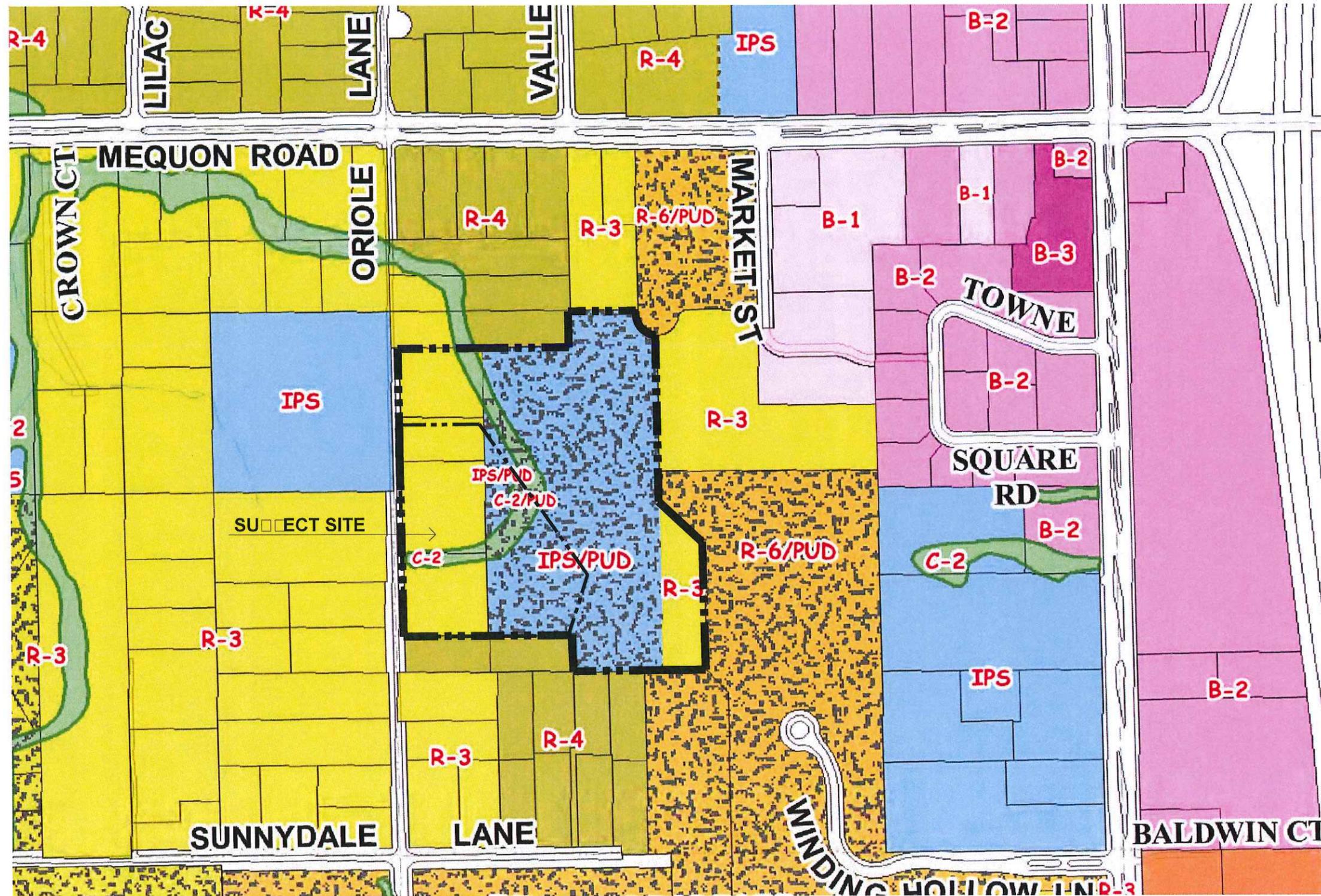
I would require that the specimen trees along the road and the buildable areas, be protected by fencing and signage according to our tree preservation manual.

Thank you,

Ken Baker  
WI-0286 AM  
City of Mequon

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)





**ORIOLE LANE DEVELOPMENT: Existing Zoning Map**  
 Mequon, Wisconsin

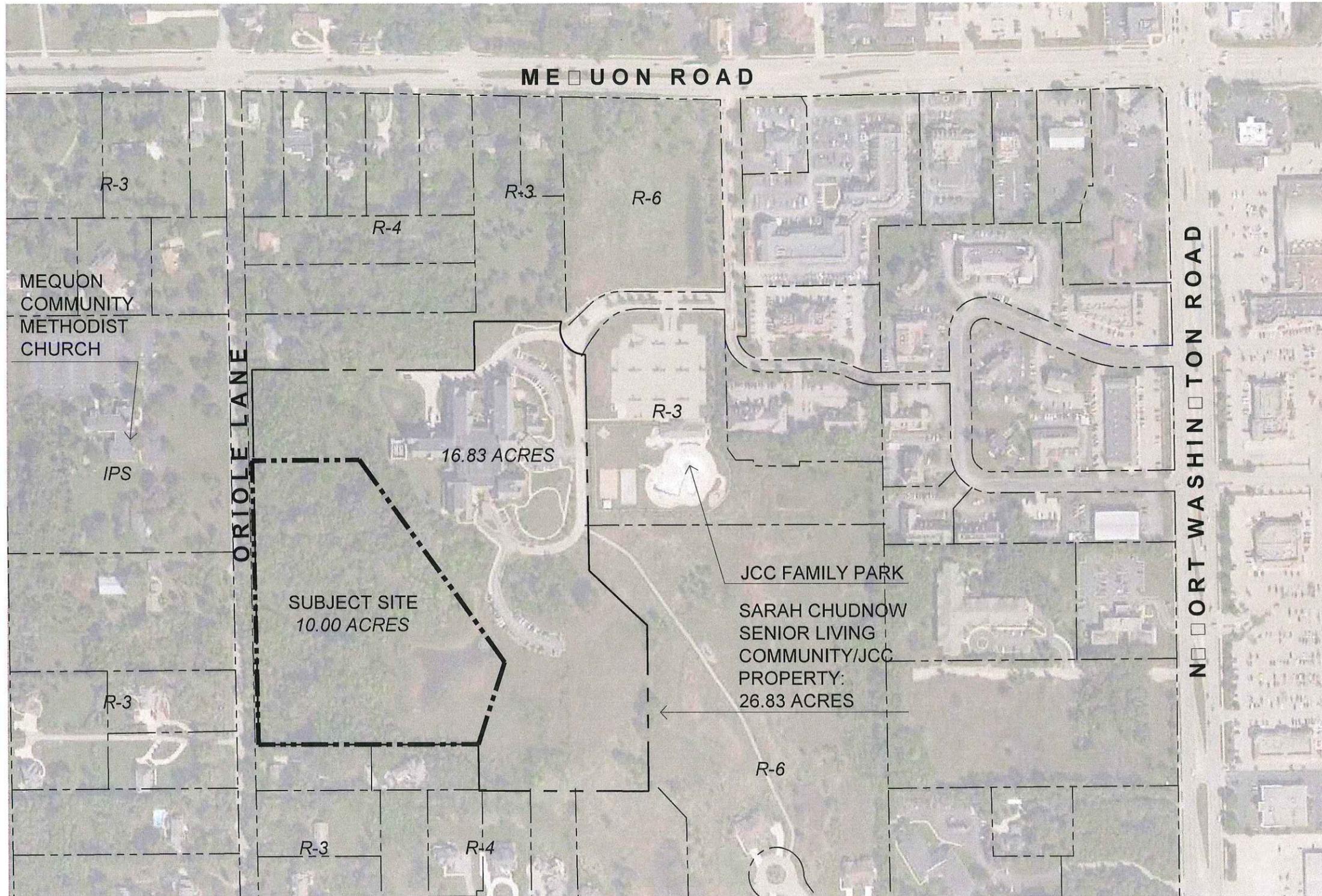


February 01, 2016



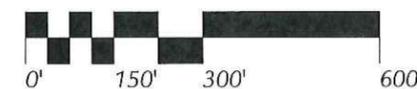
DESIGNED FOR:  
 Lakeside Development Company  
 1500 W. MARKET ST.  
 SUITE 200  
 MEQUON, WI  
 53092

L-1



# ORIOLE LANE DEVELOPMENT: Aerial Context Plan

Mequon, Wisconsin

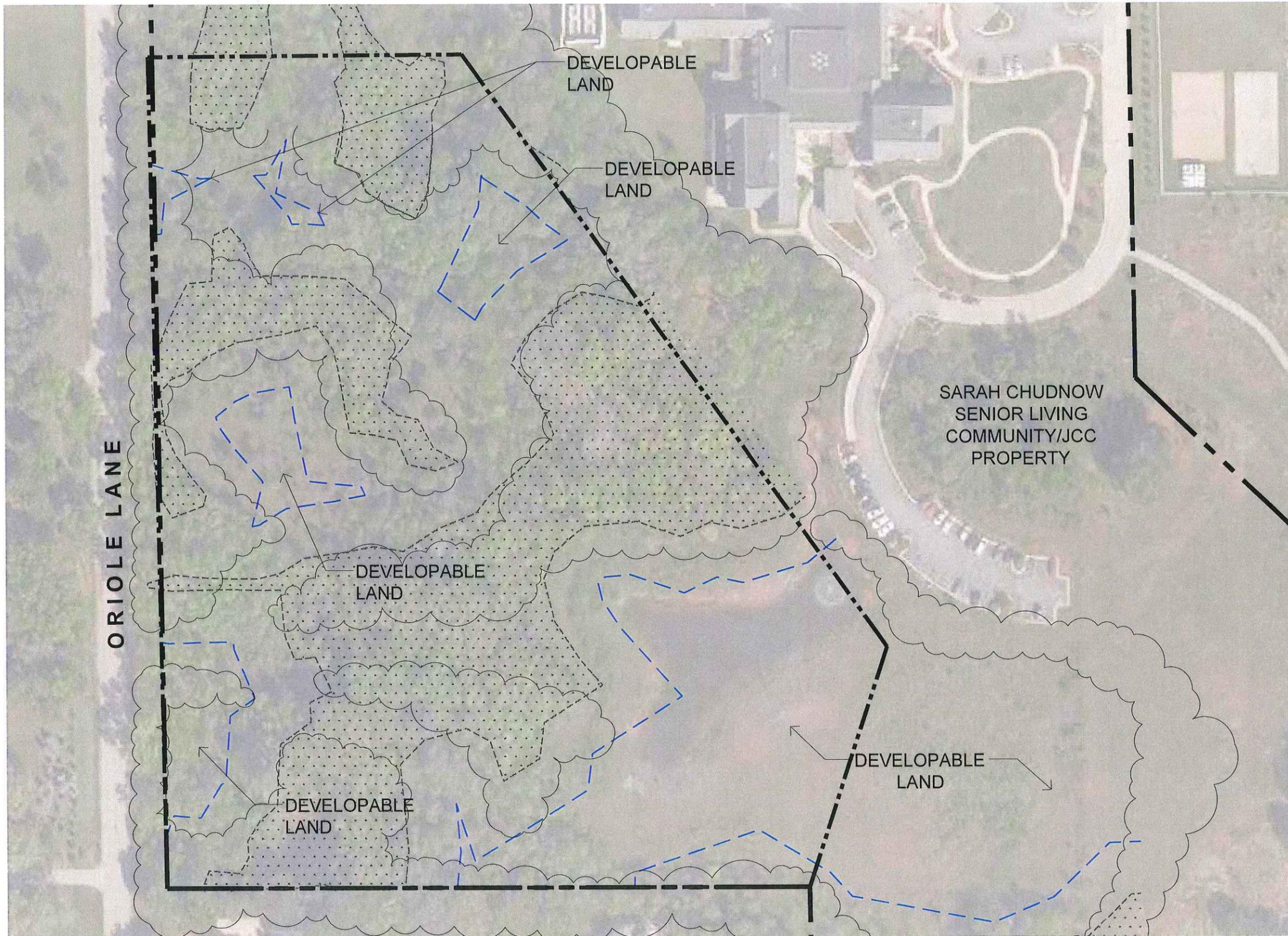


February 01, 2016

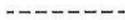


DESIGNED FOR:  
**Lakeside Development Company**  
 1500 W. MARKET ST.  
 SUITE 200  
 MEQUON, WI  
 53092

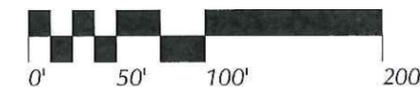
## L-2



LEGEND:

-  Developable Land
-  Wetland
-  Wetland Edge

**ORIOLE LANE DEVELOPMENT:** Development Opportunities / Environmental Preservation Plan Diagram  
 Mequon, Wisconsin



February 01, 2016



DESIGNED FOR:  
**Lakeside Development Company**  
 1500 W. MARKET ST.  
 SUITE 200  
 MEQUON, WI  
 53092

L-3

LEGEND:

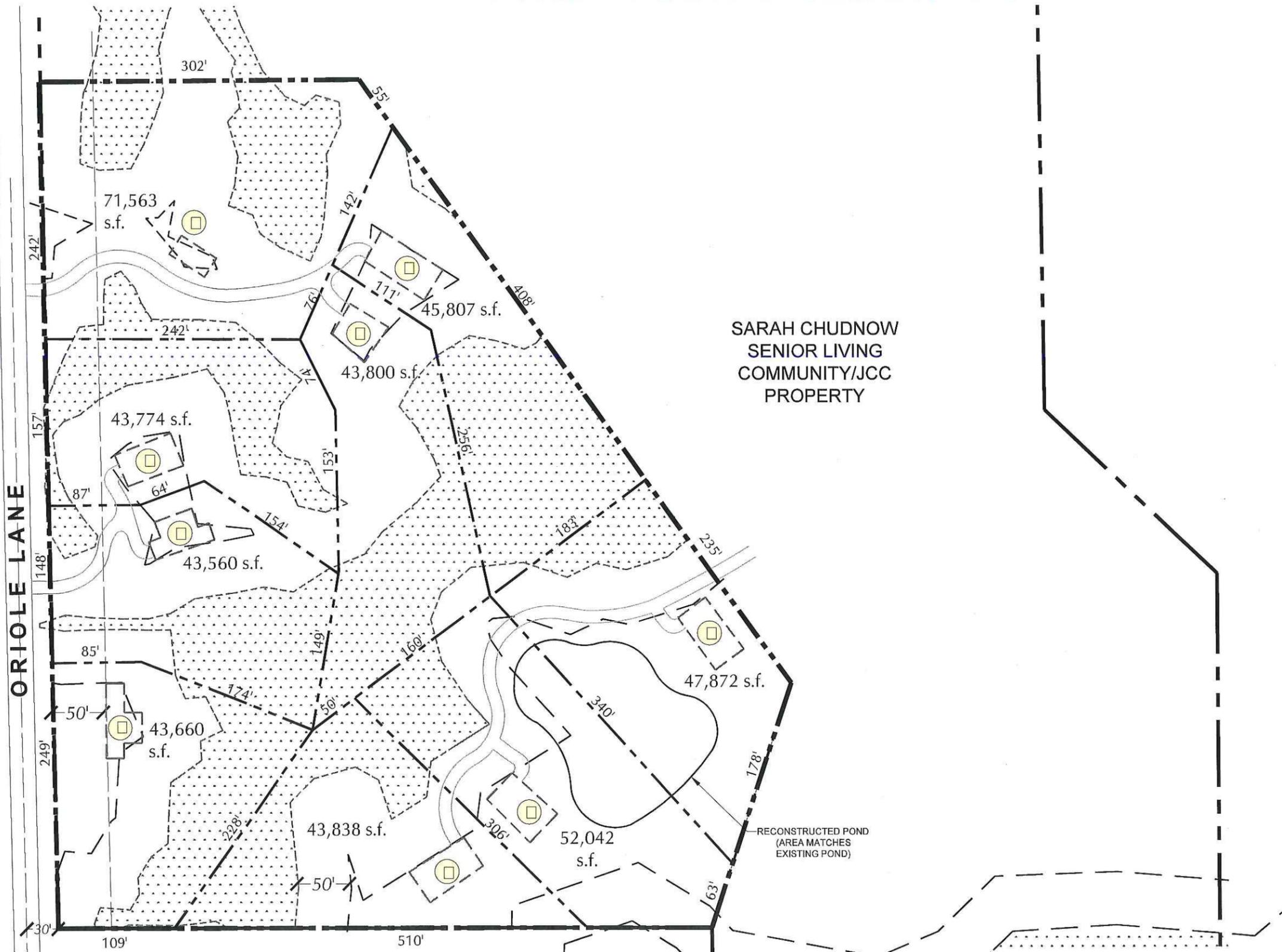
-  Wetland
-  Building Envelope Area
-  Average 2,000 s.f. Prototypical Building Footprint
-  Wetland Edge
-  50' Wetland Buffer Setback

10 ACRE SITE  
R-3 ZONED YIELD PLAN:

- 9 LOTS @ 1.00 AC.
- 150' AVERAGE LOT WIDTH (TYP.)
- BUILDING AREA SETBACKS:  
50' FROM ORIOLE LANE  
20' SIDE AND REAR YARD

\* WETLAND DELINEATION REPORT  
PROVIDED BY TRC SOLUTIONS

L-4

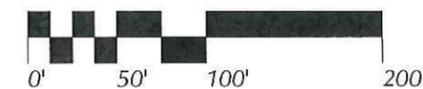


SARAH CHUDNOW  
SENIOR LIVING  
COMMUNITY/JCC  
PROPERTY

RECONSTRUCTED POND  
(AREA MATCHES  
EXISTING POND)

ORIOLE LANE DEVELOPMENT: R-3 Yield Diagram

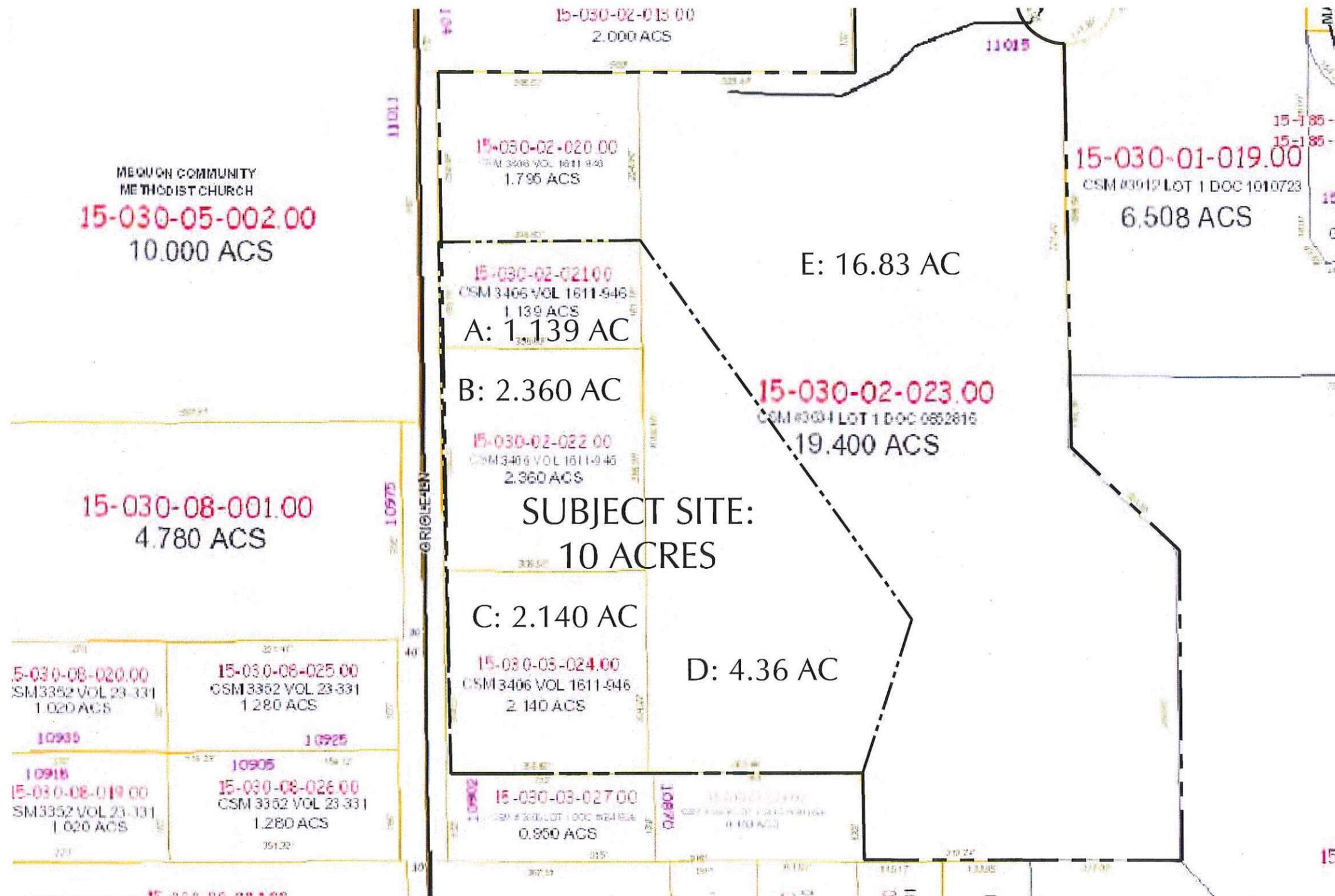
Mequon, Wisconsin



February 01, 2016



DESIGNED BY: Lakeside Development Company  
 1500 W. MARKET ST.  
 SUITE 200  
 MEQUON, WI  
 53092

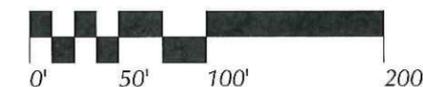


TOTAL AREA:  
26.83 ACRES

\* MAP TAKEN FROM OZAUKEE COUNTY GIS PORTAL

# ORIOLE LANE DEVELOPMENT: Property Lines

Mequon, Wisconsin



February 01, 2016



DESIGNED FOR:  
**LakeSide Development Company**  
 1500 W. MARKET ST.  
 SUITE 200  
 MEQUON, WI  
 53092

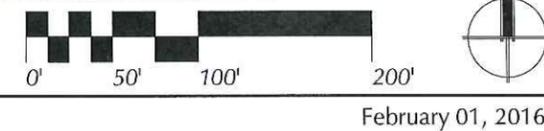
# L-5



LEGEND:

-  Total Overall Sarah Chudnow Community Campus & JCC Property Area: 27.6 Acres  
Sarah Chudnow Community Campus  
-106 Units Existing  
-Modified Property Area: 18.19 Acres
-  Residential Development  
-10.0 Acres  
-9 Homes
-  Proposed Home  
(Within 40' x 60' Building Envelope;  
(With 10' Min. Wetland Offset)
-  Rain Garden / Wetland Buffer  
(5 Total)
-  Wetland Edge
-  Existing Wetland to Remain
-  Existing Wetland to be Mitigated  
(10,000 Sq. Ft. or Less)

**ORIOLE LANE DEVELOPMENT: Site Development Plan**  
Mequon, Wisconsin



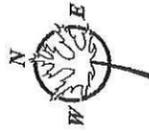
L-6

DESIGNED BY:  **teska**  
DESIGNED FOR:  **Lakeside Development Company**  
1500 W. MARKET ST. SUITE 200  
MEQUON, WI 53092

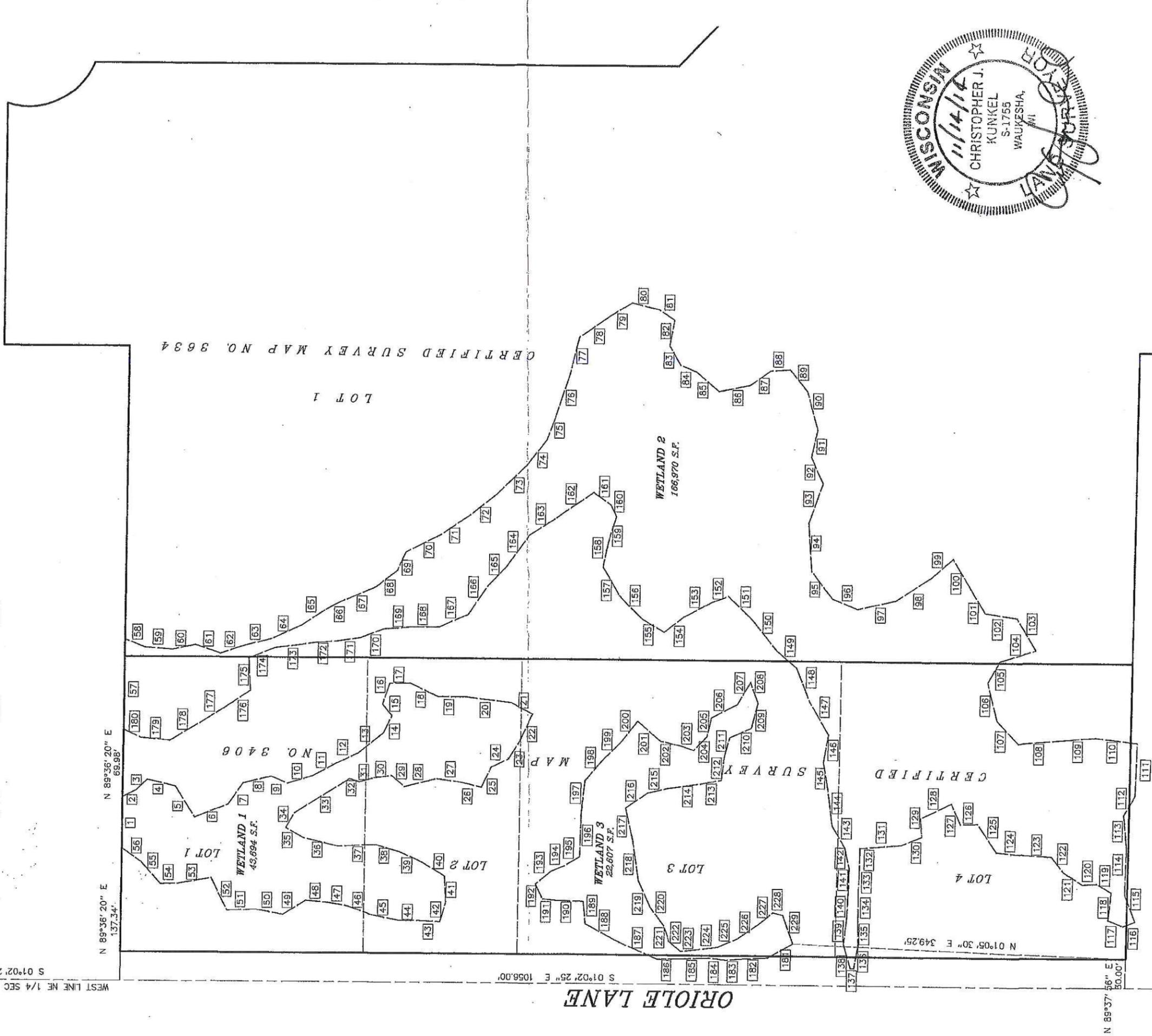
February 01, 2016

# WETLAND MAP

NW CORNER NE  
1/4 SEC 30-9-22

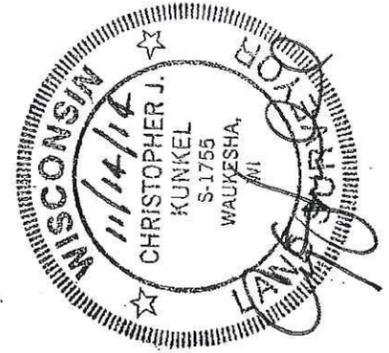


WEST LINE NE 1/4 SEC 30-9-22  
S 01°02'25" E 803.30'  
SCALE: 1"=100'  
0 100' 200' 300'



CERTIFIED SURVEY MAP NO. 3634

CERTIFIED SURVEY MAP NO. 3408



**EDGEWOOD SURVEYING**  
 14195 BEECHWOOD TRAIL • NEW BERLIN • WISCONSIN 53151  
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 EMAIL: edgewoodsurveying@att.net  
 www.edgewoodsurveying.com

**Wetland Delineation Report  
N. Oriole Ln. Parcels  
City of Mequon, Ozaukee County, WI**

*Prepared for:*

**Lakeside Development Company  
1500 W. Market St., Suite 200  
Mequon, WI 53092**

**Kathi Kramasz  
Wisconsin Department of Natural Resources  
Plymouth Service Center  
1155 Pilgrim Road  
Plymouth, WI 53073**

**Rebecca Graser  
U.S. Army Corps of Engineers  
Regulatory Branch  
20711 Watertown Rd., Suite F  
Waukesha, WI 53186**

*Prepared by:*

**TRC Environmental Corporation  
Brookfield, WI  
TRC Project 225201**

**December 2014**

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

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Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

## 1.0 INTRODUCTION

On behalf of Lakeside Development Company Inc., TRC Environmental Corporation (TRC) conducted a wetland delineation within a designated Study Area in select parcels located along the east side of N. Oriole Ln. between Mequon Rd. and W. Sunnydale Ln. (Figure 1, Appendix A). The Study Area is located in part of Section 30, Township 9 north, Range 22 east in the City of Mequon, Ozaukee County, Wisconsin.

The purpose of this wetland delineation was to determine the current location and extent of wetlands located within designated Study Areas for the proposed development of the parcels. Our study is presented here in terms of methodology, results, and conclusions.

The wetland delineation field investigation was conducted by TRC scientists Ron A. Londré (lead investigator), Lesley Brotkowski, and Alex Meehan on September 24, 2014 and solely by Ron A Londré on October 8, 2014.

## 2.0 STATEMENT OF QUALIFICATIONS

TRC provides comprehensive wetland and ecological services including: ecological assessments, wetland assessments, permitting, mitigation site design and monitoring, and restoration. We have conducted hundreds of wetland identification projects. Our teams have extensive professional training and educational backgrounds in wetlands, ecology, biology, and botany.

Mr. Ron A. Londré, PWS, Senior Ecologist, has M.S. and B.S. degrees in biological science with focused studies on plant community ecology from the University of Wisconsin-Milwaukee and the University of Wisconsin-Parkside, respectively. Mr. Londré is certified by the Society of Wetland Scientists as a Professional Wetland Scientist (PWS # 2436) and the Ecological Society of America as a Certified Ecologist. Mr. Londré is also a Certified Wetland Specialist in McHenry County and Lake County, Illinois. He has over nine years professional experience as an ecological consultant specializing in wetland assessments and delineations, wetland and waterway permitting, mitigation site design and monitoring, ecological restoration, water resource studies and management planning, invasive species management, and threatened and endangered species investigations. Previously, Mr. Londré served as a college instructor and research scientist when he taught courses in biological science, environmental science, and botany while conducting research on the forces that structure plant communities and landscape and restoration ecology. Mr. Londré has completed the following wetland delineation technical training workshops: Advanced Wetland Delineation Training Workshop provided by the University of Wisconsin-La Crosse in 2013, Critical Methods in Wetland Delineation Workshop provided by the University of Wisconsin-La Crosse in 2013, Regional Supplement Seminar and Field Practicum provided by the Wetland Training Institute in 2012, Basic Wetland Delineation Training Workshop provided by the University of Wisconsin-La Crosse in 2011, and the

Wetland Delineation Training Workshop provided by the University of Wisconsin-Milwaukee in 2004. Mr. Londré served as the primary investigator for this wetland assessment.

Ms. Lesley Brotkowski, WDNR Assured Wetland Ecologist, earned a Master's Degree in Ecology and Conservation Biology from the University of Illinois at Urbana-Champaign. Ms. Brotkowski has experience with a variety of wetland delineation, habitat assessment, conservation, and restoration projects throughout Wisconsin and has completed the advanced wetland delineation training workshop and field indicators of hydric soils workshops provided by UW-La Crosse. Ms. Brotkowski is a part of the Wetland Delineation Professional Assurance Initiative of the Wisconsin Department of Natural Resources (WDNR). This means her work is assured for purposes of State of Wisconsin wetland delineations.

Mr. Alex Meehan, Biological Technician, has experience with wetland delineations, wildlife surveys, native plant habitat restoration, and invasive species management in Wisconsin. Mr. Meehan conducts wetland delineations and has been involved with invasive plant identification and management. He provides field assistance, data collection, and reporting.

### 3.0 REGULATORY DEFINITIONS

The current U.S. Army Corps of Engineers (USACE) regulatory definition of wetlands is "areas inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and [which] under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (USACE 1987). A wetland must possess the following three diagnostic environmental characteristics:

1. Hydrophytic vegetation. The prevalent vegetation must consist of macrophytes that are typically adapted to areas having hydrologic and soil conditions described in the wetland definition (above). That is, they must be adapted to actively grow in saturated soils.
2. Hydric soil. Soils must be present or they must possess characteristics that are associated with reducing soil conditions.
3. Hydrology. The area must be inundated either permanently or periodically at mean water depths less than or equal to 6.6 feet, or the soil must be saturated to the surface at some time during the growing season of the prevalent vegetation.

Professional judgment may also be used to make qualified assessments of a site when diagnostic environmental characteristics are masked, significantly disturbed, or naturally problematic.

Under Section 404, the USACE regulates all "waters of the United States" (WOUS), which includes: all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; all interstate waters, including interstate wetlands; the territorial seas; all impoundments

of a traditional navigable water, interstate water, the territorial seas or a tributary; all tributaries of a traditional navigable water, interstate water, the territorial seas or impoundment; all waters, including wetlands, adjacent to a traditional navigable water, interstate water, the territorial seas, impoundment or tributary; and on a case-specific basis, other waters, including wetlands, provided that those waters alone, or in combination with other similarly situated waters, including wetlands, located in the same region, have a significant nexus to a traditional navigable water, interstate water or the territorial seas.

In addition to Section 404, Section 281.36 of Wisconsin Statutes regulates all wetlands that are regulated under Section 404, including some wetlands that would not be regulated under Section 404, particularly wetlands that may be considered as "isolated" under Section 404. Such wetlands are defined as "nonfederal wetlands" in the Wisconsin Statutes.

#### 4.0 METHODS

##### STANDARDS AND ANALYSIS OF EXISTING DOCUMENTS

This delineation was conducted in accordance with the guidelines of the Corps of Engineers Wetland Delineation Manual (Environmental Laboratory, 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0, 2010) and in general accordance with Wisconsin Department of Natural Resources guidelines (WI Department of Administration, WI Coastal Management Program, 1995). National Wetland Indicator status and taxonomic nomenclature is referenced from The National Wetland Plant List (Lichvar 2014). National Wetland Indicator status is based on the Midwest Region.

Prior to conducting fieldwork, TRC scientists reviewed several maps including the United States Geological Survey (USGS) 7.5' Quadrangle maps, Wisconsin Wetland Inventory Map, Natural Resource Conservation Service (NRCS) Soil Survey Map, and aerial photographs. These sources were used to identify areas likely to contain wetlands.

Precipitation data from approximately 90 days prior to the field investigation was obtained from a weather station near the Study Area and compared with 30-year average precipitation data obtained from a NRCS WETS Table for the County where the Study Area was located to determine if antecedent hydrologic conditions at the time of the site visit were normal for the time of the year.

##### FIELD INVESTIGATION

Areas having wetland field indicators within the Study Area were evaluated in the field by TRC wetland scientists. Data points were located in areas exhibiting wetland and upland characteristics to document the presence and/or absence of wetlands and to provide support for the delineated wetland boundaries. At each data point, data were collected to document the

vegetation, soils, and indicators of wetland hydrology. The wetland boundaries were staked using wire pin flags and when needed flagging tape. Wetland boundaries were generally determined by distinct to subtle differences in the abundance of hydrophytic vegetation and non-hydrophytic vegetation, presence versus absence of hydric soil indicators and wetland hydrology indicators, and apparent topographic breaks.

**5.0 RESULTS**

**MAP AND INFORMATION REVIEW**

The USGS topographic map (Figure 1, Appendix A) indicated that the topography of the Study Area was relatively flat. Based on the 2 foot contour data from Ozaukee Counties public GIS mapping website, land elevations ranged from 686 to 700 feet above sea level with the majority of the Study Area being between 686 and 690 feet above sea level.

The Wisconsin Wetland Inventory (WWI) map (Figure 2, Appendix A) depicted two wetlands within the Study Area. The types of wetland shown on the WWI map include S3K (scrub / shrub; broad-leaved deciduous; wet soil, palustrine) and W0Hx (Open water; subclass unknown; standing water, palustrine; excavated) which appears to be a storm water pond.

According to the NRCS Soil Survey map (Figure 3, Appendix A) three mapped soil units are located within the Study Area. The types of mapped soils and their hydric classifications are listed on Table 1 below.

**Table 1. Mapped Soils**

Map Unit Symbol	Taxonomic Classification	Hydric Classification
MaA	Manwa silt loam, 1-3% slopes	Partially hydric
KnB	Kewaunee silt loam, 2-6% slopes	Partially hydric
Lu	Loamy land	Partially hydric

A review of aerial photographs from 2005 through 2011 (Figures 4-6) showed that the land appeared to be mostly wooded with no detectable land use changes within the Study Area.

The SEWRPC Environmental Corridor Map (Figure 7, Appendix A) does not depict any Environmental Corridors within the Study Area.

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

The SEWRPC Land Use Map (Figure 8, Appendix A) shows the Study Area to be comprised of agricultural and other open lands, wetlands, and surface water. Based on a review of aerial photographs, agricultural does not reflect the current land type.

## **PRECIPITATION**

According to the Midwestern Regional Climate Center cli-MATE database, the total precipitation from a nearby weather station (GERMANTOWN, WI3058) for the 14 days prior to the field investigation on September 24<sup>th</sup> was 0.97 inches and 1.09 inches the 14 days prior to the field investigation on October 8<sup>th</sup>. The most recent rainfall event prior to September 24<sup>th</sup> was 0.07 inches, which occurred on September 22<sup>nd</sup>. The most recent rainfall event prior to October 8<sup>th</sup> was 0.01 inches, which occurred on October 6<sup>th</sup>. The total precipitation for the 90 days prior to September 24<sup>th</sup> was approximately 6.31 inches. The total precipitation for the 90 days prior to October 8<sup>th</sup> was approximately 5.63 inches. The precipitation data for the 90 day period preceding the dates of the field investigations (Appendix B) and precipitation data from a nearby WETS station (GERMANTOWN, WI3058) were entered into WETS analysis worksheets (Appendix B) to determine whether antecedent hydrologic conditions were within a normal range for the time of the year the field investigations occurred. Based on this analysis, the precipitation total for the 90 days prior to both dates of the field investigations were considered to be below a normal range, suggesting that the surface or near-surface hydrology at the time of the site visit was not normal and that hydrologic conditions during the site visit were not typical. Based on our professional judgment and the nature of the wetlands identified and delineated, the below average rainfall is not a factor in the determination or delineation.

## **FIELD INVESTIGATION OF WETLANDS**

### **Site Description**

The Study Area was comprised of undeveloped parcels with naturally occurring vegetation. Plant communities within the Study Area included an immature hardwood forest, upland and wetland meadows, scrub shrub, and hardwood swamp. The Study Area was bordered on the north and south by residential properties, on the east by the Jewish Community Center property, and on the west by N. Oriole Ln. The Study Area was approximately 10 acres in size.

### **Wetlands**

Three wetlands (Wetland 1 through Wetland 3) were delineated. The delineated wetland boundaries and sample points are shown on a map (Exhibit A) in Appendix C. Photographs were taken at sample points and other notable locations (Appendix D). Data were collected and recorded on Wetland Determination Data Forms at twelve data points to document wetland and upland locations (Appendix E).

### Wetland 1

Wetland 1 was approximately 3.82 acres within the Study Area and extended outside of the Study Area to the north, south, and east. Wetland 1 consisted predominantly of a deciduous hardwood swamp and scrub shrub plant communities with small pockets of wet meadow habitat. Three wetland data points (DP-2, DP-6, and DP-10) were taken within Wetland 1 and four upland data points (DP-1, DP-3, DP-9, and DP-7) were taken in adjacent upland areas.

The dominant vegetation within Wetland 1 included *Fraxinus pennsylvanica* (green ash) in the tree stratum, *Rhamnus cathartica* (common buckthorn) in the shrub stratum, and a variety of different hydrophytes (see data forms for a list) in the herb stratum at each data point. Hydrology appeared to be sustained mainly by surface water and to a lesser extent rain water. Hydrology indicators that were observed at the wetland data points in Wetland 1 included a high water table, saturated soils, drainage patterns, geomorphic position, and a positive FAC-neutral test. Hydric soil indicators observed at the wetland data points included redox dark surface and depleted matrix.

The boundary of Wetland 1 was based on subtle topographic breaks, the boundary between the presence and absence of hydric soil, the boundary between the presence and absence of wetland hydrology indicators, and a subtle difference in the abundance of hydrophytes versus non-hydrophytes. Hydrophytic plant communities tended to extend beyond the wetland boundary into uplands along portions of the boundary and were less useful in determining the location of the boundary.

### Wetland 2

Wetland 2 was approximately 0.51 acres and contained entirely within the Study Area. Wetland 2 was comprised of a deciduous hardwood swamp. One wetland data point (DP-5) and one upland data point (DP-4) were taken to document wetland and adjacent upland locations.

The dominant vegetation in Wetland 2 included *Fraxinus pennsylvanica* in the tree stratum and at data point DP-5 *Rhamnus cathartica*, *Cornus alba* (red osier dogwood), and *Fraxinus pennsylvanica* were the major dominants in the shrub stratum with *Scirpus atrovirens* (dark-green bulrush), *Carex stipata* (common fox sedge), and *Cornus alba* the major dominants in the herb stratum. Hydrology appeared to be sustained mainly by surface water and to a lesser extent rain water. Hydrology indicators observed at the wetland data point included water marks, sparsely vegetated concave surface, oxidized rhizospheres on living roots, geomorphic position, and a positive FAC-neutral test. Hydric soil indicators observed at the wetland data point included redox dark surface.

The boundary of Wetland 2 was based on subtle to distinct topographic breaks, the boundary between the presence and absence of hydric soil, the boundary between the presence and absence

of wetland hydrology indicators, and a subtle difference in the abundance of hydrophytes versus non-hydrophytes. Hydrophytic plant communities tended to extend beyond the wetland boundary into uplands along portions of the boundary and were less useful in determining the location of the boundary.

### Wetland 3

Wetland 3 was approximately 1.01 acres within the Study Area and extended a short distance north beyond the Study Area. The wetland was comprised predominantly of deciduous hardwood swamp with a small pocket of wet meadow near the north Study Area boundary. Two wetland data points (DP-8 and DP-12) and two upland data points (DP-7 and DP-11) were taken in wetland and adjacent upland locations.

The dominant vegetation observed at the wetland data points included *Fraxinus pennsylvanica*, *Salix nigra* (black willow), and *Populus tremuloides* (quaking aspen) in the tree stratum, *Fraxinus pennsylvanica*, *Rhamnus cathartica*, and *Cornus racemosa* (grey dogwood) in the shrub stratum, and *Phalaris arundinacea* (reed canary grass) and *Carex stricta* (tussock sedge) in the herb stratum. Hydrology appeared to be sustained mainly by surface water and to a lesser extent rain water. Hydrology indicators observed at the wetland data points included water marks, a sparsely vegetated concave surface, geomorphic position, and a positive FAC-neutral test. Hydric soil indicators observed at the wetland data points included redox dark surface and thick dark surface.

The boundary of Wetland 3 was based on subtle topographic breaks, the boundary between the presence and absence of hydric soil, the boundary between the presence and absence of wetland hydrology indicators, and a subtle difference in the abundance of hydrophytes versus non-hydrophytes. Hydrophytic plant communities tended to extend beyond the wetland boundary into uplands along portions of the boundary and were less useful in determining the location of the boundary.

### Uplands

Data Points DP-1, DP-3, DP-4, DP-7, and DP-9 were located in upland areas. Generally, upland plant communities were comprised of a deciduous hardwood forest and upland meadows. There was a relatively high proportion of hydrophytes observed within upland areas.

## 6.0 CONCLUSIONS

Based on the wetland assessment completed by TRC, three wetland areas (Wetland 1 through Wetland 3) totaling approximately 5.34 acres were identified within the Study Area.

There were no waterways identified within the Study Area.

The results of this field study are based on site conditions at the time of the field study, which was conducted in accordance with current regulatory policy and methods. Unknown and future conditions that affect observations of field indicators, and change in interpretation of regulatory policy or methods, may modify future findings.

The ultimate authority to determine the location of the wetland boundary and jurisdictional authority over the wetlands and waterways identified in this report resides with the USACE and WDNR. Decisions made by staff of these regulatory agencies may result in modifications to the location of the wetland and/or waterway boundaries shown in this report.

TRC recommends that coordination with the USACE and the WDNR be conducted prior to implementing any activity that is in near proximity or is within wetlands or waterways to determine if a permit would be needed to perform the activity.

## 7.0 REFERENCES

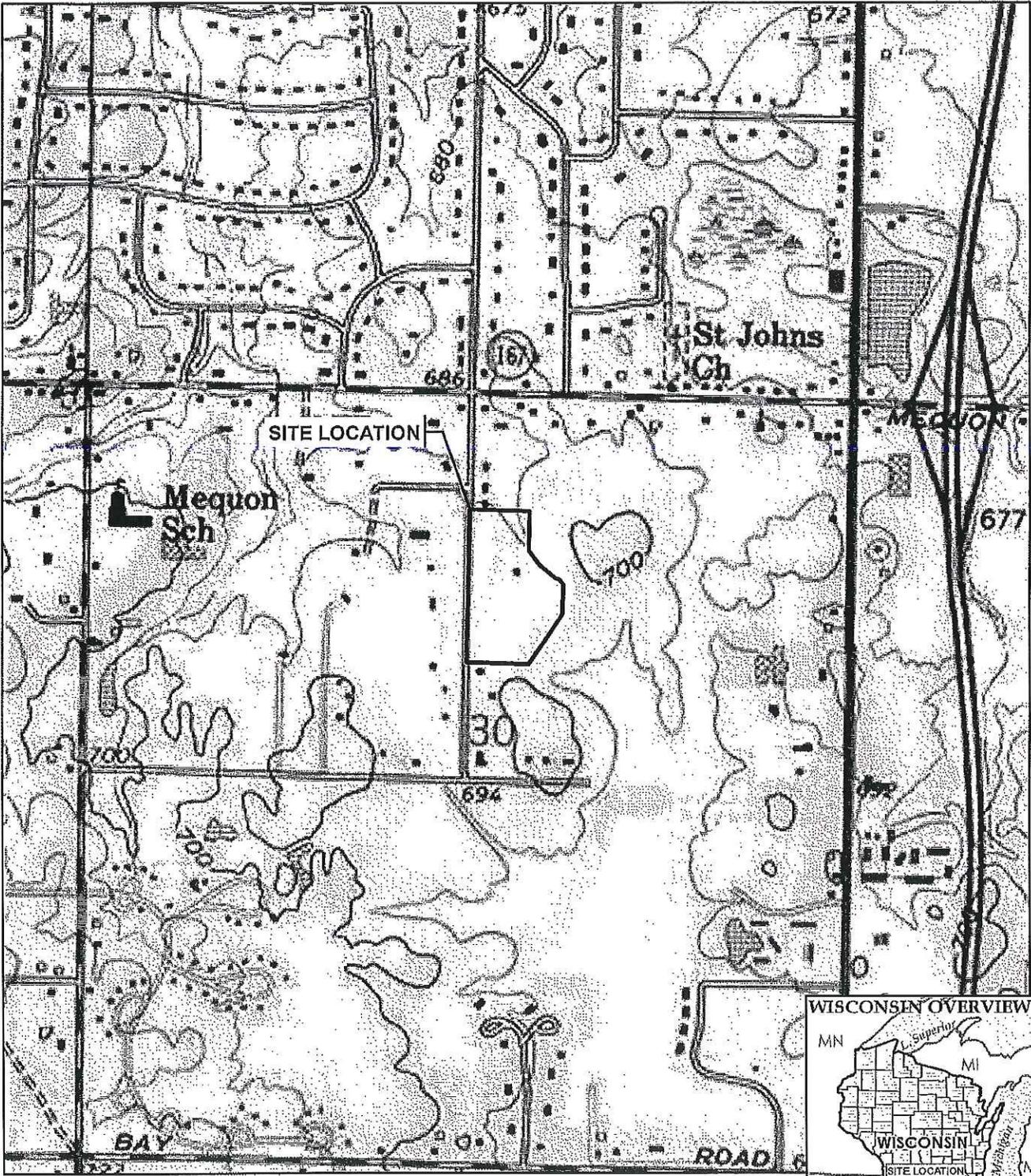
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- Lichvar, R.W. 2014. *The National Wetland Plant List: 2014 wetland ratings*. Phytoneuron 3013-29: 1-241.
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<http://maps.sewrpc.org/regionallandinfo/regionalmapping/RegionalMaps/viewer.htm>
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- USDA Natural Resources Conservation Service Web Soil Survey  
<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
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<http://www.wcc.nrcs.usda.gov/climate/wetlands.html> )
- Woodward , Donald E., ed. 1997. Hydrology Tools for Wetland Determination, Chapter 19. Engineering Field Handbook. U.S. Department of Agriculture, Natural Resources Conservation Service, Fort Worth, TX.
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- Wisconsin Department of Natural Resources Surface Water Data Viewer Web Mapping Application <http://dnrmapping.wi.gov/imf/imf.jsp?site=SurfaceWaterViewer>

**APPENDIX A  
FIGURES**

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

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TRC - GIS



BASE MAP FROM USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE SERIES.



Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

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708 Heartland Trail  
 Suite 3000  
 Madison, WI 53717  
 Phone: 608.826.3600

**NORTH ORIOLE LANE PARCELS  
 WETLAND DELINEATION  
 CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN**

**SITE LOCATION MAP**

DRAWN BY:	RHODE B
APPROVED BY:	
PROJECT NO:	225201
FILE NO.	225201-001slm.mxd
DATE:	DECEMBER 2014

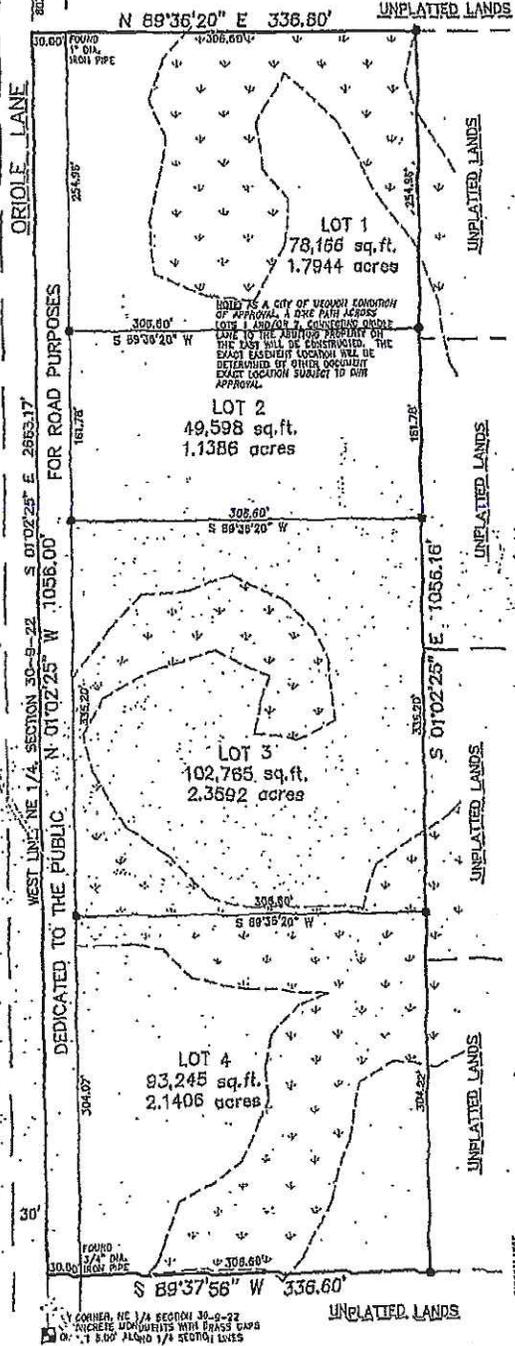
737013

3406

U-2-611P948

### CERTIFIED SURVEY MAP NO.

PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30,  
TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN



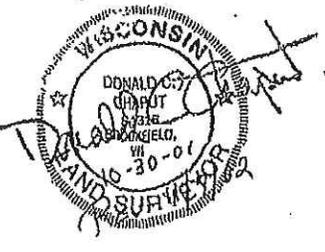
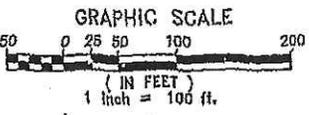
#### VICINITY MAP



INDICATES 1.315" OUTSIDE DIAMETER IRON PIPE SET, 24" LONG, WEIGHING 1.68 LBS. PER LINEAL FOOT.

INDICATES WETLANDS FLAGGED BY MURN-ENVIRONMENTAL ON 2/13/98

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27), THE WEST LINE OF THE NE 1/4 OF SECTION 30 HAS A BEARING OF S 01°02'25" E.



National Survey & Engineering

Telephone 262-761-4000  
Facsimile 262-761-8468

8745 W. Glenside Road  
Suite 200  
Brookfield, WI 53005-2000  
800-328-8200  
81002901501111-1111

PAGE 1 OF 4 PAGES

15-030-03-020-00 \*  
15-030-02-018-00 \*  
15-030-03-019-00 \*

WEST LINE NE 1/4 SECTION 30-9-22 S 01°02'25" E 2853.17'  
DEDICATED TO THE PUBLIC N 01°02'25" W 1056.00'  
FOR ROAD PURPOSES

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 30, Town 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN )  
                                  )SS  
WAUKESHA COUNTY     )

I, DONALD C. CHAPUT, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 30, Town 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin, which is bounded and described as follows:

COMMENCING at the Northwest corner of said Northeast 1/4 Section; thence South 01°02'25" East along the West line of said Northeast 1/4 Section 803.30 feet to the point of beginning; thence North 89°36'20" East 336.60 feet to a point; thence South 01°02'25" East 1056.16 feet to a point; thence South 89°37'58" West 336.60 feet to the West line of said Northeast 1/4 Section; thence North 01°02'25" West along said West line 1056.00 feet to the point of beginning.

THAT I have made the survey, land division and map by the direction of MEQUON PARK CORPORATION, owner.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Ordinances of the City of Mequon.

October 30, 2008  
DATE

*Donald C. Chaput*  
DONALD C. CHAPUT,  
REGISTERED LAND SURVEYOR  
WISCONSIN  
No. 81316  
LAND SURVEYOR

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

3406

V1611P948

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 30, Town 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

MEQUON PARK CORPORATION, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said corporation caused the land described on this map to be surveyed, divided, mapped, and dedicated as represented on this map.

MEQUON PARK CORPORATION as owner, do further certify that this map is required by S. 236.20 or 236.12 to be submitted to the following for approval or objection: City of Mequon

IN Witness Whereof MEQUON PARK CORPORATION has caused these presents to be signed by Jay R. Roth, Executive V. P. at Milwaukee, Wisconsin, this 31st day of October, 2001.

In the presence of: MEQUON PARK CORPORATION  
Jay R. Roth  
Jay R. Roth, Executive Vice President

STATE OF WISCONSIN )  
                                  )SS  
Milwaukee COUNTY )

PERSONALLY came before me this 31st day of October, 2001, Jay R. Roth of the above named corporation, to me known as the person who executed the foregoing instrument, and to me known to be the Executive V. P. of the corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of the corporation, by its authority.

Robin J. Dan (SEAL)  
Notary Public, State of Wisconsin  
~~My commission expires~~  
My commission is permanent.



Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 30,  
Town 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

CITY OF MEQUON PLANNING COMMISSION APPROVAL

APPROVED by the City of Mequon Planning Commission this 14th day of November, 2001, and  
*As Amended on December 19, 2012.*

*Christine Mueser*  
CHAIRPERSON

*[Signature]*  
SECRETARY

RECORDED

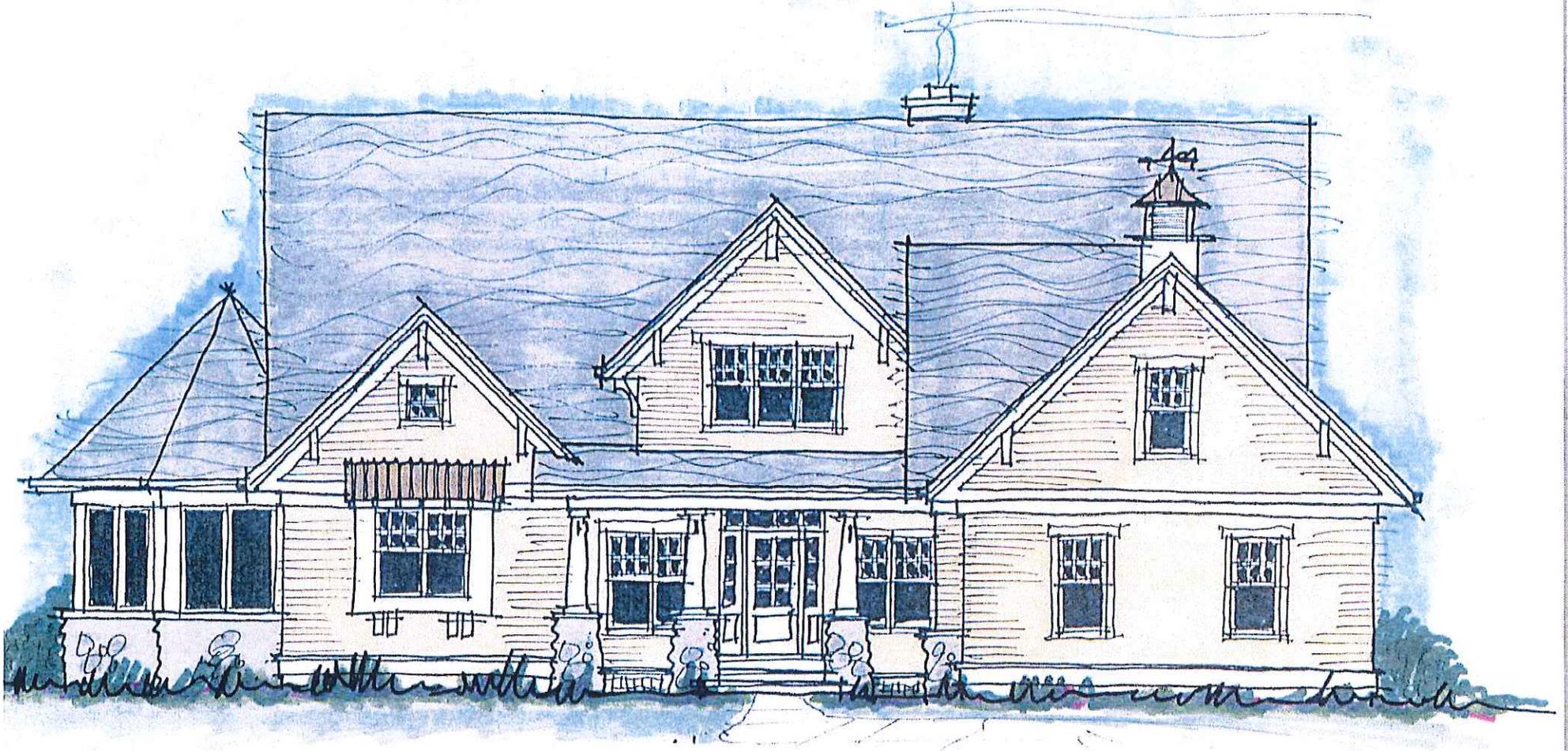
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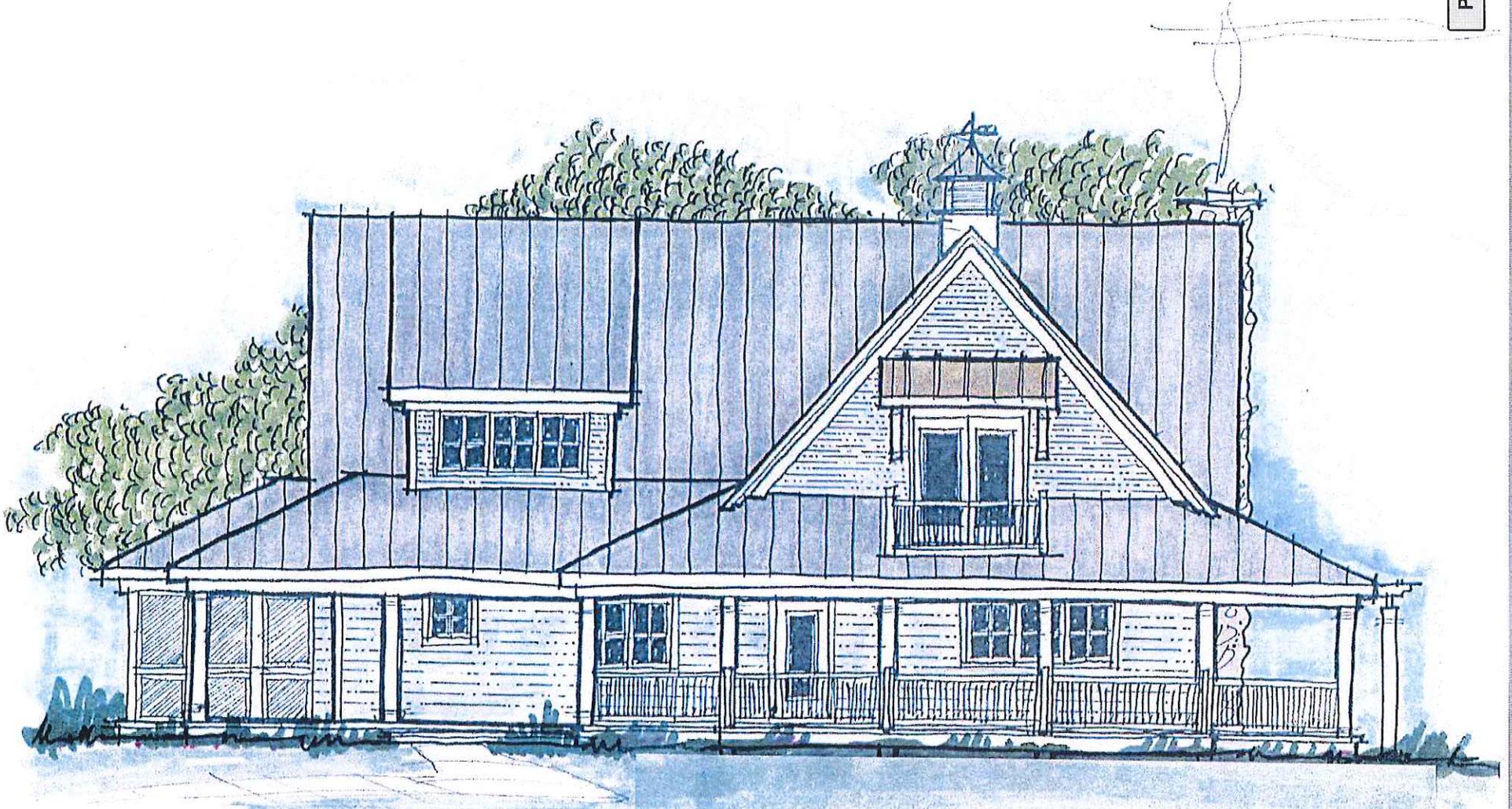
*Ronald H. Long*  
REGISTER OF DEEDS  
OZAUKEE COUNTY, WI



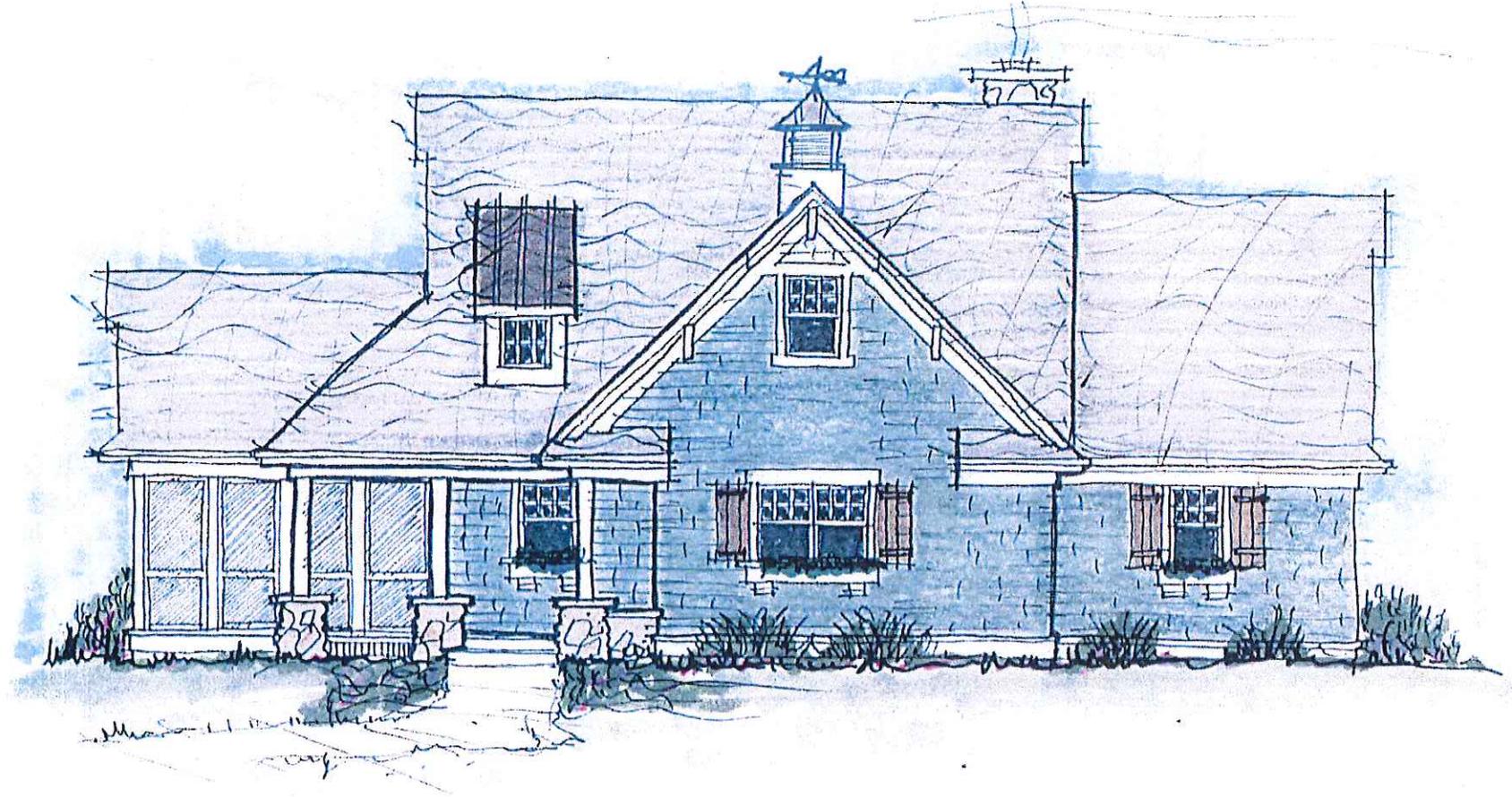
THIS INSTRUMENT WAS DRAFTED BY DONALD G. CHAPUT,  
REGISTERED LAND SURVEYOR S-1316

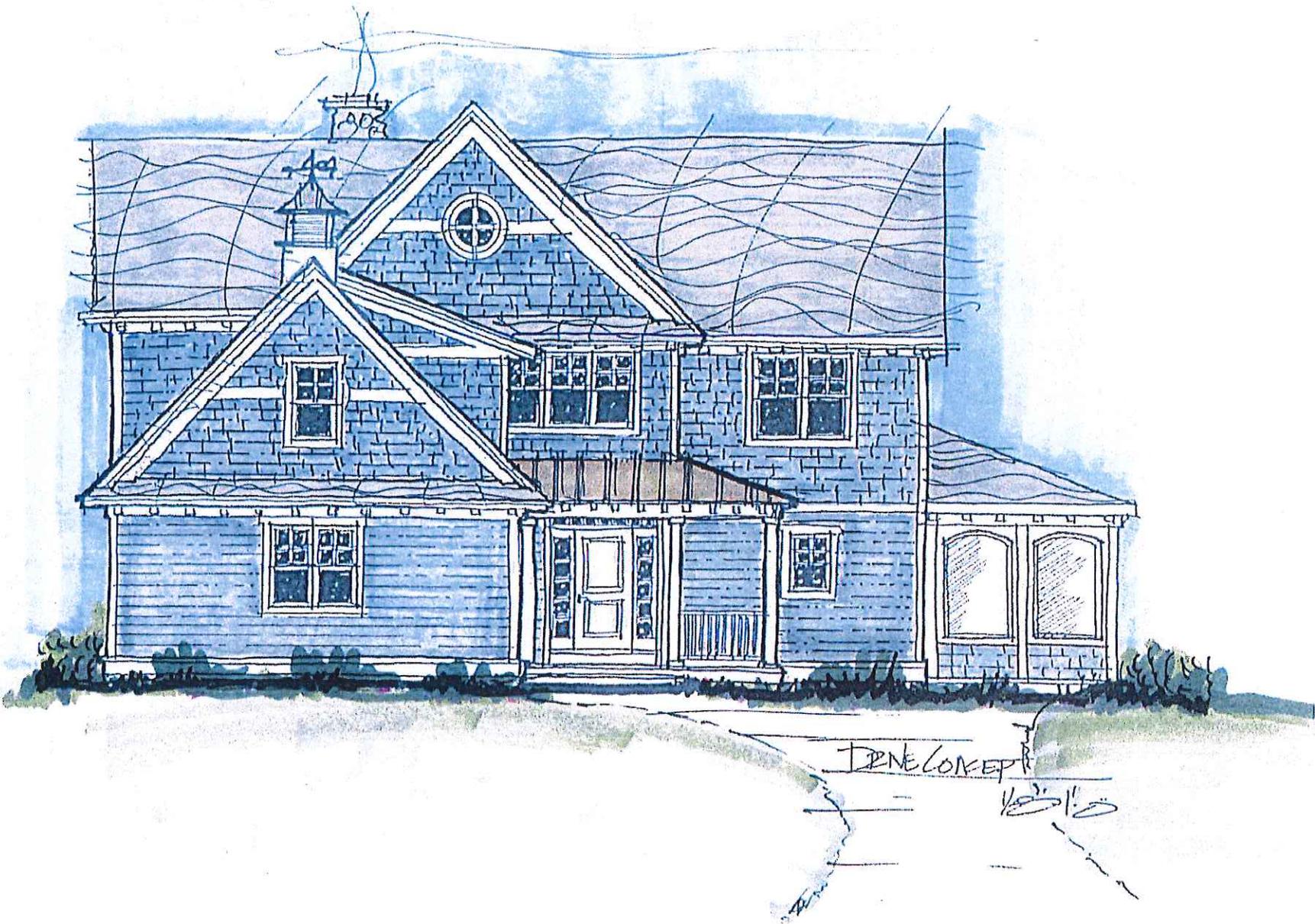
Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)



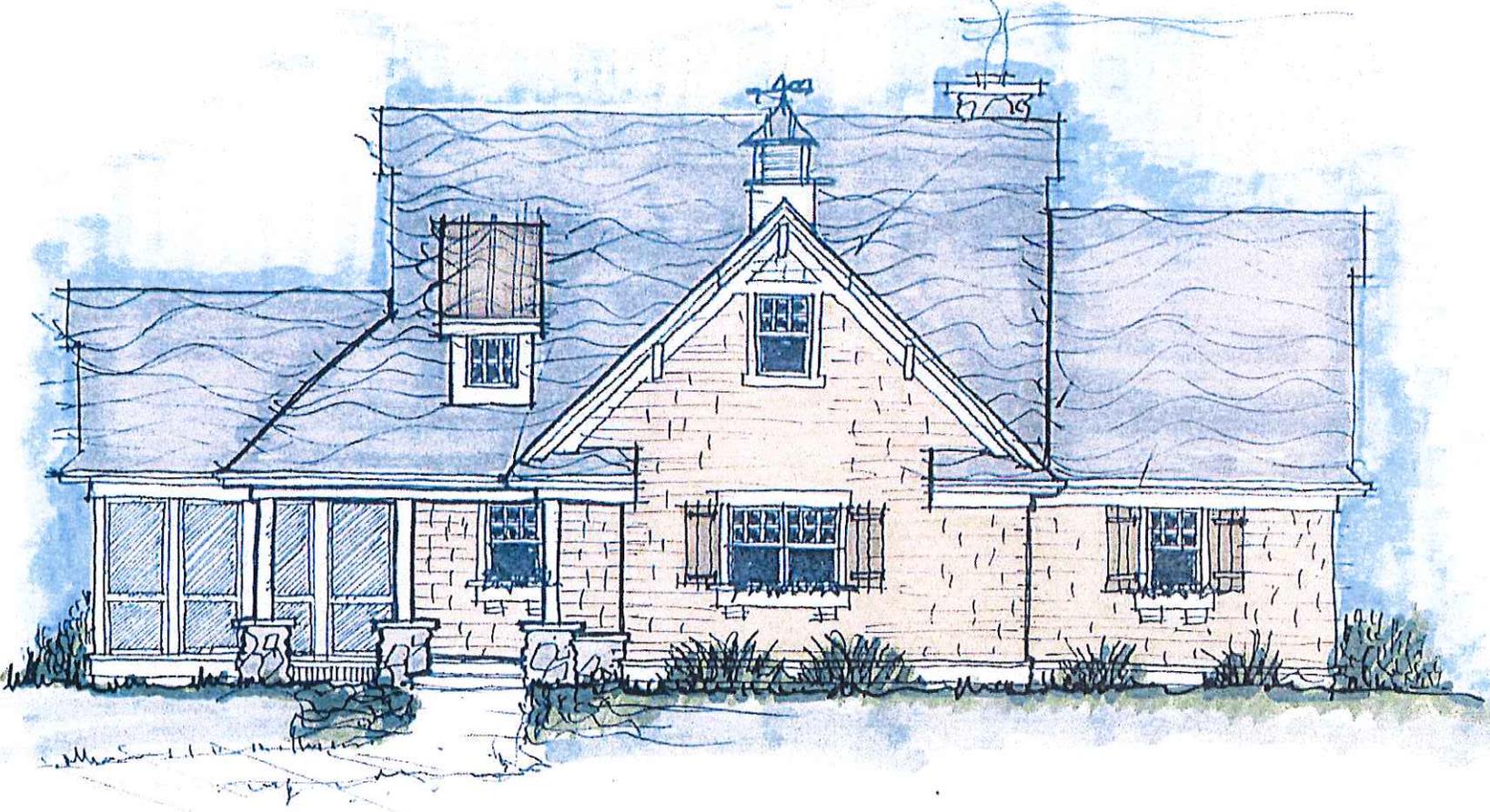


ORIOLE LANE DEVELOPMENT

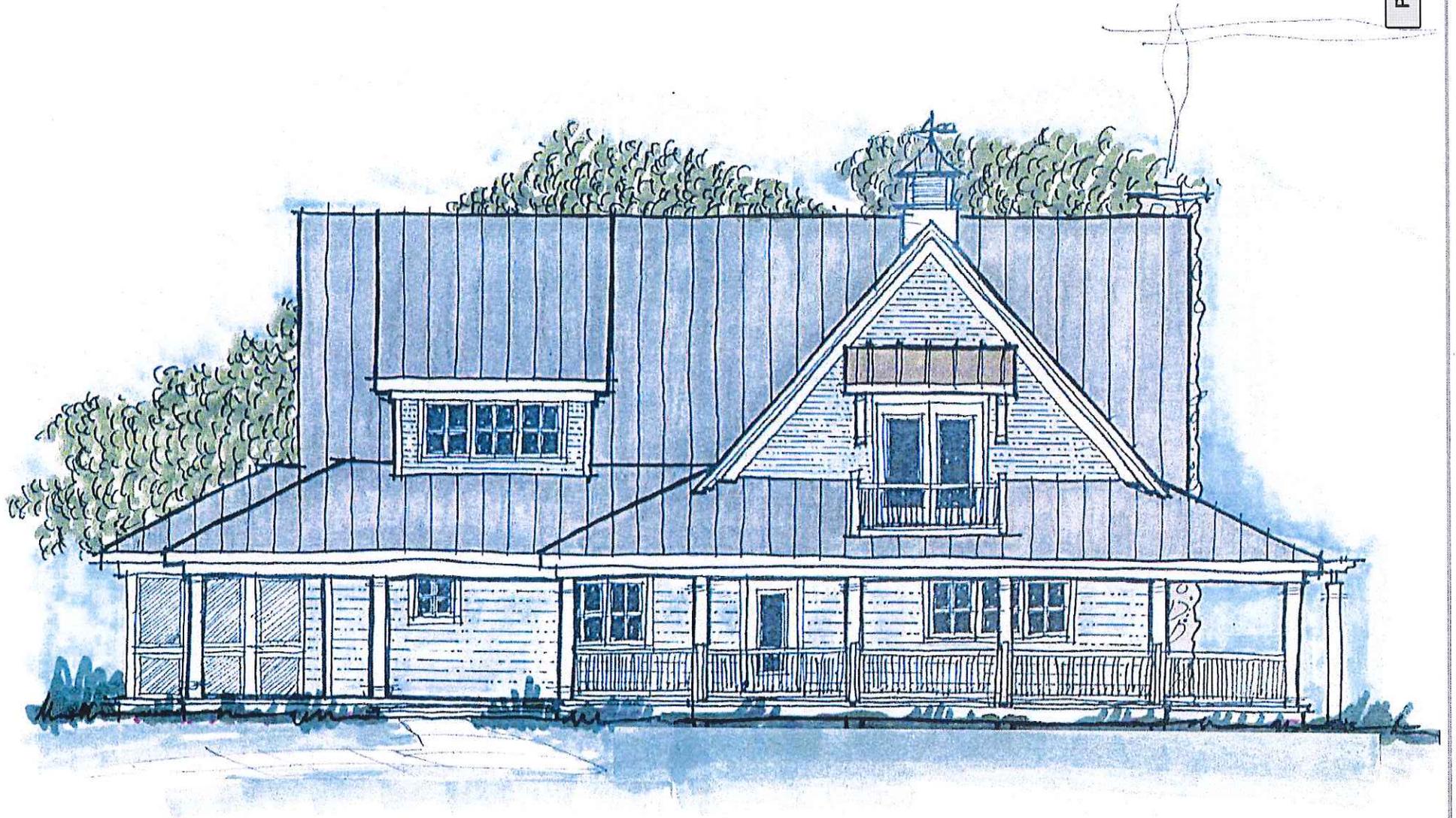




ORIOLE LANE DEVELOPMENT ORIOLE LANE







0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

# Resident Feedback

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

**Jac Zader**

---

**From:** Harriet Resnick <hmresnick@gmail.com>  
**Sent:** Tuesday, February 02, 2016 4:19 PM  
**To:** Jac Zader  
**Subject:** Lakeside Development-Oriole Ia.

I shall be out of the State on Feb.8  
however,I would like to cast my Vote AGAINST this Project!  
I reside in HIDDEN RESERVE and if you  
wish to contact me my phone is:  
262-242-1516

Thank You for Your Kind Attentiona

Sent from my iPhone

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

Jac Zader

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**From:** Julie Carpenter <carpjulie@wi.rr.com>  
**Sent:** Tuesday, February 02, 2016 5:38 PM  
**To:** Jac Zader; Kimberly Tollefson; John Hawkins  
**Subject:** City Planning Commission and Alderman Hawkins

Gentlemen and Ms. Tollefson,

Since we am unable to attend the Planning Commission meeting on Monday, February 8<sup>th</sup>, we would like to express our grave concern for the proposed rezoning and development of 12 acres representing

the last remaining natural and wetlands area on the east side of Oriole Lane. The development of 9 lots and homes on this parcel would have a significantly negative impact on the natural and wildlife communities in this area. Fox, deer and a huge variety of birds inhabit this area. Destruction of this natural habitat would diminish property values for current home owners for the gain of additional tax revenue.

At some point, we in Mequon must adhere to the values that make our community livable and desirable. Please consider denying this rezoning change and maintain the natural habitat of our community.

Thank you,  
John and Julie Carpenter

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

**Jac Zader**

---

**From:** Maryglen Kieckhefer <mgkieck@aol.com>  
**Sent:** Wednesday, February 03, 2016 8:35 AM  
**To:** Jac Zader  
**Subject:** Development on Oriole Lane

We are very concerned about the planned development on Oriole Lane. This is a natural wetlands area and serves as a buffer between what is becoming an overabundance of commercial development on Mequon Road and our residential community. There is way too much development happening in Mequon, especially commercial, and it is changing our Mequon community. We filled out a survey a year or so ago and the published results dictated that some new development was warranted to help increase our tax base, but not too much. This hasn't happened. There is so much new construction going on, especially on Mequon Road and Port Washington Road. We don't want to have our community become the new Bluemound Road area of the east. Our taxes have not been significantly reduced due to the increased tax base. Please vote no for this latest development proposal.

Thank you,  
Maryglen and Robert Kieckhefer  
1903 W. Hidden Reserve Road  
Mequon, WI 53092

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

**Kimberly Tollefson**

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**From:** Gaylord Dean Smith <dean350@ameritech.net>  
**Sent:** Saturday, January 30, 2016 1:04 PM  
**To:** Kimberly Tollefson; John Hawkins  
**Cc:** Mequon Nature Preserve  
**Subject:** RE: Residential Development on Oriole Lane

I note that this project is scheduled for a Planning Commission meeting Monday, February 8, 2016 at 7:00 p.m.

Would one or both of you kindly ensure that there is a firm commitment to remove the buckthorn from this property? I really struggle to remove this invasive species from our five-acre property across (west) the street as required by a City ordinance and good citizenship. Having a property near me with an infestation of buckthorn makes my compliance with this ordinance ever more challenging (and expensive), given the ability to propagate across streets and property lines.

If complying with my request is somehow not actionable kindly investigate whether the property owner (Lakeside Development Company?) will grant me permission to remove at least the mature female (berry producing) buckthorn tree directly across (east) the street from our driveway entrance at 10975 N Oriole Lane in Mequon. If desired, I would be willing to directly request this permission of the property owner if you can provide a name and contact information.

Again, assuming DNR approval regarding the wetlands on the property involved, I wish to re-express my support for the rezoning request. The land use involved proposed appears to be well conceived.

Finally, I would like to avoid attending the above-mentioned Planning Commission meeting. When I retired from a career in Human Resource management in 2004 I promised myself that I would thereafter attend as few meetings as feasible, my patience with time-consuming meetings being exhausted prior to my retirement. I suspect that you may at least mildly empathize with these feelings.

Thank you,  
 G. Dean Smith  
 10975 N Oriole Lane  
 Mequon, WI 53092-4913  
 H: 262-242-0788  
 M: 414-943-0788

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

**Robin Buzzell**

---

**Subject:** Proposed Development on Oriole Lane

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**From:** Rick Frank [mailto:rick.frank@yahoo.com]  
**Sent:** Thursday, February 04, 2016 8:37 AM  
**To:** Jac Zader  
**Cc:** Kimberly Tollefson  
**Subject:** Proposed Development on Oriole Lane

Dear Mr. Zader,

We live in Hidden Reserve. We are very concerned with the planned development on the east side of Oriole Lane just south of Mequon Rd. So much of the valuable wetlands in our area have been destroyed or damaged, including the Sarah Chudnow campus, Children’s Hospital, and the neighboring two family developments.

Increasing population density also increases traffic. There is plenty of single family development underway in other parts of Mequon that are under-populated where additional home construction would not be so damaging and disruptive.

Sincerely,

Richard Frank  
10632 N Hidden Reserve Circle  
Mequon  
262-227-4334

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

**Robin Buzzell**

---

**Subject:** FW: proposed development on Oriole Lane/District 6

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**From:** Barbara Frank [mailto:barbara.frank32@gmail.com]  
**Sent:** Wednesday, February 03, 2016 4:50 PM  
**To:** Jac Zader  
**Cc:** Kimberly Tollefson  
**Subject:** proposed development on Oriole Lane/District 6

Dear Mr. Zader,

We live in Hidden Reserve. I'm upset at the idea of development of 12 acres in District 6 close by our home, on the east side of Oriole Lane just south of Mequon Rd. So much of the valuable wetlands in our area have been destroyed or damaged, including the Sarah Chudnow campus, Children's Hospital, and the neighboring two family development.

Also, I oppose increasing the population density, to say nothing of the traffic, in our area. There is plenty of single family development underway in other parts of Mequon that are under-populated.

Barbara Frank  
10632 N Hidden Reserve Circle  
Mequon

Barbara Frank  
262-389-0130

Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

**Robin Buzzell**

---

**From:** Kimberly Tollefson  
**Sent:** Friday, February 05, 2016 12:48 PM  
**To:** Jac Zader; Robin Buzzell  
**Cc:** Mayor  
**Subject:** FW: proposed development

**From:** Werner Richheimer [<mailto:wrichheimer@gmail.com>]  
**Sent:** Friday, February 05, 2016 12:06 PM  
**To:** Kimberly Tollefson  
**Subject:** proposed development

To members of the planning board:

My wife Carol and I are very concerned about the proposed development of 12 acres representing the last remaining natural and wetlands area on the east side of Oriole Lane just north of Hidden Reserve. We are very much against this development going forward.

Thank you, Werner Richheimer

[wrichheimer@gmail.com](mailto:wrichheimer@gmail.com)

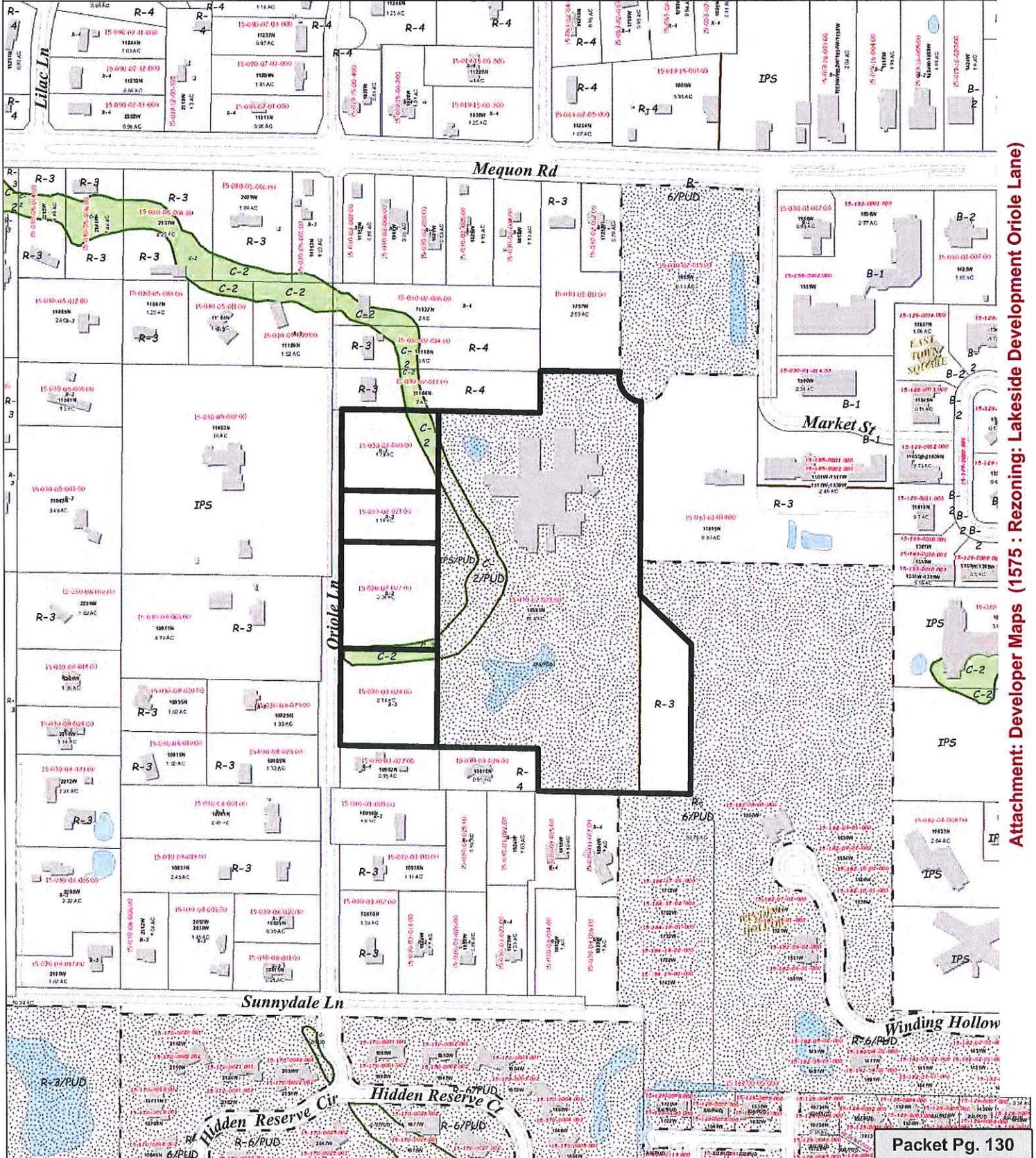
Attachment: Developer Submittal (1575 : Rezoning: Lakeside Development Oriole Lane)

# ITEM #11 - Tom Zabjek for Lakeside Development Company/ Oriole Lane

- AC Arrival Corridor
- A-1 Agricultural Preserve
- A-2 General Agricultural
- B-1 Neighborhood Business
- B-2 Community Business
- B-3 Office & Service Business
- B-4 Business Park
- B-5 Light Industrial
- B-6 Rural Industrial
- B-7 Rural Business
- C-1 Shoreland/Wetland Conservancy
- C-2 General Conservancy
- CGO Central Growth Overlay
- FFO Flood Fringe Overlay
- FW Floodway
- IPS Institutional & Public Service

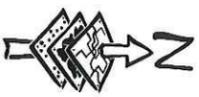
- LTD Limited Use
- OA Agricultural Overlay
- PUD Planned Unit Development Overlay
- P-1 Park & Recreation
- R-1 Single-Family Residential (5 Ac. Min.)
- R-1B Single-Family Residential (2.5 Ac. Min.)
- R-2 Single-Family Residential (2.0 Ac. Min.)
- R-2B Single-Family Residential (1.5 Ac. Min.)
- R-3 Single-Family Residential (1.0 Ac. Min.)
- R-4 Single-Family Residential (3/4 Ac. Min.)
- R-5 Single-Family Residential (1/2 Ac. Min.)
- R-6 Single-Family Residential (4 du/Ac)
- RM Multi-Family Residential
- TC Town Center
- TDR Transfer of Development Rights

6.a.c



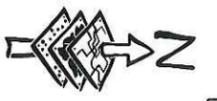
Attachment: Developer Maps (1575) : Rezoning: Lakeside Development Oriole Lane

# ITEM #11 - Tom Zabjek for Lakeside Development Company/Oriole Lane



Attachment: Developer Maps (1575 : Rezoning: Lakeside Development Oriole Lane)

# ITEM #2 - Tom Zabjec for Lakeside Development Company /Oriole Lane



Attachment: Area Map No.1 (1575 : Rezoning: Lakeside Development Oriole Lane)



11333 N. Cedarburg Rd  
 Mequon, WI 53092-1930  
 Phone: 262-236-2902  
 Fax: 262/242-9655

www.ci.mequon.wi.us

Office of Community Development

**TO: Common Council**  
**FROM: Kim Tollefson, Director of Community Development**  
**DATE: April 12, 2016**  
**SUBJECT: An Ordinance Amending a Planned Unit Development (PUD) approval for the Sarah Chudnow Campus Located at 10995 N. Market Street Reducing the Overall Site Acreage from 19.4 to 16.9 Acres**

### **Background**

The applicant is requesting a rezoning amendment for the Sarah Chudnow Campus, a continuum of care facility located at 10995 N Market Street. The development was approved as part of a Planned Unit Development in 2002 (Ordinance 2002-1049) and amended in 2014 (Ordinance 2014-1434). The approved plan consisted of 100 living units with different levels of care. All the public improvements have been installed and all units have been constructed. The proposed amendment reduces the overall PUD site area by 2.5 acres.

### **PUD Amendment**

The PUD amendment reduces the overall site area by 2.5 acres to allow an adjacent site, located on Oriole Lane to utilize the 2.5 acres for a residential development that Lakeside Development is proposing. The existing PUD states that the overall maximum density for the Sarah Chudnow campus shall be 5.75 units per acre. Upon removal of the 2.5 acres from the overall land area, the density increases to 5.94 units per acre. The increase in density is negligible, and well within the parameters of other approved facilities of similar character. As a reference, the Newcastle Campus has a density of 6.89 units an acre.

It is expected that the Planning Commission, and the Common Council will take action on this amendment in concert with the action associated with the Ordinance amendment by Lakeside Development for a 10 acre property located immediately south of 11104 Oriole Lane.

### **Planning Commission Recommendation on February 8, 2016**

The Planning Commission tabled this item at its meeting on February 8, 2016.

Action on this item was tabled by the Planning Commission because it was requested the developer of the Lakeside Development project evaluate the environmental conditions present at the 10 acre property located immediately south of 11104 Oriole Lane.

**Planning Commission Recommendation on April 11, 2016**

The Planning Commission recommendation is forthcoming on April 11, 2016.

Attachments:

Developer Submittal (PDF)

Area Map No.1 (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

An Ordinance Amending a Planned Unit Development (PUD) approval for the Sarah Chudnow Campus Located at 10995 N. Market Street Reducing the Overall Site Acreage from 19.4 to 16.9 Acres

**SECTION I:**

Following recommendation of the Planning Commission on the 11<sup>th</sup> day of April, 2016, and after due notice and hearing by the Common Council of the City of Mequon on the 10th day of May, 2016, Ordinance #2002-0149 and #2014-1434, which created a planned unit development zoning overlay is hereby amended as follows:

- The overall site area shall remain 16.9 acres
- The overall density shall remain 5.94 units / acre
- The ordinance does not take effect until evidence of the land transfer associated with the Amendment by Lakeside Development for a 10 acre property located immediately south of 11104 Oriole Lane occurs.

**SECTION II:**

All other ordinances or parts of ordinances contravening the terms of this ordinance are hereby and to that extent repealed.

**SECTION III:**

This ordinance shall take effect and be in full force upon its passage and the day after publication.

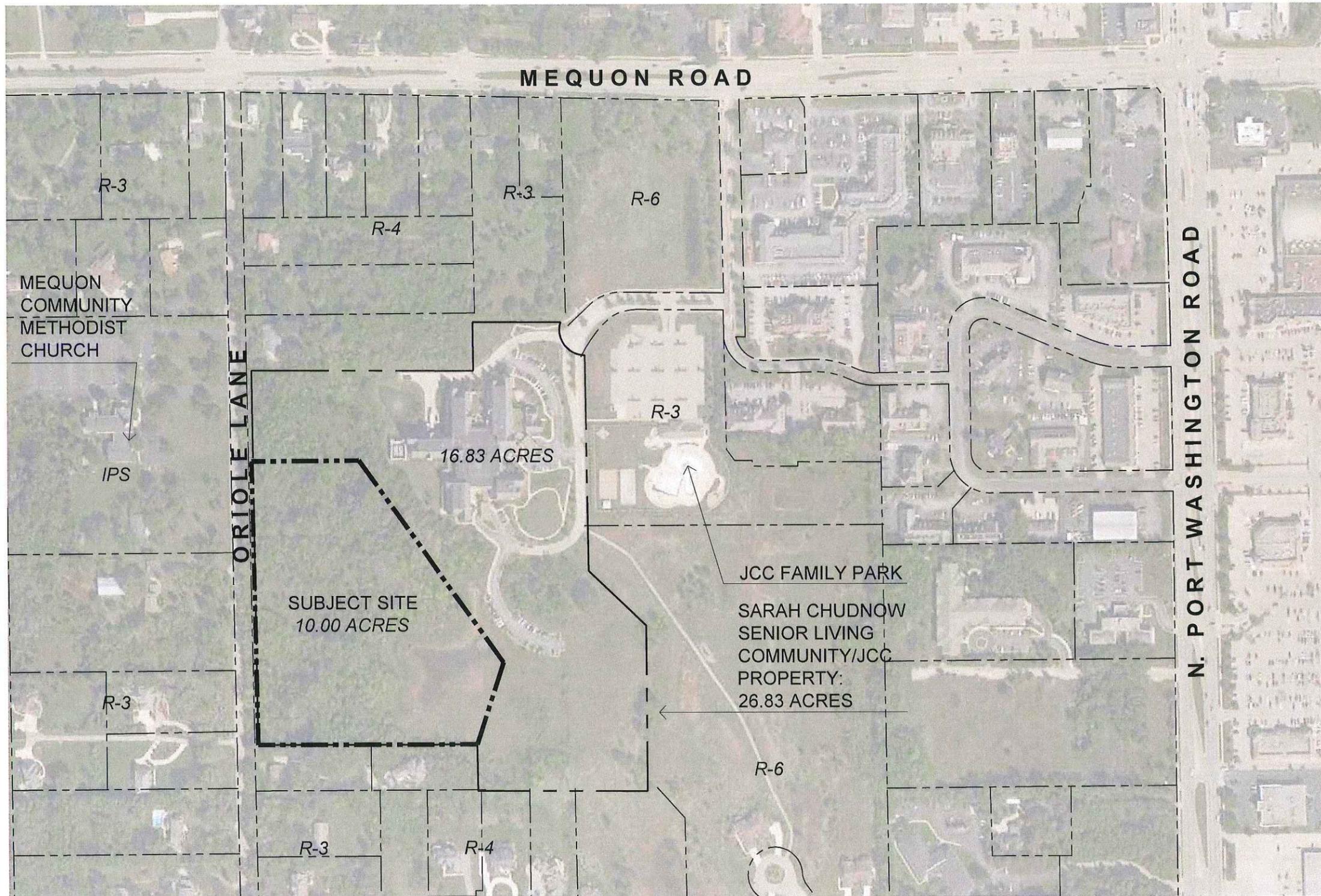
\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

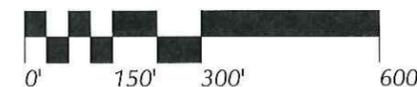
\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_



# ORIOLE LANE DEVELOPMENT: Aerial Context Plan

Mequon, Wisconsin



February 01, 2016

DESIGNED BY:



teska  
627 Grove Street  
Evanston, Illinois

DESIGNED FOR:



Lakeside Development Company  
1500 W. MARKET ST.  
SUITE 200  
MEQUON, WI  
53092

# L-2

**COMMON COUNCIL  
OF THE  
CITY OF MEQUON**

ORDINANCE NO. 2002-1049

**To amend the map portion of the "Development Ordinance of the City of Mequon" (i.e., Chapter 3) with respect to 17.4 acres of land located south of 1737 W. Mequon Road (Mequon Jewish Terrace)**

THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I. Following recommendation of the Planning Commission on the 5<sup>th</sup> day of August, 2002, and after due notice and hearing by the Common Council of the City of Mequon on the 17<sup>th</sup> day of September, 2002, the existing and official City of Mequon district zoning maps are hereby amended so as to change the zoning classification of property as legally described in Exhibit A from R-4 (i.e., ¾-acre, single-family residential) and C-2 (general conservancy) to IPS (institutional), PUD (planned unit development) and C-2 subject to the following special considerations:

1. The developer is entitled to a maximum density of 5.75 units per acre (i.e., 100 living units) distributed in the following manner:
  - Independent living (41 units)
  - Assisted living (25 units)
  - Nursing home (20 units)
  - Hospice care (5 units)
  - Memory care (9 units)
2. Final site plan, architectural plan, landscaping plan, open space management/stewardship plan, lighting plan, and signage plan details, and all subsequent amendment thereto, shall be subject to conditional use grant approval by the Planning Commission, and shall be additionally subject to review and approval by the Common Council.
3. Grading, drainage, erosion control, and other engineering plans are subject to Engineering Department review and approval. The Engineering Department reserves the right to consult with private engineering firms on these matters.
4. Road improvements at the intersection of Mequon Road and Market Street are subject to Wisconsin Department of Transportation approval and are to be funded by the applicant/developer.
5. Development impact adjacent to the wetland areas shall be subject to appropriate Wisconsin Department of Natural Resources and U.S. Army Corps of Engineers approval.
6. Any substantial change to the general concept plans illustrated in the attached exhibits shall require appropriate amendment to this ordinance and, if necessary, the approved conditional use grant.
7. Potable water for this development shall be provided by WE Energies Water Services.
8. Specimen trees, as identified by the City Forester, shall not be damaged or destroyed as a result of this development without appropriate approval by the City.

Attachment: Developer Submittal (1574 : PUD Amendment Sarah Chudnow)

- 9. The Common Council shall approve a "fees in-lieu of taxes" agreement with the developer prior to this ordinance taking effect.
- 10. The developer shall fund the installation of wiring for a future signal at the intersection of Mequon Road and Market Street in accordance with the Wisconsin Department of Transportation and City of Mequon Engineering Department review and approval.
- 11. The developer shall fund a traffic study investigating the need and/or warrant for signalization at the intersection of Mequon Road and Market Street. The traffic engineer conducting the study shall be contracted by the City of Mequon and the study shall be conducted approximately one (1) year from the date of occupancy permitting.
- 12. Cost for installation of a future signalized intersection shall be assessed to area-wide development based on the development's proportionate share of impact necessitating signalization.

SECTION II: All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION III: This ordinance shall take effect and be in full force upon its passage, publication, and Common Council approval of a "fee in-lieu of taxes" agreement.

Approved: \_\_\_\_\_  
Christine Nuernberg, Mayor

Date Approved: \_\_\_\_\_

This is to certify that the foregoing ordinance was adopted by the Common Council of the City of Mequon, Wisconsin at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Lee Szymborski, City Clerk

Published: \_\_\_\_\_

Attachment: Developer Submittal (1574 : PUD Amendment Sarah Chudnow)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

ORDINANCE NO. 2014-1434

To amend the map portion of the "Development Ordinance of the City of Mequon" (i.e., Chapter 3) with respect to 19.4 acres of land located at 10995 W Market Street. This Ordinance serves to amend previously approved Ordinance 2002-1049 regarding the Sarah Chudnow Campus

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THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1. Following recommendation of the Planning Commission on the 8<sup>th</sup> day of September 2014, and after due notice and hearing by the Common Council of the City of Mequon on the 14<sup>th</sup> day of October 2014, previously approved Ordinance 2002-1049 shall be amended so as to change the total number of living units and the number of units designated per type of care.

1. Ordinance 2002-1049 Section 1, Condition 1 shall read as follows:

The developer is entitled to a maximum density of 5.75 units per acre distributed in the following manner:

- Independent living (45 units)
- Assisted care (remaining units)

2. The building footprint and exterior shall remain consistent with the original approval. Any substantial changes to the plan will require an amendment to the PUD.

3. All other conditions identified in Ordinance 2002-1049 shall remain in force.

SECTION II: All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

Attachment: Developer Submittal (1574 : PUD Amendment Sarah Chudnow)

SECTION III: This ordinance shall take effect and be in full force upon its passage and the day after publication.

Approved: Dan Abendroth, Mayor\_

Date Approved: October 30, 2014

This is to certify that the foregoing ordinance was adopted by the Common Council of the City of Mequon, Wisconsin at a meeting held on the 14<sup>th</sup> day of October, 2014.

Jesse R Thyres, Acting City Clerk

Published: November 6, 2014

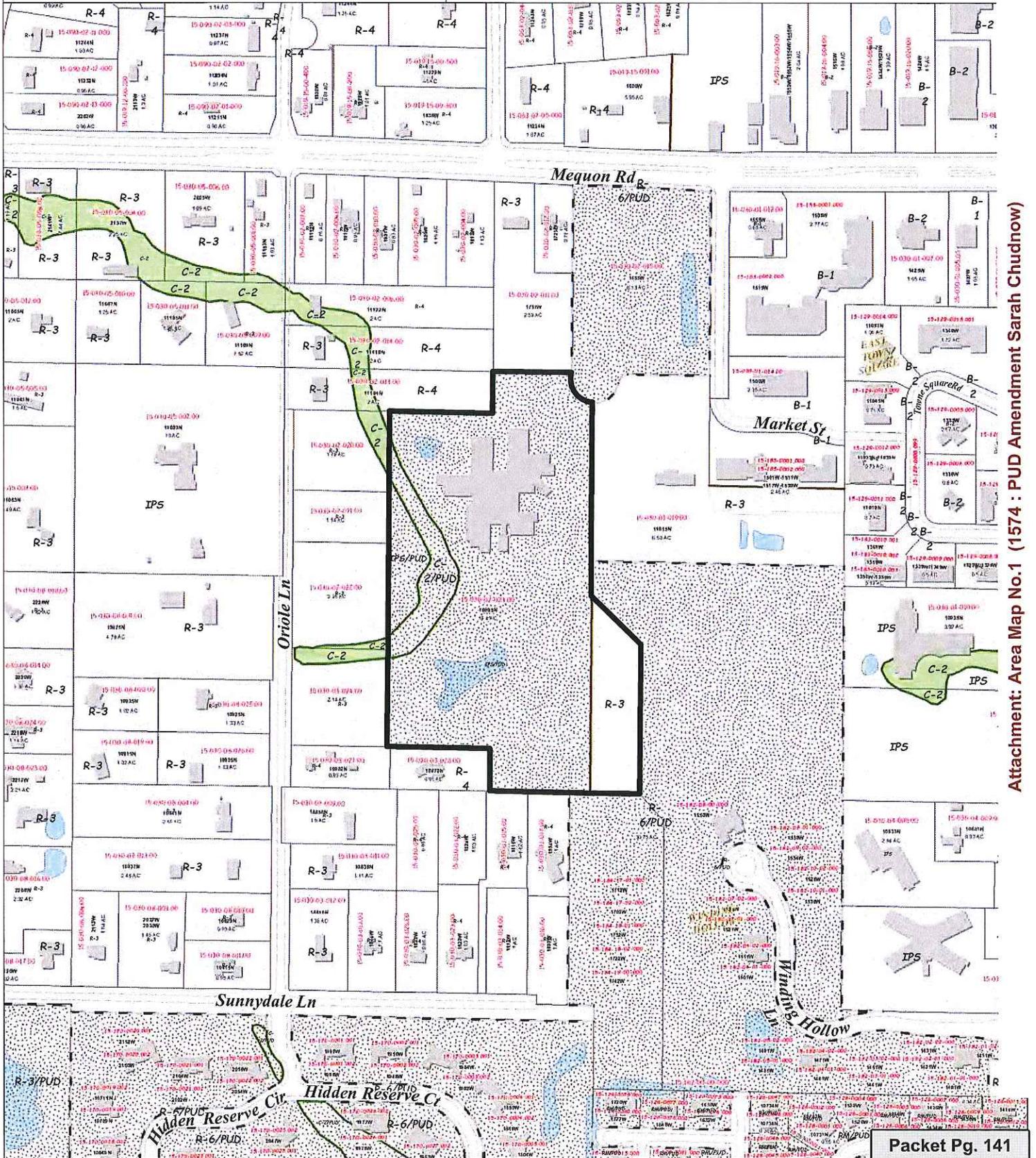
Attachment: Developer Submittal (1574 : PUD Amendment Sarah Chudnow)

# ITEM #12 - Sarah Chudnow

- AC Arrival Corridor
- A-1 Agricultural Preserve
- A-2 General Agricultural
- B-1 Neighborhood Business
- B-2 Community Business
- B-3 Office & Service Business
- B-4 Business Park
- B-5 Light Industrial
- B-6 Rural Industrial
- B-7 Rural Business
- C-1 Shoreland/Wetland Conservancy
- C-2 General Conservancy
- CGO Central Growth Overlay
- FFO Flood Fringe Overlay
- FW Floodway
- IPS Institutional & Public Service

- LTD Limited Use
- OA Agricultural Overlay
- PUD Planned Unit Development Overlay
- P-1 Park & Recreation
- R-1 Single-Family Residential (5 Ac. Min.)
- R-1B Single-Family Residential (2.5 Ac. Min.)
- R-2 Single-Family Residential (2.0 Ac. Min.)
- R-2B Single-Family Residential (1.5 Ac. Min.)
- R-3 Single-Family Residential (1.0 Ac. Min.)
- R-4 Single-Family Residential (3/4 Ac. Min.)
- R-5 Single-Family Residential (1/2 Ac. Min.)
- R-6 Single-Family Residential (4 du/Ac)
- RM Multi-Family Residential
- TC Town Center
- TDR Transfer of Development Rights

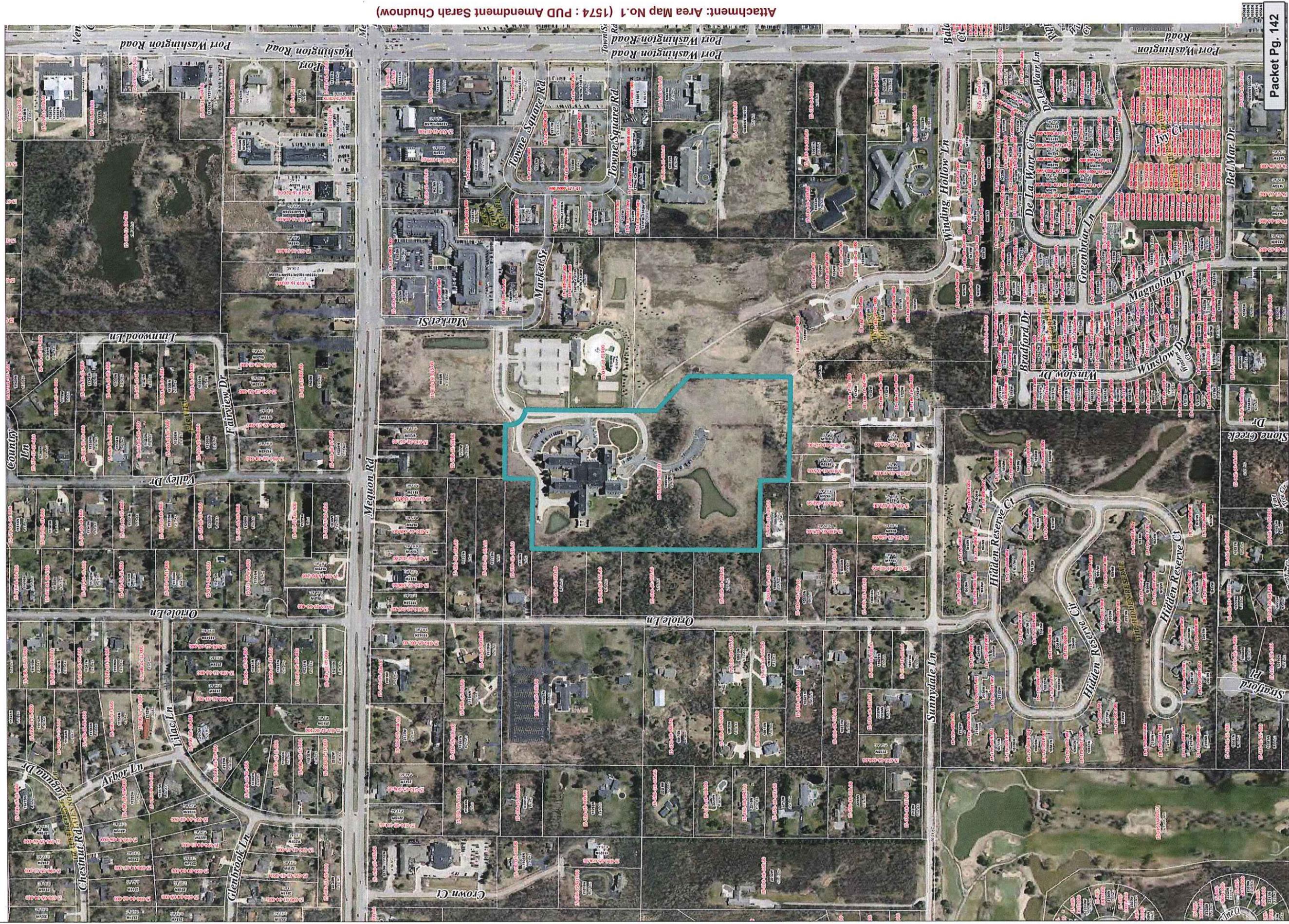
6.b.b



Attachment: Area Map No. 1 (1574 : PUD Amendment Sarah Chudnow)

# ITEM #12 - Sarah Chudnow

6.b.b



Attachment: Area Map No.1 (1574 : PUD Amendment Sarah Chudnow)



11333 N. Cedarburg Rd  
 Mequon, WI 53092-1930  
 Phone: 262-236-2902  
 Fax: 262/242-9655

www.ci.mequon.wi.us

Office of Community Development

**TO: Common Council**  
**FROM: Kim Tollefson, Director of Community Development**  
**DATE: April 12, 2016**  
**SUBJECT: An Ordinance Amending Chapter 58, City of Mequon Zoning Map for  
 Approximately 2.22 Acres Located at 11351-11363 N Port Washington Road  
 from B-3 (Office) to B-2 (Community Commercial) and Amending The Land  
 Use Plan Map from Office to Community Commercial**

### **Background**

The applicant, Kohler Credit Union, is requesting to rezone the property located at 11351-11363 N Port Washington Road. The site contains a multi-tenant commercial building that includes Kohler Credit Union and Powers Realty. Kohler Credit Union is requesting a rezoning to attract a wider range of potential tenants. The Common Council did not take action on this item at their meeting in March, because the public notification requirements for amending the Land Use Plan Map was not properly met.

### **Rezoning**

The Port Washington Road corridor in its entirety contains a mix of commercial land uses. In general, the more intense commercial zoning and uses remain located on the east side of Port Washington Road abutting the interstate. The subject site is located within a portion of the street block that contains a number of contiguous B-3 (Office) zoned parcels. In addition, this block immediately abuts lands (to the west) that is zoned single-family residential. A change to the zoning of the subject site could set the precedent for the remaining B-3 parcels to request a change to B-2 zoning. The B-2 zoning district allows for fast food restaurants and retail uses which are more intense than the uses allowed in the B-3 zoning district. The B-3 zoning district allows for a variety of uses compatible with the commercial corridor that will also maintain compatibility with the adjacent residential neighborhood.

### **Fiscal Note**

This change is fiscally neutral.

### **Staff Recommendation**

The Planning staff is recommending **denial** of the rezoning and Land Use Plan map request.

**Planning Commission Recommendation**

The Planning Commission recommended **denial** at their meeting on February 8, 2016 by a vote of 8-0.

Attachments:

Area Map No.1 (PDF)

Narrative (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

An Ordinance Amending Chapter 58, City of Mequon Zoning Map for Approximately 2.22 Acres Located at 11351-11363 N Port Washington Road from B-3 (Office) to B-2 (Community Commercial) and Amending The Land Use Plan Map from Office to Community Commercial

THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DOES ORDAIN AS FOLLOWS:

**SECTION I:**

Pursuant to section 62.23(3) of the Wisconsin Statutes, the City of Mequon, is authorized to prepare and adopt a comprehensive plan, or amendment thereof, as defined in section 66.1001(1)(a) and 66.1001(2).

**SECTION II:**

The Planning Commission of the City of Mequon, by majority vote of the Commission on February 8, 2016, has recommended approval of a Land Use Plan Map amendment to designate the property illustrated in Exhibit A as "Community Commercial".

**SECTION III:**

The City of Mequon Common Council has held a public hearing on this proposed Land Use Plan amendment at their March 7, 2016, meeting in accordance with section 66.1001(4)(d) of the Wisconsin Statutes.

**SECTION IV:**

The City of Mequon Common Council, by enactment of this ordinance, formally approves and adopts the Land Use Plan amendment illustrated in Exhibit A, pursuant to section 66.001(4)(c) of the Wisconsin Statutes.

**SECTION V:**

Following recommendation of the Planning Commission on the 8<sup>th</sup> day of February, 2016, and after due notice and hearing by the Common Council of the City of Mequon on the 12<sup>th</sup> day of April, 2016, the existing and official City of Mequon district zoning maps are hereby amended so as to change the zoning classification of certain properties, as described and illustrated in Exhibit A, to Community Commercial.

**SECTION VI:**

All other ordinances or parts of ordinances contravening the terms of this ordinance are hereby and to that extent repealed.

**SECTION VII:**

This ordinance shall take effect and be in full force upon its passage and the day after its publication.

\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_

# ITEM #10 - Kohler Credit Union

- AC Arrival Corridor
- A-1 Agricultural Preserve
- A-2 General Agricultural
- B-1 Neighborhood Business
- B-2 Community Business
- B-3 Office & Service Business
- B-4 Business Park
- B-5 Light Industrial
- B-6 Rural Industrial
- B-7 Rural Business
- C-1 Shoreland/Wetland Conservancy
- C-2 General Conservancy
- CGO Central Growth Overlay
- FFO Flood Fringe Overlay
- FW Floodway
- IPS Institutional & Public Service

- LTD Limited Use
- OA Agricultural Overlay
- PUD Planned Unit Development Overlay
- P-1 Park & Recreation
- R-1 Single-Family Residential (5 Ac. Min.)
- R-1B Single-Family Residential (2.5 Ac. Min.)
- R-2 Single-Family Residential (2.0 Ac. Min.)
- R-2B Single-Family Residential (1.5 Ac. Min.)
- R-3 Single-Family Residential (1.0 Ac. Min.)
- R-4 Single-Family Residential (3/4 Ac. Min.)
- R-5 Single-Family Residential (1/2 Ac. Min.)
- R-6 Single-Family Residential (4 du/Ac)
- RM Multi-Family Residential
- TC Town Center
- TDR Transfer of Development Rights

6.c.a



Attachment: Area Map No.1 (1573 : Rezoning Kohler Credit Union)



January 21, 2016

Mr. Jac Zader  
Assistant Director of Community Development  
City of Mequon  
11333 N. Cedarburg Road  
Mequon, WI 53092-1930

RE: Request to change zoning from B-3 to B-2 / 11357 North Port  
Washington Road / Kohler Credit Union Building

Dear Mr. Zader:

In an effort to help market the above-referenced property, we are requesting that the zoning classification be changed to B-2 from B-3. The B-2 zoning includes many uses that we feel would complement our existing business.

We recently lost three potential tenants, two related to fitness and a dry cleaner, because the B-3 zoning did not include these uses. A physical therapist currently has interest but includes fitness classes as a part of her business model. Under the current zoning, we cannot move forward.

Because the building was recently built and there are only two spaces in addition to the Credit Union, nothing will change related to design or site layout. The current zoning was in place when the site was purchased and the Kohler Credit Union did not require a zoning change. They, too, are very concerned about the type of use within their building but are requesting that they have more flexibility with the leasing efforts.

Attachment: Narrative (1573 : Rezoning Kohler Credit Union)



Please consider our request for a zoning change. This is a high value development that needs the ability to lease to businesses that complement the Credit Union and are not closely related to the current financial use.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Starr". The signature is written in a cursive, flowing style.

Brian Starr

Attachment: Narrative (1573 : Rezoning Kohler Credit Union)



11333 N. Cedarburg Rd  
 Mequon, WI 53092-1930  
 Phone: 262-242-7987  
 Fax: 262/242-9655

www.ci.mequon.wi.us

Office of Police

**TO: Common Council**  
**FROM: Steve Graff, Chief of Police**  
**DATE: April 4, 2016**  
**SUBJECT: An Ordinance Amending Chapter 46, Article IV, Division 2 of the Mequon Municipal Code as it Relates to Hunting and the Discharge of Certain Weapons Within the City**

### **Background**

2013 Wisconsin Act 71 changed certain aspects of control which municipalities have regarding the regulation of hunting activities. The proposed amendments to existing sections of Chapter 46 of the Mequon Code of Ordinances are intended to align the City's Code with the changes enacted with Act 71.

### **Analysis**

The Act generally prohibits a local governmental unit from enacting or adopting a restriction that prohibits hunting with a bow and arrow or crossbow within the jurisdiction of that local governmental unit. The Act provides two exceptions. Under one exception, a local governmental unit may enact or adopt a restriction prohibiting hunting with a bow and arrow or crossbow within 100 yards of a building. Such a restriction must provide that it does not apply if the person who owns the land on which the building is located allows the hunter to hunt within the specified distance of the building. A second exception allows a local governmental unit to enact or adopt a restriction that requires a person who hunts with a bow and arrow or crossbow to discharge the arrow or bolt from the respective weapon toward the ground.

The proposed amendments, drafted by City Attorney Brian Sajdak, outline the changes that were made to bring the City's existing ordinance into compliance.

### **Fiscal Impact**

N/A

### **Recommendation**

Staff recommends approval of the amendments to Chapter 46 of the Mequon Code of Ordinances.

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

ORDINANCE 2016-1470

An Ordinance Amending Chapter 46, Article IV, Division 2 of the Mequon Municipal Code as it Relates to Hunting and the Discharge of Certain Weapons Within the City

WHEREAS, the Common Council of the City of Mequon previously adopted Chapter 46, Article IV, Division 2 of the Mequon Municipal Code which regulates the carrying and discharging of weapons and hunting within the City of Mequon; and

WHEREAS, the Wisconsin Legislature enacted 2013 Wis. Act 71 which changes and limits the City's authority to regulate hunting activities conducted with a bow and arrow or crossbow; and

WHEREAS, while the Common Council objects to the Legislature's removal of local control over a topic that has significant health, safety and welfare impacts within the City, it nonetheless wishes to amend Chapter 46 so as to bring the Municipal Code into compliance with State law; and

WHEREAS, the Common Council finds that the regulation of the carrying and discharge of weapons and hunting within the City of Mequon promotes the health, safety and welfare of the Community;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

**SECTION I**

Section 46-107 of the Mequon Municipal Code is hereby amended to read as follows (NOTE: Added text is underlined; Deleted text is ~~struck through~~):

**Sec. 46-107. - General prohibition.**

- (a) No person shall carry or discharge a weapon within the city except:
  - (1) As specifically permitted by this division; or
  - (2) At an archery range as specifically permitted by section 54-24(3) of the Mequon Code of Ordinances.
  - (3) At a firing range approved under 46-112 of the Mequon Code of Ordinances.
  - (4) At an Indoor Sport Shooting Range permitted as a conditional use under sections 59-298 or 59-299 of

the Mequon Code of Ordinances.

- (b) General rules. No person, including a person authorized to carry or discharge a weapon under other provisions of this division 2, shall do any of the following in the city:
  - (1) Carry or discharge a rifle. The provisions set forth below allowing for the carrying or discharge of a weapon shall not be deemed to allow the use of a rifle for such purposes.
  - ~~(2) Carry or discharge a crossbow except by permit of the DNR. The provisions set forth below allowing for the carrying or discharge of a bow and arrow shall not be deemed to allow the use of a crossbow for such purposes without a DNR permit.~~
  - (3) Discharge a weapon in a manner that allows the bullet, shot, arrow or missile propelled by the weapon to pass onto property on which the person is not allowed by this section to carry or discharge a weapon or onto any public highway or public ground.
  - (4) Carry or discharge a weapon within 300 feet of:
    - a. A habitable building unless the owner or occupant of such building has first signed such person's firearms discharge permit if he or she is required to have such a permit or has provided his or her prior written permission if no such permit is required by this section; or
    - b. The Milwaukee River unless the owner or occupant of the property across the Milwaukee River has first signed such person's firearms discharge permit.
  - (5) Discharge a weapon on or across the Milwaukee River where a platted subdivision is located across the Milwaukee River.
  - (6) Discharge a weapon in a manner that constitutes reckless disregard for life (other than as allowed for hunting legal prey) or property.
  - (7) Carry or discharge a weapon in violation of any federal or state law or any rule promulgated by the DNR.

**SECTION II**

Section 46-108 of the Mequon Municipal Code is hereby amended to read as follows

(NOTE: Added text is underlined; Deleted text is ~~struck through~~):

**Sec. 46-108. - Designated closed area.**

The following provisions shall apply within the designated closed area:

- (1) No person shall, within the designated closed area, carry or discharge any weapon other than a bow and arrow or crossbow, and then only as specifically provided below subject to all other applicable provisions of this section.
- (2) A person may carry or discharge a bow and arrow or crossbow on property in the designated closed area provided:
  - a. ~~the property on which such person intends to carry or discharge the bow and arrow is not located in a platted subdivision;~~
  - b. ~~the property on which such person intends to carry or discharge the bow and arrow is comprised of at least five contiguous acres;~~
  - c. the person has the prior written permission of the owner, occupant or lessee of each property on which he or she carries or discharges the bow and arrow or crossbow;
  - d. the person has first purchased a firearms discharge permit, as described below, from the police department; and
  - e. ~~the person has advised the police department in advance of the day and time he or she plans to carry or discharge the bow and arrow.~~
- (3) An owner, occupant or lessee of property within the designated closed area, any spouse of any such person, and any child of any such person with the permission of his or her parent, may carry or discharge a bow and arrow or crossbow on that property in the designated closed area, but no other property, without satisfying the prior written permission requirement.
- (4) ~~Properties that share a boundary with the Nature Conservancy (Fairy Chasm) shall be exempt from the five-acre requirement.~~

**SECTION III**

Section 46-109 of the Mequon Municipal Code is hereby amended to read as follows (NOTE: Added text is underlined; Deleted text is ~~struck through~~):

**Sec. 46-109. - Areas other than the designated closed area.**

The following provisions shall apply in all areas outside of the designated closed area:

- (1) No person shall carry or discharge a weapon outside of the designated ~~reserved~~closed area except as specifically provided below, and then subject to all other applicable provisions of this section.
- (2) A person may carry or discharge a weapon other than a bow and arrow or crossbow on property outside the designated ~~reserve~~closed area provided:
  - a. the property on which such person intends to carry or discharge the weapon is not located in a platted subdivision;
  - b. the property on which such person intends to carry or discharge the weapon is comprised of at least five contiguous acres if the weapon to be discharged is a bow and arrow or at least ten contiguous acres in all other instances;
  - c. the person has the prior written permission of the owner, occupant or lessee of each property on which he or she carries or discharges the bow and arrow; and
  - d. the person has first purchased a firearms discharge permit, as described below, from the Police Department.
- (3) The owner, occupant or lessee of property, any spouse of any such person, and any child of any such person with the permission of his or her parent, may carry or discharge a weapon on that property, but no other property, without satisfying the prior written permission requirement and without a firearms discharge permit.
- (4) A person may carry or discharge a bow and arrow or crossbow on property outside the designated closed area subject to the provisions of section 46-108(2) of the Mequon Code of Ordinances.

**SECTION IV**

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 V**

All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

**SECTION VI**

This ordinance shall be in full force and effect upon its passage and on the day after its publication.

\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_



11333 N. Cedarburg Rd  
Mequon, WI 53092-1930  
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Fax: 262/242-9655

[www.ci.mequon.wi.us](http://www.ci.mequon.wi.us)

Office of Public Works Committee

**TO: Common Council**  
**FROM: James Keegan, Deputy Director of Engineering**  
**DATE: April 12, 2016**  
**SUBJECT: A Resolution Awarding the 2016 Crack Sealing Contract to American Pavement Solutions, Inc., Green Bay, WI in the amount of \$157,162**

---

### **Background**

At its March meeting, the Public Works Committee authorized staff to advertise the 2016 Annual Road Program for bids. Staff advertised for 67 miles of pavement crack sealing at an estimated cost of \$177,200. The bid summary and a map of the roads included in this contract are attached.

### **Analysis**

The city received 4 bids for the 2016 Crack Sealing contract with the low base bid of \$157,162.95 from American Pavement Solutions, Inc., Green Bay, Wisconsin. Upon review of the individual unit bids, the total low bid submitted by American Pavement Solutions was miscalculated by \$1.25, so the actual bid amount for award would be \$157,161.70. American Pavement Solutions, Inc. has performed acceptable crack sealing work for the City in the past.

### **Fiscal Impact**

There is adequate funding available in the Annual Road Program account to award this project.

### **Recommendation**

It is staff's recommendation that the Public Works Committee favorably endorse, and the Common Council approve the attached Resolution awarding the 2016 Crack Sealing contract to American Pavement Solutions, Inc., Green Bay, Wisconsin, for \$157,161.70.

#### Attachments:

Bid Tabulation Summary (PDF)  
Location Map (PDF)  
Street List (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3369

A Resolution Awarding the 2016 Crack Sealing Contract to American Pavement Solutions, Inc.,  
Green Bay, WI in the amount of \$157,162

WHEREAS, the City of Mequon Department of Engineering has advertised and received bids for  
the 2016 Crack Sealing contract; and

WHEREAS, staff has reviewed the various bids and contractor qualifications for the contracts;  
and

WHEREAS, staff has determined that the bids received are in accord with the estimates and that  
adequate funds are available to accomplish the work and on that basis has made a  
recommendation to the Public Works Committee; and

WHEREAS, the Committee on Public Works at its meeting on April 12, 2016 agreed with the  
staff recommendations for the following:

2016 Crack Sealing Contract - American Pavement Solutions, Inc. - \$157,161.70

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mequon that  
the above Contract, as recommended by the Public Works Committee, be accepted and that the  
proper City officials be authorized to sign the appropriate contract documents.

Adequate funds for this contract are available from the following sources:

Capital Project - 0410, Project: Local Road Program - 10001

\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City  
of Mequon, Wisconsin, at a meeting held on April 12, 2016.

\_\_\_\_\_  
William H. Jones, Jr., City Clerk

Published: \_\_\_\_\_



11335 N. Cedarburg Road, 60W  
Mequon, Wisconsin 53092

# CITY OF MEQUON

## WISCONSIN

7.a.a

### BIDS RECEIVED FOR: 2016 CRACK SEALING FILE #3686-16

BID OPENING: 3/30/2016 3:00 PM  
DATE TIME

BIDDER	TOTAL BASE BID
Precision Sealcoating, Inc.	\$340,640.00
American Pavement Solutions, Inc.	\$157,162.95
Fahrner Asphalt Sealers, LLC	\$172,498.00
Thunder Road Asphalt, LLC	\$261,127.00

Attachment: Bid Tabulation Summary (RESOLUTION 3369 : 2016 Crack Sealing Contract Award)



# 2016 CRACK SEALING LOCATION MAP

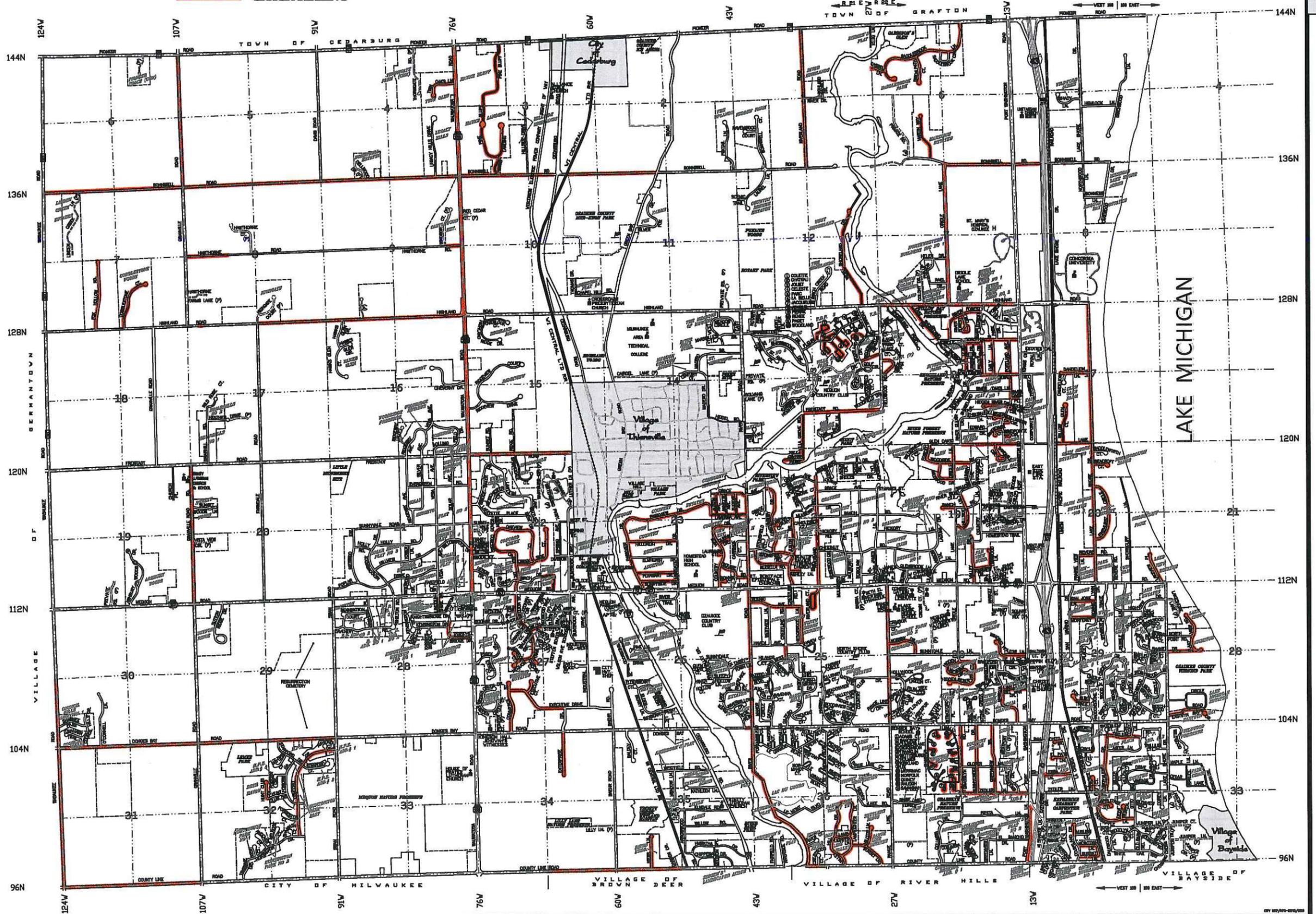
Attachment: Location Map (RESOLUTION 3369 : 2016 Crack Sealing Contract Award)

# CITY OF MEQUON



- UNPAVED ROAD
- SCHOOL
- CHURCH
- SYNAGOGUE
- SELF DRIVE
- PRIVATE ROAD
- UNPAVED DRIVEWAY
- STATE TRUNK HIGHWAY
- COUNTY TRUNK HIGHWAY
- MEQUON CITY HALL
- LATTITUDE 49° 27' 00" N
- LONGITUDE 87° 07' 00" W

**CRACK SEALING**



## 2016 Crack Sealing – Street List

STREET	FROM	TO
Wasaukee Road 124W	County Line Road 96N	½ mi. north of Donges Bay Road 108N
County Line Road 96N	Wasaukee Road 124W	Granville Road 107W
Donges Bay Road 104N	Wasaukee Road 124W	Bridge at Little Menomonee River 104W
Donges Bay Road 104N	Bridge at Little Menomonee River 104W	Swan Road 91W
Granville Road 107W	Mequon Road 112N	Freistadt Road 120N
Bonniwell Road 136N	Wasaukee Road 124W	Granville Road 107W
Granville Road 107W	Bonniwell Road 136N	Pioneer Road 144N
Bonniwell Road 136N	Granville Road 107W	Davis Road 91W
Bonniwell Road 136N	Davis Road 91W	Wauwatosa Road 76W
Highland Road 128N	One groove in pavement 0.05 mi. east of Granville Road 107W from farm implement	
Highland Road 128N	Farmdale Road 99W	Wauwatosa Road 76W
Wauwatosa Road 76W	Mequon Road 112N	Pioneer Road 144N
Bonniwell Road 136N	Wauwatosa Road 76W	Cedarburg Road 64W
Bonniwell Road 136N	Wis Cen LTD RR 63W	Green Bay Road 50W
Freistadt Road 120N	Wauwatosa Road 76W	Bridge at Pigeon Creek 68W
Freistadt Road 120N	Bridge at Pigeon Creek 68W	Village of Thiensville Village Limits 64W
County Line Road 96N	½ mi. east of Wauwatosa Road 68W	Wis Cen LTD RR 51W
County Line Road 96N	River Road 37W	0.12 mi. east 35W
River Road 42W	County Line Road 96N	Donges Bay Road 104N
River Road 43W	Donges Bay Road 104N	Mequon Road 112N
River Road 43W	Mequon Road 112N	Laverna Avenue 116N
River Road 43W	Laverna Avenue 116N	Grace Avenue 118N
Riverland Road 35W	Mequon Road 112N	Riverland Drive 119N
Range Line Road 27W	Donges Bay Road 104N	Mequon Road 112N
Freistadt Road 122N	Ville Du Parc Drive 36W	Fieldwood Road 27W
Riverland Road 35W	Bonniwell Road 136N	Pioneer Road 144N
Highland Road 128N	Fieldwood Road 27W	E. Shoreland Drive 25W
Highland Road 128N	E Shoreland Drive 25W	0.04 mi. west of Port Washington Road 14W
Oriole Lane 20W	Highland Road 128N	Bonniwell Road 136N
Bonniwell Road 136N	Oriole Lane 20W	Port Washington Road 13W
Bonniwell Road 136N	Seal around small utility patch ¼ mi. east of Lake Shore Drive 6W	
Port Washington Lane 13W	County Line Road 96N	Fiesta Lane 99N
Lake Shore Drive 5W	Mequon Road 112N	Highland Road 128N
Hunt Club Court	Hunt Club Drive	Cul-de-sac
Concord Drive	Huntington Drive	Swan Road
Riebs Lane	County Line Road	Cul-de-sac
Enterprise Drive	Donges Bay Road	Cul-de-sac
Commerce Street	Donges Bay Road	Cul-de-sac
Executive Drive	Commerce Street	Enterprise Drive
Executive Court	Executive Drive	Cul-de-sac
Mequon Trail	Mequon Road	Mendota Court (P)
Mequon Trail	Mendota Court (P)	Cul-de-sac
Steffen Drive	Mequon Trail	0.11 mi. east
Oxford Court	Mequon Trail	Cul-de-sac
Cambridge Court	Mequon Trail	Cul-de-sac
Lincolnshire Drive	Mequon Road	Knightsbridge Drive
Knightsbridge Drive	Wauwatosa Road	Paving seam .29 mi. NW

Attachment: Street List (RESOLUTION 3369 : 2016 Crack Sealing Contract Award)

STREET	FROM	TO
Concord Creek Drive	Mequon Road	Oakview Court
Oakview Court	Concord Creek Drive	Creekside Court
Creekside Court	Concord Creek Drive	Cul-de-sac
River Birch Drive	Mequon Road	Paving seam .24 mi. NW
Villa Grove Road	Freistadt Road	Cul-de-sac
Lake Isle Drive	Fieldwood Road	Fieldwood Road
Ville Du Parc Drive	Fieldwood Road	Woodland Drive
Woodland Court	Woodland Drive	Cul-de-sac
Jonquil Court	Fleur De Lis Drive	Around Loop
Jacqueline Court	Fleur De Lis Drive	Around Loop
La Belle Court	Fleur De Lis Drive	Around Loop
Chateau Court	Fleur De Lis Drive	Fleur De Lis Drive
Colette Court	Fleur de Lis Drive	Around Loop
West Shoreland Drive	Highland Road	Cul-de-sac
Hawthorne Road	Wauwatosa Road	Windsor Court (P)
Hawthorne Road	Granville Road	0.3 miles east
Cobblestone Court	Highland Road	Cul-de-sac
Fox Hollow Road	Highland Road	Cul-de-sac
Hawks Landing	Bonniwell Road	Cul-de-sac
Pine Bluff	Hawks Landing	Circle at Hawks Bluff
Pine Bluff	Circle at Hawks Landing	Pioneer Road
Twin Oaks Lane	Wauwatosa Road	Cul-de-sac
Valley Hill Drive	County Line Road	Lamplighter Lane
Lamplighter Lane	Valley Hill Drive	Valley Hill Drive
Lamplighter Lane N	Lamplighter Lane	Valley Hill Drive
Sunset Lane	Lamplighter Lane	County Line Road
Hilltop Lane	Sunset Lane	Cul-de-sac
Courtland Drive	Auburn Court	Cul-de-sac
Russet Lane	Courtland Drive	McIntosh Lane
McIntosh Lane	Courtland Drive	Russet Lane
Thornapple Lane	Zedler Lane	Otto Road
Appletree Court	Thornapple lane	Cul-de-sac
Deer Run Lane	Thornapple Lane	Cul-de-sac
Waterleaf Drive	Zedler Lane	Trillium Road
Trillium Road	Waterleaf Drive	Aster Lane
Parkside Court	Zedler Lane	Cul-de-sac
Kenilworth Circle	One crack near 10205 Kenilworth Circle	
Sierra Lane	La Cresta Drive	End
El Patio Lane	La Cresta Drive	End
Ranchito Lane	La Cresta Drive	End
Zedler Lane	Grasslyn Road	Port Washington Road
Greenview Drive	Zedler Lane	Donges Bay Road
Sunnycrest Drive	Zedler Lane	Donges Bay Road
Grasslyn Road	Zedler Lane	Donges Bay Road
Adams Court	Charter Mall	Cul-de-sac
Cumberland Court	Fill crack at intersection with Charter Mall	
Dickenson Court	Charter Mall	Cul-de-sac
Holmes Court	Charter Mall	Cul-de-sac
Kirkland Court	Charter Mall	Cul-de-sac

Attachment: Street List (RESOLUTION 3369 : 2016 Crack Sealing Contract Award)

STREET	FROM	TO
Lee Court	Charter Mall	Cul-de-sac
Merrimac Court	Charter Mall	Cul-de-sac
Quincy Court	Charter Mall	Cul-de-sac
Savannah Court	Charter Mall	Cul-de-sac
Donges Bay Road	River Road	River Lake Drive
Eastwyn Bay Drive	Lake Shore Drive	Cul-de-sac
Ravine Drive	Lake Shore Drive	Cul-de-sac
Lake View Road	Ravine Drive	Cul-de-sac
Fox Hunt Trace	Haddonstone Place	Cul-de-sac
Monterey Lane	San Marino Drive	Bonnie Lynn Drive
San Jose Lane	San Marino Drive	Bonnie Lynn Drive
Magnolia Drive	Donges Bay Road	Bel Mar Drive
Bel Mar Drive	Magnolia Drive	Port Washington Road
Winding Hollow Lane	Port Washington Road	Cul-de-sac
Hidden Reserve Court	Hidden Reserve Circle	Cul-de-sac
Hidden Reserve Circle	Oriole Lane	Hidden Reserve Court
Norway Drive	Range Line Road	Sunnydale Lane
Crestline Road	Gazebo Hill Parkway	Haven Avenue
Hedgewood Lane	Haven Avenue	Scenic Avenue
Scenic Avenue	River Road	Hedgewood Lane
Riverland Court	Mequon Road	Around Court
Parkview Drive	Mequon Road	Eastgate Drive
Sunnyside Drive	Parkview Drive	Eastgate Drive
Pleasant Drive	Parkview Drive	Eastgate Drive
Hillcrest Drive	Parkview Drive	Eastgate Drive
Parkview Drive	Eastgate Drive	Laverna Avenue
Laverna Avenue	Parkview Drive	River Road
Austin Avenue	Laverna Avenue	Grace Avenue
Eugene Avenue	Laverna Avenue	Grace Avenue
Grace Avenue	Austin Avenue	River Road
Country View Drive	Mequon Road	River Road
Bonnie Court	Country View Drive	Cul-de-sac
Squire Road	Country View Drive	River Road
Laurmark Court	Country View Drive	Cul-de-sac
Dunhill Drive	Country View Drive	Cul-de-sac
Justin Drive	Mequon Road	Mulberry Drive
Ashley Lane	Justin Drive	End
Rudella Road	Stonefield Road	Justin Drive
Stonefield Road	Canterbury Drive	Justin Drive
Canterbury Drive	Stonefield Road	0.25 mi. north
Canterbury Drive	0.25 mi. north of Stonefield Road	Grace Court
Canterbury Court	Canterbury Drive	Cul-de-sac
Valley Drive	Mequon Road	Oriole Lane
Fairview Drive	Valley Drive	Linnwood Lane
Linnwood Lane	Fairview Drive	Cul-de-sac
Hillside Lane	Valley Drive	River Bend Court
Ranch Road	Oriole Lane	Cul-de-sac
Oriole Lane	Glen Oaks Lane	Wildwood Drive
Wildwood Drive	Woodside Lane	Oriole Lane

Attachment: Street List (RESOLUTION 3369 : 2016 Crack Sealing Contract Award)

STREET	FROM	TO
Forest Drive	Glen Oaks Lane	Woodside Lane
Woodside Lane	Forest Drive	Country Lane
Glen Oaks Lane	Port Washington Road	River Glenn Lane
Sandhill Circle	Glen Oaks Lane	Cul-de-sac
Revere Road	Prairie View Lane	Lake Shore Drive
Pinehurst Circle	Lake Shore Drive	Lake Shore Drive
Seacroft Court	Lake Shore Drive	Cul-de-sac
Lakeview Place	Mequon Road	Cul-de-sac
Glen Oaks Lane	Lake Shore Drive	Cul-de-sac
Willow Glen Court	Glen Oaks Lane	Cul-de-sac
Dandelion Lane	Lake Shore Drive	End
Windpointe Circle	Portland Avenue	Around Circle
Windpointe Court	Portland Avenue	Cul-de-sac
Stillwater Circle	Portland Avenue	Around Circle
Stillwater Court	Portland Avenue	Cul-de-sac
Hidden River Circle	Portland Avenue	Around Circle
Hidden River Drive	Portland Avenue	Cul-de-sac
River Oaks Place	Portland Avenue	Port Washington Road
Portland Avenue	River Oaks Place	Dorothy Place
Emily Lane	Liebau Road	Dorothy Place
Pilot Drive	Liebau Road	Dorothy Place
Circle Drive	Eleanor Drive	Dorothy Place
Liebau Road	Pilot Drive	Port Washington Road
Dorothy Place	Circle Road	Port Washington Road
River Forest Drive	Circle Road	Maplecrest Lane
River Forest Circle	River Forest Drive	Cul-de-sac
East Shoreland Drive	Highland Road	Circle Road
Bonniwell Road	Port Washington Road	Dead end at I-43
Martin Way	Bonniwell Road	Cul-de-sac
Saddlebrook Lane	Pioneer Road	Cul-de-sac
Bridalpath Court	Saddlebrook Lane	Cul-de-sac
Cassel Lane	Saddlebrook Lane	End

Attachment: Street List (RESOLUTION 3369 : 2016 Crack Sealing Contract Award)



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 Mequon, WI 53092-1930  
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 Fax: 262/242-9655

[www.ci.mequon.wi.us](http://www.ci.mequon.wi.us)

Office of Engineering

**TO: Common Council**  
**FROM: Kristen Lundeen, Director of Public Works/City Engineer**  
**DATE: March 31, 2016**  
**SUBJECT: A Resolution Approving the Award of a Contract for the Replacement of a Generator and Transfer Switch at Lift Station A to Frank Gillitzer Electric, Mequon, WI in the Amount of \$47,489**

### **Background**

The 2016 Sanitary Sewer budget adopted in October 2015 included funding for a number of capital improvement projects. Most of the proposed projects are a continuation of prior years' improvements and upgrades to the City's sanitary sewer lift stations as components age and deteriorate.

The generator at Lift Station A is 28 years old and has had some compatibility issues with the new drives at the station. This is a very critical station and replacement parts are getting harder to locate. Funding for onsite generator replacement is available as a part of the routine replacement program. Replacement of onsite generators will address the high cost of replacing existing generators at lift stations due to age or maintenance cost.

Lift Station A has a transfer switch in the generator hut. Replacement is required due to obsolete parts for maintenance. If they do not transfer power when utility power fails, it could result in sewer backups.

### **Analysis**

The items listed above are critical to the operation of the City's sanitary sewer system. Staff has requested written quotes from multiple companies for the various replacements and upgrades. Of the five requested quotes, two contractors responded: Pieper Power at \$55,739.00 and Frank Gillitzer Electric at \$47,489.00.

### **Fiscal Impact**

The FY2016 budget included \$40,000.00 in two capital budgets for these projects. The additional \$7,489.00 will be addressed by the fund balances in both of the associated accounts.

### **Recommendation**

It is staff's recommendation that the Sanitary Utility District Commission favorably endorse and the Common Council approve this attached, which authorizes staff to complete the generator and transfer switch replacements at Lift Station A.

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3371

A Resolution Approving the Award of a Contract for the Replacement of a Generator and Transfer Switch at Lift Station A to Frank Gillitzer Electric, Mequon, WI in the Amount of \$47,489

**WHEREAS**, a number of capital improvement projects were identified as part of the FY2016 Sanitary Sewer budget adopted by the Common Council on October 27, 2015; and

**WHEREAS**, these projects are critical to the operation of the City’s sanitary sewer system; and

**WHEREAS**, City staff has received and evaluated bids for the Replacement On-site Generators and Lift Station Transfer Switch capital projects; and

**WHEREAS**, City staff recommends that the Replacement On-site Generators and Lift Station Transfer Switch for Lift Station A for \$47,489.00 be awarded to Frank Gillitzer Electric of Mequon; and

**WHEREAS**, the FY 2016 budget included \$40,000.00 in the Sanitary Utility capital improvement budget for these projects and the difference will utilize respective existing balances; and

**WHEREAS**, the Sanitary Utility District Commission at its meeting on April 12th, 2016 endorsed staff’s recommendations,

**NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL** of the City of Mequon, the Common Council at its meeting on April 12th, 2016 approved staff’s recommendation and directs staff to complete the 2016 Sanitary Sewer Capital projects identified above.

\_\_\_\_\_  
Approved by: Dan Abendroth, Mayor

Date Approved: April 12, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on April 12, 2016.

\_\_\_\_\_  
William H. Jones, Jr., City Clerk